

**OAKLAND COUNTY**  
**BOARD OF COMMISSIONERS**  
**MINUTES**

February 5, 2004

Meeting called to order by Chairperson Thomas Law at 9:35 a.m. in the Courthouse Auditorium, 1200 N. Telegraph Road, Pontiac, Michigan.

Roll called.

PRESENT: Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack. (22)

ABSENT: Middleton, Palmer, Patterson (with notice). (3)

Quorum present.

Invocation given by George W. Suarez.

Pledge of Allegiance to the Flag.

Moved by Bullard supported by Hatchett the minutes of the January 22, 2004 Board Meeting be approved.

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

Moved by Webster supported by Rogers the rules be suspended and the agenda be amended by moving Planning and Building Committee item g: Miscellaneous Resolution #04022 – Division of Waste Resources – Resolution Approving the Interlocal Agreements for the North Oakland County Household Hazardous Waste Consortium and Public Services Committee item a: Miscellaneous Resolution #03369 – Department of Public Services/Medical Examiner – Adjustment to the Medical Examiner Division Fee Schedule from the Consent Agenda to the Regular Agenda.

AYES: Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack. (22)

NAYS: None. (0)

A sufficient majority having voted therefore, the motion to suspend the rules and amend the agenda carried.

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The Honorable Wendy Potts addressed the board with the State of the Courts.

Pontiac Veterans Memorial President, Jack Bresseler, addressed the board with a plan and the finances needed to construct a monument in Perry Mount Park Cemetery in honor of our veterans.

Chairperson Thomas Law made the following statement; "A Public Hearing is now called on Planning and Economic Development Services Division Resolution Approving Project Plan (The Catholic Central High School of Detroit Project) City of Novi. Are there any person present who wish to speak?" No persons requested to speak and the Chairperson declared the Public Hearing closed.

Deputy Clerk/Register James VanLeuven read a communication from Kay Backus stating her recent resignation from the Oakland County Historical Commission.

Deputy Clerk/Register James VanLeuven read a communication from Chairperson Thomas Law appointing Daniel Prevost to the Oakland County Historical Commission, to replace Kay Backus, for a term ending January 1, 2006.

Deputy Clerk/Register James VanLeuven read a communication from Chairperson Thomas Law appointing Commissioner Vincent Gregory to the Tax Increment Finance Authority Ad Hoc Committee for a term ending December 31, 2004.

The following people addressed the board: Commissioner Mattie Hatchett.

Moved by Potter supported by Gregory the resolutions on the Consent Agenda, be adopted (with accompanying reports being accepted). (The vote for this motion appears on page \*\*\*) The resolutions on the Consent Agenda followed (annotated by an asterisk {\*}):

**\*MISCELLANEOUS RESOLUTION #04013**

BY: General Government Committee, William Patterson, Chairperson

**IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY/EMERGENCY RESPONSE AND PREPAREDNESS – TECHNOLOGY IMPROVEMENTS DESIGNATION**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Emergency Response and Preparedness Division is responsible for providing planning, response, recovery and mitigation services for natural, technological, national security and nuclear emergencies or disasters affecting Oakland County, Michigan; and

WHEREAS Oakland County has recognized that information technology can play a key role in these activities and is an integral part of the County's Homeland Security strategy; and

WHEREAS to fully leverage the capabilities of the County's information technology infrastructure during preparedness, response, recovery and mitigation activities, the County must implement several technology improvements in the Emergency Response and Preparedness Division (ERP) and Emergency Operations Center (EOC); and

WHEREAS improvements to the technology used by the County's ERP Division and EOC will include, but not be limited to, WebEOC enhancements, GIS application development, hardware upgrades, messaging applications, and communications; and

WHEREAS attached is the Oakland County Emergency Operations Center Technology Upgrade Plan which outlines the improvements to be made in the Emergency Response and Preparedness Division (ERP) and Emergency Operations Center (EOC); and

WHEREAS \$250,000 has been designated in the County's General Fund for ERP and EOC Technology Improvements.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioner's approves for use, the previously designated \$250,000 to improve technology in the Emergency Response and Preparedness Division and EOC.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Oakland County Emergency Operations Center Information Technology Upgrade Plan on file in County Clerk's office.

FISCAL NOTE (MISC. #04013)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY – EMERGENCY RESPONSE AND PREPAREDNESS - TECHNOLOGY IMPROVEMENTS DESIGNATION

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 authorizes the implementation of several technology improvements in the Emergency Response and Preparedness (ERP) division and Emergency Operations Center (EOC).
2. Emergency Response and Preparedness is responsible for planning response, recovery, and mitigation services for natural, technological, nation security, and nuclear emergencies or disaster affecting Oakland County, Michigan.
3. Oakland County recognizes that Information Technology can play a key role in these improvements and is an integral part of the County's Homeland Security strategy.
4. The improvements include but not limited to, WebEOC enhancements, GIS application development, hardware upgrades, messaging applications, and communications.
5. The Fiscal Year 2004 budget should be amended as specified to utilize Designated Fund balance (GL account #9407-105000) for the technology improvements in the Emergency Response and Preparedness Division and Emergency Operations Center as detailed below.

GENERAL FUND (101)

Revenue

90-190000-14000-1582	Prior Year Bal	\$250,000
Expenditure		
90-310000-98636-8001	Transfer Out	<u>250,000</u>
		<u>\$ -0-</u>

INFORMATION TECHNOLOGY FUND (636)

Revenue

18-636113-98101-1701	Transfer In	\$ 250,000
Expense		
18-636172-95901-3596	Software Purchase	40,000
18-636172-95901-3348	Professional Svcs	125,000
18-636172-95901-4101	Expendable Equipment	65,000
18-636172-95901-8055	Changes Fund Equity	<u>20,000</u>
		<u>\$ 250,000</u>
		<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04014**

BY: General Government Committee, William Patterson, Chairperson

**IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY - COMSTAT/CRIMEVIEW WEBSITE PROPOSAL - PONTIAC POLICE DEPARTMENT PILOT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Pontiac Police Department is part of the County's CLEMIS program and is on the County's OakNet broadband fiber optic network. The Pontiac Police Department uses Comstat reports from the CLEMIS CrimeView application and has been successful at reducing some crimes in its jurisdiction using these County-sponsored statistics; and



Expenditure

90-310000-98636-8001 Transfer Out	250,000
	<u>\$ -0-</u>

Information Technology Fund (636)

Revenue

18-636113-98101-1701 Transfer In	\$ 250,000
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Expense

18-636172-24000-3596 Software Purchase	1,000
18-636172-24000-3597 Software Maint	400
18-636172-24000-3348 Professional Svcs	\$ 248,600
	<u>\$ 250,000</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*REPORT (MISC. #04025)**

BY: General Government Committee, William R. Patterson, Chairperson

**IN RE: WEST NILE VIRUS FUND REIMBURSEMENT FOR PROJECT IN WHITE LAKE TOWNSHIP – FISCAL YEAR 2003 ALLOCATION**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04025 on January 26, 2004, reports with a recommendation that the resolution be adopted.

Chairperson, on behalf of the General Government Committee, I move acceptance of the foregoing report.

GENERAL GOVERNMENT COMMITTEE

MISCELLANEOUS RESOLUTION #04025

BY: Eileen Kowall, District #6

**IN RE: WEST NILE VIRUS FUND REIMBURSEMENT FOR PROJECT IN WHITE LAKE TOWNSHIP – FISCAL YEAR 2003 ALLOCATION**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners established a West Nile Virus Fund Disbursement Policy per Miscellaneous Resolution #03060 in an effort to assist cities, villages and townships (CVTs) with mosquito control measures to prevent the spread of West Nile Virus and to help protect the health, safety and welfare of the people of Oakland County; and

WHEREAS pursuant to the Disbursement Policy, White Lake Township has submitted a resolution of authorization to the County for reimbursement of expenses incurred in connection with an eligible mosquito control project; and

WHEREAS the FY 2003 authorized amount of funding for White Lake Township is \$13,968.40 from the West Nile Virus Fund as repayment to White Lake Township for expenses incurred in connection with mosquito control projects.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the project submitted by White Lake Township as eligible for reimbursement from the West Nile Virus Fund.

BE IT FURTHER RESOLVED that the Board authorizes the FY 2003 appropriation in the amount of \$13,968.40 from the West Nile Virus Fund to repay White Lake Township for expenses incurred in connection with the mosquito control project, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

EILEEN KOWALL

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Copy of letters from George Miller, M.A., Manager/Health Officer, Carol J. Burkard, Clerk of White Lake Township, Proposed Project for 2004 White Lake Township Mosquito Control Program, Resolution – West Nile Virus Fund Reimbursement Request on file in County Clerk's office.

FISCAL NOTE (MISC. #04025)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: WEST NILE VIRUS FUND REIMBURSEMENT FOR PROJECT IN WHITE LAKE TOWNSHIP - FISCAL YEAR 2003 ALLOCATION

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. Funding of \$13,968.40 is available in General Fund (account 2853-16001) to reimburse White Lake Township for this project; no additional appropriation is required.
2. The Committee recommends adoption of this resolution.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04016**

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

**IN RE: DRAIN COMMISSIONER - INTERLOCAL AGREEMENTS FOR STORMWATER DETENTION POND AND STREAM BANK INVENTORY PROJECT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to Miscellaneous Resolutions #02162 and #02163, the County applied for, and was awarded, federal grant funding not exceeding a total of \$103,995 (Main 1-2 Stormwater Detention Pond Inventory Project \$54,350 grant and Main 1-2 Stream Bank Inventory Project \$49,645) from the County of Wayne via United States Environmental Protection Agency (USEPA), to implement inventory of detention ponds and stream banks; and

WHEREAS said grant, among other things, requires a 50% match in funds or in-kind services; and

WHEREAS Bloomfield Township, West Bloomfield Township, City of Birmingham, City of Bloomfield Hills, City of Farmington Hills, City of Rochester Hills, City of Southfield, City of Troy, Village of Beverly Hills and Village of Bingham Farms ("Municipalities") have requested the Oakland County Drain Commissioner for assistance in administering the stormwater detention pond and streambank inventory project ("Project"); and

WHEREAS subject to the conditions contained in the attached agreement, the Municipalities, will agree to reimburse the County as provided for in the attached copies of interlocal agreements; and

WHEREAS the attached agreements have been reviewed and approved by the Corporation Counsel; and WHEREAS the scope of the Project is set forth in the Scope of Services attached to the attached interlocal agreements; and

WHEREAS the Municipalities recognize and agree that, absent an agreement the County has no obligation to provide these services or grant funding to or for the Municipalities.

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners authorizes its Chairperson to execute the attached Interlocal Agreements with Bloomfield Township, West Bloomfield Township, City of Birmingham, City of Bloomfield Hills, City of Farmington Hills, City of Rochester Hills, City of Southfield, City of Troy, Village of Beverly Hills and Village of Bingham Farms.

BE IT FURTHER RESOLVED the Drain Commissioner is authorized to proceed with the administering the Detention Pond and Streambank Inventory Project.

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

PLANNING AND BUILDING COMMITTEE

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Copy of Oakland County Drain Commissioner's Contracts for Storm Water Management Services with the Village of Beverly Hills, Bingham Farms, Birmingham, Bloomfield Hills, Bloomfield Township, Farmington Hills, Rochester Hills, City of Southfield, Troy, and West Bloomfield Township on file in County Clerk's office.

FISCAL NOTE (MISC. #04016)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DRAIN COMMISSIONER – INTERLOCAL AGREEMENTS FOR STORMWATER DETENTION POND AND STREAM BANK INVENTORY PROJECT

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 Drain Commission will implement Miscellaneous Resolutions #02162 and #02163 through interlocal agreements with the following ten communities Bloomfield Township, West Bloomfield Township, City of Birmingham, City of Bloomfield Hills, City of Farmington Hills, City of Rochester Hills, City of Southfield, City of Troy, Village of Beverly Hills and Village of Bingham Farms.
2. Miscellaneous Resolution #02162 is for Main 1-2 Stormwater Detention Pond Inventory Project in the amount of \$108,700 with a maximum grant reimbursement of \$54,350.
3. Miscellaneous Resolution #02163 is for Stream Bank Inventory Project in the amount of \$99,290 with a maximum grant reimbursement of \$49,645.
4. The interlocal agreements set forth the scope of the project along with the agreement of the communities to reimburse the Drain Commissioner for its services and to cover all grant matching requirements.
5. All grant match requirements and all cost incurred above the estimated project cost are to be paid by the communities through their interlocal agreements with the County of Oakland.
6. No General Fund Monies are required.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04017**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH HD DEVELOPMENT OF MARYLAND, INC., A MARYLAND CORPORATION C/O HOME DEPOT FOR THE NEW COUNTY-WIDE RADIO SYSTEM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners, by Miscellaneous Resolution #98308, recognized that the County's current 800MHz radio system needed to be upgraded and expanded to encompass all public safety agencies and to create interoperability between public safety agencies; and

WHEREAS the Oakland County Board of Commissioners, pursuant to MCL 484.1401 and Miscellaneous Resolution #99279, authorized the levy of a four (4%) percent emergency telephone operational charge to pay for a new County-wide radio system that will have the ability to encompass all public safety agencies and create interoperability between public safety agencies; and

WHEREAS to properly implement and operate the new County-wide radio system, the County will need to build towers, lease land, and/or lease space on towers at sites throughout the County; and

WHEREAS it is the recommendation of the Departments of Facilities Management and Information Technology that the Oakland County Board of Commissioners accept and approve the terms and conditions of the attached Lease Agreement; and

WHEREAS under the attached Lease Agreement, the County will construct, operate and maintain a radio tower to be located at 225 Avon Road, Rochester Hills; and

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WHEREAS the initial term of the lease shall commence on January 1, 2004 and expire on December 31, 2008. Rent for the term of the lease and three renewable terms shall be \$200.00 per year; and

WHEREAS the Departments of Facilities Management, Information Technology, and Corporation Counsel have reviewed and/or prepared all necessary documents related to the attached lease agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached lease agreement between the County of Oakland and HD Development of Maryland, a Maryland Corporation, c/o Home Depot.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson to execute the attached construction license and lease agreement between the County of Oakland and HD Development of Maryland, a Maryland Corporation, c/o Home Depot.

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

PLANNING AND BUILDING COMMITTEE

Copy of Lease Agreement, Exhibits A, B, and C on file in County Clerk's office.

FISCAL NOTE (MISC. #04017)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH HD DEVELOPMENT OF MARYLAND, INC., A MARYLAND CORPORATION C/O HOME DEPOT FOR THE NEW COUNTY-WIDE RADIO SYSTEM

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 Board of Commissioners, pursuant to MCL 484.1401 and Miscellaneous Resolution #99279, authorized the levy of a four (4%) percent emergency telephone operational charge to pay for a new County-wide radio system, including construction of towers, lease of land, and/or lease of space on towers at sites throughout the County.
2. The resolution approves and authorizes a lease agreement between the County of Oakland and HD Development of Maryland, a Maryland Corporation, c/o Home Depot.
3. Under terms of the Agreement, the County will lease approximately 1,000 square feet of real property from HD Development for the construction of a radio communications tower at 225 Avon, Rochester Hills, Michigan.
4. The County will be responsible for the construction, operation, and maintenance of the tower.
5. The Agreement further grants easements for utilities, ingress, and egress over the adjacent real property.
6. The initial lease commences January 1, 2004 and expires December 31, 2008 and may be renewed for three additional five-year terms.
7. The County will pay HD Development \$200 annually during the term of the lease as rent for the site.
8. Rent payments as well as utility service to the site will be funded from the emergency telephone operational charge, levied through the Radio Communications Fund to pay for a new Countywide radio system.
9. No budget amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04018**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY - INDEPENDENCE OAKS COUNTY PARK (TAX PARCEL NO. 08-09-200-004)**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

WHEREAS the Oakland County Parks Commission is proceeding with its planned campground improvements at Independence Oaks County Park; and

WHEREAS as a condition of providing underground electric service to the campground area, the Detroit Edison Company has requested that the County of Oakland grant a permanent easement for underground electric service and related appurtenances over a portion of the park property; and

WHEREAS the Oakland County Parks Commission and the Detroit Edison Company have agreed upon a route for the said underground electric service which will provide power to the campground area; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and/or prepared all necessary documents related to the granting of the easement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby authorizes and approves the granting of the attached easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one dollar.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby directs its Chairperson or designee to execute the attached easement for underground electric service and related appurtenances.

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 Underground Easement, and Exhibit A on file in County Clerk's office.

FISCAL NOTE (MISC. #04018)

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY – INDEPENDENCE OAKS COUNTY PARK (TAX PARCEL NO. 08-09-200-004)**

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 Oakland County Parks Commission is proceeding with Youth Organizational campground improvements at Independence Oaks County Park.
2. The resolution authorizes and approves the granting of an easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one (1) dollar for the Youth Organizational campground.
3. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04019**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY - ADDISON OAKS COUNTY PARK (TAX PARCEL NO. 05-33-200-001)**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

WHEREAS the Oakland County Parks Commission is proceeding with its planned campground improvements at Addison Oaks County Park; and

WHEREAS as a condition of providing underground electric service to the campground area, the Detroit Edison Company has requested that the County of Oakland grant a permanent easement for underground electric service and related appurtenances over a portion of the park property; and

WHEREAS the Oakland County Parks Commission and the Detroit Edison Company have agreed upon a route for the said underground electric service which will provide power to the campground area; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and/or prepared all necessary documents related to the granting of the easement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby authorizes and approves the granting of the attached easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one dollar.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby directs its Chairperson or designee to execute the attached easement for underground electric service and related appurtenances.

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 Underground Easement, and Exhibit A on file in County Clerk's office.

FISCAL NOTE (MISC. #04019)

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY – ADDISON OAKS COUNTY PARK (TAX PARCEL NO. 05-33-200-001)**

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 Oakland County Parks Commission is proceeding with campground improvements at Addison Oaks County Park.
2. The resolution authorizes and approves the granting of an easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one (1) dollar for the upgraded campground area.
3. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04020**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY - OAKLAND COUNTY INTERNATIONAL AIRPORT (TAX PARCEL NO. 13-17-400-003)**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of Oakland County International Airport located in Waterford Township; and

WHEREAS Lessee Williams International Corporation has constructed a new hangar facility on leased property at the Oakland County International Airport; and

WHEREAS as a condition of providing underground electric service to the project site, the Detroit Edison Company has requested that the County of Oakland grant a permanent easement for underground electric service and related appurtenances over a portion of the airport property; and

WHEREAS the airport staff and the Detroit Edison Company have agreed upon a route for the said underground electric service which will provide power to the project area; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and/or prepared all necessary documents related to the granting of the easement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby authorizes and approves the granting of the attached easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one dollar.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby directs its Chairperson or designee to execute the attached easement for underground electric service and related appurtenances.

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 Underground Easement, and exhibit A on file in County Clerk's office.

FISCAL NOTE (MISC. #04020)

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY – OAKLAND COUNTY INTERNATIONAL AIRPORT (TAX PARCEL NO. 13-17-400-003)**

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. A new hangar facility has been constructed by the Williams International Corporation at the Oakland County International Airport.
2. The resolution authorizes and approves the granting of an easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one (1) dollar for the new hangar facility.
3. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04021**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY - NEW 52-3 COURTHOUSE AND SHERIFF SUBSTATION, LOCATED IN THE CITY OF ROCHESTER HILLS (TAX PARCEL NO. 15-26-377-001)**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is proceeding with the construction of a new Courthouse and Sheriff Substation on Barclay Circle in the City of Rochester Hills to replace the existing leased courthouse facilities; and

WHEREAS as a condition of providing underground electric service to the new buildings, the Detroit Edison Company has requested that the County of Oakland grant a permanent easement for underground electric service and related appurtenances over a portion of the Court property; and

WHEREAS the Department of Facilities Management and the Detroit Edison Company have agreed upon a route for the said underground electric service which will provide power to both buildings; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and/or prepared all necessary documents related to the granting of the easement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby authorizes and approves the granting of the attached easement for underground electric service and related appurtenances to the Detroit Edison Company for the sum of one dollar.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby directs its Chairperson or designee to execute the attached easement for underground electric service and related appurtenances.

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 Underground Easement, and Exhibits A, and Location Map on file in County Clerk's office.

FISCAL NOTE (MISC. #04021)

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – RECOMMENDATION TO GRANT EASEMENT FOR UNDERGROUND ELECTRIC SERVICE TO THE DETROIT EDISON COMPANY – NEW 52-3 COURTHOUSE AND SHERIFF SUBSTATION, LOCATED IN THE CITY OF ROCHESTER HILLS (TAX PARCEL NO. 15-26-377-001)**

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 authorizes and approves the granting of an easement for underground electric service and related appurtenances for the new 52-3 Courthouse and Sheriff Substation to the Detroit Edison Company for the sum of one (1) dollar.
2. No General Fund/General Purpose amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

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**\*REPORT (MISC. #04023)**

BY: Personnel Committee, Gregory Jamian, Chairperson

**IN RE: CIRCUIT COURT/FAMILY DIVISION – PROBATE COURT – ATTORNEY APPOINTMENT PROGRAM AND PERSONNEL RELATED ITEM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Personnel Committee having reviewed Miscellaneous Resolution #04023 on January 28, 2004 reports with the recommendation the Resolution be adopted.

Chairperson, on behalf of the Personnel Committee, I move the acceptance of the foregoing report.

PERSONNEL COMMITTEE

**MISCELLANEOUS RESOLUTION #04023**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: CIRCUIT COURT/FAMILY DIVISION – PROBATE COURT – ATTORNEY APPOINTMENT PROGRAM AND PERSONNEL RELATED ITEM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS upon order of the Michigan Supreme Court, Michigan Court Rule 8.123 requires each trial court (Circuit, Probate, and Municipal courts) to adopt a local administrative order that describes the court's procedures for selection, appointment, and compensation of counsel who represent indigent parties; and

WHEREAS the State Court Administrative Office has required that a trial court's local administrative order must:

- 1) Contain a Plan for Appointment: selecting, appointing and compensating counsel who represent indigent parties;
- 2) Be Approved by SCAO; and

WHEREAS Michigan Court Rule 8.123 requires an annual compilation of a written or electronic report of appointments and expenditures of public funds for attorney fees; and

WHEREAS Michigan Court Rule 8.123 requires the availability of trial court records for inspection by the public; and

WHEREAS the General Jurisdiction (Civil) Division of Circuit Court already put in place a "plan" to select, appoint and compensate counsel as well as meet the requirements regarding keeping and availability of appointment records; and

WHEREAS in excess of 4,300 attorney appointments are made annually by the Circuit Court/Family Division and Probate Court; and

WHEREAS several new clerical, data collection, and reporting functions must be performed by trial courts to comply with the provisions of Michigan Court Rule 8.123 and the requirements of the State Court Administrative Office; and

WHEREAS the Sixth Judicial Circuit/Family Division and Oakland County Probate Courts wishes to provide for the discharge of these new functions by requesting that one (1) General Fund/General Purpose Court Appointment Specialist classification and position be created for this function; and

WHEREAS the Circuit and Probate Courts have identified savings and funding sources that will cover the cost of the requested position.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the creation of one (1) General Fund /General Purpose, Overtime non-exempt, salary grade 8, Court Appointment Specialist classification and position located in Circuit Court/ Family Division/ Judicial Support (35403).

BE IT FURTHER RESOLVED that this position will administer the selection, appointment and compensation of court appointed indigent defense counsel as well as keep and make available attorney appointment information for the Circuit Court/ Family Division and Probate Court.

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

PUBLIC SERVICES COMMITTEE

FISCAL NOTE (MISC. #04023)

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: CIRCUIT COURT/FAMILY DIVISION - PROBATE COURT – ATTORNEY APPOINTMENT PROGRAM AND PERSONNEL RELATED ITEM**

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 Michigan Supreme Court per Rule #8.123 requires each trial court (Circuit, Probate, and Municipal) to adopt a local administrative order that describes the court's procedures for selection, appointment, and compensation of counsel who represent indigent parties.
2. The State Court Administrative Office has required that a trial court's local administrative order must contain a plan, approved by SCAO, for selecting, appointing and compensating counsel who represent indigent parties.
3. The Circuit Court/Family Division wishes to create one (1) General Fund /General Purpose, Overtime non-exempt, salary grade 8, Court Appointment Specialist classification and position to discharge these new functions.
4. Proposed funding for this new position is \$24,534 for FY 2004 and \$39,192 for FY 2005, which is available in the Non-Departmental Salary Adjustment account.
5. In addition the Circuit Court is proposing to increase revenue collections for Refund Fees PD Defense Attorney by \$5,000 for FY 2004 and \$12,000 for FY 2005.
6. A budget amendment is recommended for the Circuit Court budget for FY 2004, and FY 2005 as follows:

<u>GENERAL FUND (101)</u>	<u>FY 2004</u>	<u>FY 2005</u>
<u>Revenues</u>		
<u>Dept. 35 Circuit Court:</u>		
2-35-130000-23200-0849 Refund Defense Atty. Fees	\$ 5,000	\$12,000
Sub-Total Gen. Fund Budget	\$ 5,000	\$12,000
<u>Expenditures</u>		
<u>Dept. 35 Circuit Ct. &amp; Dept. 90 Non-Departmental:</u>		
2-35-243000-11000-2001 Salaries	\$19,755	\$34,242
2-35-243000-11000-2074 Fringes	9,779	16,950
2-90-290000-25000-9075 Salary Adjustment	(\$24,534)	(\$39,192)
Sub-Total Circuit Court	\$ 5,000	\$12,000
Net General Fund Amendment	\$ -0-	\$ -0-

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04028**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: CIRCUIT COURT – 2004 MICHIGAN DRUG COURT PROGRAM (SCAO) CONTINUATION GRANT – ADULT – CONTRACT ACCEPTANCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Circuit Court applied for a grant with the State Court Administrative Office (SCAO), Michigan Drug Court Grant Program with a granting period of January 1, 2004 through December 31, 2004; and

WHEREAS the award from the SCAO is for \$40,000, to be used as matching funds to the Byrne Memorial Grant award of \$90,000; and

WHEREAS the total program budget of \$130,000 is fully funded by the SCAO and Byrne Memorial grant awards, with no additional General Fund appropriations required; and

WHEREAS the court intends to continue the Drug Court to deal with the problems of increasing recidivism, increasing use of alcohol and illegal drugs, rising systems costs, and an increase in jail days ordered; and

WHEREAS to provide program coordination the Circuit Court/General Jurisdiction (Adult Program) there is (1) full-time eligible special revenue Community Service Coordinator (35301-09837); and  
WHEREAS to evaluate the Circuit Court (Adult Program) to determine both its strengths and weaknesses and to establish a foundation from which the program may be more effectively developed, the Circuit Court seeks to contract for the services of a professional to conduct a program evaluation; to further develop the Circuit Court (Adult Program); and  
WHEREAS one (1) special revenue Community Service Coordinator position (#35301-09837) is funded by the SCAO grant through 12/31/04; and  
WHEREAS all of the \$40,000 of the 2004 SCAO grant will be counted toward an in-kind match to the FY2004 Byrne grant; and  
WHEREAS Miscellaneous Resolution #90004 established a fiscal policy to maintain proportionate funding for Federal, State and Private grants; and  
WHEREAS the contract has been approved in accordance with the County Executive's Review Process.  
WHEREAS the County will make reasonable effort to continue the Drug Court Program but is not mandated to continue the program under all circumstances.  
NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the State Court Administrators Office, Michigan Drug Court Program Grant, in the amount of \$40,000, with \$90,000 of County in-kind match coming from the Byrne Memorial Grant.  
BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the contract and that the chairperson may approve amendments and extensions up to fifteen (15%) percent variance from the award, consistent with the original agreement as approved.  
BE IT FURTHER RESOLVED that acceptance of this grant is conditioned upon the continued interpretation of the contract consistent with the February 6, 2001, letter from the Michigan Supreme Court, State Court Administrative Office, providing that assurance #4 of the grant application shall not be construed as a mandate for future funding of the program from the funding unit, said letter attached hereto and incorporated by reference herein.  
BE IT FURTHER RESOLVED that the Circuit Court (Adult Program) grant fund the evaluation of the Circuit Court (Adult Program) to determine both its strengths and weakness and to establish a foundation from which the program may be more effectively developed.  
BE IT FURTHER RESOLVED that one (1) special revenue Community Service Coordinator position (#35301-09837) is funded by the SCAO grant through 12/31/04.  
BE IT FURTHER RESOLVED that no positions may be filled nor expenditures authorized until a grant agreement is fully executed with the County's obligation limited to the grant funding period.  
BE IT FURTHER RESOLVED that continuation of the positions associated with this grant is contingent upon continuation of state funding.  
Chairperson, on behalf of the Public Services Committee, I move adoption of the foregoing resolution.

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – Circuit Court, Byrne Memorial Formula and Local Law Enforcement Block Grant Program Budget Summary Fiscal Year 2003-2004, and Michigan Department of Community Health Program Budget – Cost Detail on file in County Clerk's office.

FISCAL NOTE (MISC. #04028)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: CIRCUIT COURT – 2004 MICHIGAN DRUG COURT PROGRAM (SCAO) CONTINUATION GRANT – ADULT - CONTRACT ACCEPTANCE

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 Circuit Court/General Jurisdiction Adult Drug Court has received a grant award from the State Court Administrators Office, for the Adult Drug Court, in the amount of \$40,000 providing funding for a grant period of January 1, 2004 through December 31, 2004.
2. The total program cost is \$130,000, which includes \$40,000 in State funds and \$90,000 in Local match.

3. The Local match of \$90,000 will be covered by the 2004 Byrne Memorial grant, requiring no General Fund/General Purpose funds.
4. Should the Byrne grant used as match for this SCAO Grant not be awarded, the total program expenditures must be reduced to the level of the SCAO Grant awarded.
5. The grant award includes the continued funding for one (1) Circuit Court/General Jurisdiction Community Service Coordinator position (#35301-09837) salary and fringes of \$16,759, travel and supplies of \$1,669, and treatment cost of \$21,572.
6. In addition to the County match requirements, the County is expected to incur administrative and support costs of \$945 for 2004, which has been included in the FISCAL YEAR 2004/FISCAL YEAR2005 budget. This grant does not allow for recovery of those costs.
7. According to the current agreement language, acceptance of this grant will not require the County to continue the program beyond the grant-funding period.
8. A budget amendment is recommended as follows:

<u>SPECIAL REVENUE FUND 279</u>		<u>FY 2004</u>
<u>Revenue</u>		
1-35-279-100103-28000-0171	Grants-State	<u>\$ 40,000</u>
		<u>\$ 40,000</u>
<u>Expenditures</u>		
2-35-279-200103-28000-2001	Salaries	\$ 11,971
2-35-279-200103-28000-2075	Fringe Benefits	4,788
2-35-279-200103-28000-3756	Travel and Conference	240
2-35-279-200103-28000-3348	Professional Services	21,572
2-35-279-200103-28000-4172	Materials and Supplies	<u>\$ 1,429</u>
		<u>\$ 40,000</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 85.)

**\*MISCELLANEOUS RESOLUTION #04029**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: CIRCUIT COURT/FAMILY DIVISION – 2004 MICHIGAN DRUG COURT CONTINUATION GRANT ACCEPTANCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Circuit Court, Family Division, applied for a grant with the State Court Administrative Office (SCAO), Michigan Drug Court Grant Program with a grant period of January 1, 2004 through December 31, 2004; and

WHEREAS the application requested total program funding in the amount of \$146,666 of which \$110,000 is the State portion, and \$36,666 is the County's in-kind match; and

WHEREAS the award from the SCAO is for \$110,000, the twenty-five percent (25%) County Match of \$36,666 will come from the FY 2004 Byrne Memorial Grant Miscellaneous Resolution #03316, requiring no additional County appropriations; and

WHEREAS the court intends to continue the Drug Court to deal with the problems of increasing recidivism, increasing use of alcohol and illegal drugs, rising systems costs, and an increase in jail days ordered; and

WHEREAS to provide coordination and supervision of the grant program, one (1) full-time eligible special revenue SCAO funded Community Service Coordinator (Juvenile Drug Court Coordinator) will be continued within the Family Division of the Circuit Court, which is funded by grant funds; and

WHEREAS to carry out the duties of the program one (1) full time Special Revenue Youth and Family Case Worker II (34502-09835) and one (1) PTNE Special Revenue Technical Aide (35402-09836) in Circuit Court Family Div., are funded by the Byrne Memorial Grant, with the grant match being furnished by the SCAO grant; and

WHEREAS the Family Court is taking part in the drug court program and needs to evaluate that program; and

WHEREAS a case management and outcome assessment tool has been implemented; and

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WHEREAS Miscellaneous Resolution #90004 established a fiscal policy to maintain proportionate funding for Federal, State and Private grants; and

WHEREAS the contract has been approved in accordance with the County Executive Contract Review Process.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the State Court Administrative Office (SCAO), Michigan Drug Court Program Grant, in the amount of \$146,666 which includes \$110,000 from the State, and \$36,666 as the County Match to be funded by the Byrne Memorial Grant.

BE IT FURTHER RESOLVED that the total grant funded program cost of \$146,666 includes personnel cost of \$83,246, contractual consultant cost of \$63,120, travel of \$0, and operating supplies of \$300.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the contract agreement and that the chairperson may approve amendments and extensions up to fifteen (15%) percent variance from the award, consistent with the original agreement as approved.

BE IT FURTHER RESOLVED that acceptance of this grant is conditioned upon continued interpretation of the contract consistent with the February 6, 2001, letter from the Michigan Supreme Court, State Court Administrative Office, providing that assurance #4 of the grant application shall not be construed as a mandate for future funding of the program from the funding unit, said letter attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that one (1) full-time eligible special revenue Community Service Coordinator (Juvenile Drug Court Coordinator) position (35402-09712) be continued within the Family Division of the Circuit Court, with the 25% grant match funding (\$36,666) paid by the Fiscal Year 2004 Byrne Memorial Grant funds.

BE IT FURTHER RESOLVED that this position and other program positions are contingent on continuation of State grant funding.

BE IT FURTHER RESOLVED that no positions may be filled nor expenditures authorized until a grant agreement is fully executed with the County's obligation limited to the grant funding period.

BE IT FURTHER RESOLVED that the court utilize a case management and outcome assessment instrument acceptable to the Board of Commissioners.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – Circuit Court Family Division, Michigan Supreme Court State Court Administrative Office Michigan Drug Court Grant Program 2004 Grant Contract, Attachments A, and The Budget Section Calendar Year 2004 on file in County Clerk's office.

FISCAL NOTE (MISC. #04029)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: CIRCUIT COURT/FAMILY DIVISION – 2004 MICHIGAN DRUG COURT CONTINUATION GRANT ACCEPTANCE

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 Circuit Court has received a grant from the State Court Administrators Office (SCAO), Michigan Drug Court Program, for the period of January 1, 2004, through December 31, 2004, in the amount of \$110,000.
2. In addition to the grant award of \$110,000, a County in-kind match (currently budgeted in the Byrne Memorial Grant for Fiscal Year 2004) of \$36,666 is required, for total program funding of \$146,666.
3. This grant funds one (1) full-time eligible special revenue Community Service Coordinator position (35402-09712) to provide program coordination and supervision, in the amount of \$83,246, program related contracted services of \$26,454 and operating supplies of \$300. In addition, in-kind matching funds from the Byrne Memorial Grant funds additional contracted services in the amount of \$36,666.

4. In addition to the County match requirements, the County is expected to incur administrative and support costs of \$4,405 for 2004, which have been included in the Fiscal Year 2004/Fiscal Year 2005 budget. This grant does not allow for recovery of those costs.
5. According to the current agreement language, acceptance of this grant will not require the County to continue the program beyond the grant-funding period.
6. A budget amendment is recommended as follows:

<u>SPECIAL REVENUE FUND 279</u>		<u>FY 2004</u>
<u>Revenue</u>		
1-35-279-100203-28000-0171	Grants-State	<u>\$110,000</u>
		<u>\$110,000</u>
<u>Expenditures</u>		
2-35-279-200203-28000-2001	Salaries	\$ 55,870
2-35-279-200203-28000-2075	Fringe Benefits	\$ 27,376
2-35-279-200203-28000-2572	Contracted Services	\$ 26,454
2-35-279-200203-28000-4252	Office Supplies	<u>\$ 300</u>
		<u>\$110,000</u>

FINANCE COMMITTEE

Vote on resolutions on the Consent Agenda:

AYES: Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard.  
(22)

NAYS: None. (0)

A sufficient majority having voted therefore, the resolutions on the Consent Agenda were adopted (with accompanying reports being accepted).

**MISCELLANEOUS RESOLUTION #04030**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF CENTRAL SERVICES - LEASED VEHICLES - FLEET EXPANSION OF ONE (1) VEHICLE FOR HEALTH DIVISION EMERGENCY RESPONSE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners adopted a leased vehicle policy, through Miscellaneous Resolution #93230 which was amended by Miscellaneous Resolution #94357, that requires additional vehicles to be approved by the Board of Commissioners; and

WHEREAS the County Executive Homeland Security is a No.1 priority in Oakland County Government; and

WHEREAS Oakland County Human Services/Health Division has the responsibility for radiological protection for Oakland County citizens through the Environmental Health Services unit; and

WHEREAS the Health Division has requested the addition of one department owned emergency response vehicle, a pick-up truck; and

WHEREAS the vehicle will be used as a radiological response vehicle; and

WHEREAS the capital acquisition cost will be reimbursed by the federally funded Bioterrorism Preparedness Grant received by the Health Division; and

WHEREAS as required by policy, the County Executive's Department of Central Services has reviewed the request and determined it is justified within the policy.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the expansion of the fleet by one (1) emergency response vehicle to be assigned to the Health Division.

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BE IT FURTHER RESOLVED that the Fiscal Year 2004 and Fiscal Year 2005 Budget be amended, as specified below, to cover the capital and operating cost of the vehicle.

	<u>FY2004</u>	<u>FY2005</u>
<u>HUMAN SERVICE GRANTS</u>		
<u>Revenue</u>		
275-16-160511-34200-0113 Grants –Federal	(\$32,988)	
<u>Expense</u>		
275-16-260511-34200-9158 Vehicles	<u>32,988</u>	
	<u>\$ -0-</u>	
<u>MOTOR POOL FUND</u>		
<u>Revenue</u>		
661-13-661001-10-0537 Gas, Oil Grease	<u>325</u>	\$ 325
<u>Expense</u>		
661-13-661002-10-4116 Gas, Oil, Grease	<u>325</u>	\$ 325
	<u>\$ -0-</u>	<u>\$ -0-</u>
<u>BUILDING LIABILITY FUND</u>		
<u>Revenue</u>		
667-95-150107-01000-0818 Prop Insurance	1,000	1,000
<u>Expenditure</u>		
667-11-250207-30000-2976 Insurance	<u>1,000</u>	<u>1,000</u>
	<u>\$ -0-</u>	<u>\$ -0-</u>
<u>Health Fund</u>		
221-16-201200-33100-3348 Prof. Svcs	(1,325)	(1,325)
221-16-220200-67000-6661 Motor	325	325
221-16-220200-67000-6677 Insurance	<u>1,000</u>	<u>1,000</u>
	<u>\$ -0-</u>	<u>\$ -0-</u>

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

Moved by Moss supported by Long the resolution be adopted.

AYES: Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Law, Long, McMillin, Moffitt, Moss, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman. (20)  
NAYS: None. (0)

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

**REPORT (MISC. #04026)**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: BOARD OF COMMISSIONERS – REPRESENTATION CONCERNS ON THE STATE PLANNING TEAM FOR HOMELAND SECURITY GRANTS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Public Services Committee, having reviewed Miscellaneous Resolution #04026 on January 27, 2004, reports with a recommendation that the resolution be adopted.

Chairperson, on behalf of the Public Services Committee, I move acceptance of the foregoing report.

PUBLIC SERVICES COMMITTEE

**REPORT (MISC. #04026)**

BY: General Government Committee, William R. Patterson, Chairperson

**IN RE: BOARD OF COMMISSIONERS – REPRESENTATION CONCERNS ON THE STATE PLANNING TEAM FOR HOMELAND SECURITY GRANTS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04026 on

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January 26, 2004, reports with a recommendation that the resolution be amended, as follows:

1. Change the 1<sup>st</sup> BE IT FURTHER RESOLVED paragraph, as follows:  
BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners requests that the funding formulas be based primarily upon population, critical infrastructure and vulnerability **for the additional reasons as stated in Attachment A.**
2. Change the last BE IT FURTHER RESOLVED paragraph, as follows:  
BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby requests that the Oakland County Clerk forward copies of this adopted resolution to Wayne County, Macomb County, St. Clair County, Monroe County, Washtenaw County, Governor Granholm, the Oakland County delegation to the State legislature, **U.S. Senators and Congressmen representing Oakland County, Oakland County cities, villages and townships, fire chiefs and police chiefs of Oakland County, SEMCOG, Michigan Association of Counties and the lobbyists for Oakland County.**

Chairperson, on behalf of the General Government Committee, I move acceptance of the foregoing report.

GENERAL GOVERNMENT COMMITTEE

Copy of Exhibit A on file in County Clerk's office.

MISCELLANEOUS RESOLUTION # 04026

BY: Commissioner Hugh D. Crawford, District #9

IN RE: BOARD OF COMMISSIONERS - REPRESENTATION CONCERNS ON THE STATE PLANNING TEAM FOR HOMELAND SECURITY GRANTS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the terrorist incidents occurring in New York and Pennsylvania and at the Pentagon on September 11, 2001 has caused the United States to develop programs and bolster first responder capabilities related to fighting terrorism and weapons of mass destruction; and

WHEREAS substantial federal funding has been released under the U. S. Department of Homeland Security, through the Office for Domestic Preparedness (ODP), for the State Homeland Security Grant Program to support our first responder abilities to respond to a Chemical, Biological, Radiological, Nuclear or Explosive (CBRNE) related event; and

WHEREAS the Michigan State Police Emergency Management Division (MSP EMD) has appointed a State Planning Team (SPT) with individuals not representative of the counties in southeast Michigan, which make up approximately 60 percent of the State's population as well as 80 plus percent of the State's critical infrastructure; and

WHEREAS MSP EMD is directing the SPT to prioritize, determine funding formulas, and direct future grant money without the participation and input of the local communities in southeast Michigan as it relates to risk, vulnerable areas, threats, and equipment shortfalls; and

WHEREAS MSP EMD has closed the meetings of the SPT to the communities (including first responders, defined as police, fire and emergency medical services personnel) who provided the needs and vulnerability assessment information under the premise of Homeland Security which provides protection from disclosure information relating to critical infrastructure; and

WHEREAS proportionate population and critical infrastructure based funding should be directed to the first responder community to encourage building mutual aid consortia to address approaches, organization, and procedures for preventing terrorist use of nuclear weapons, detecting chemical and biological materials and attacks, and improving response capabilities; and

WHEREAS Oakland County represents 11% of the State population and only receives approximately 3% of the Homeland Security funding based upon the current grant formulas developed by the State; and

WHEREAS once the Homeland Security formula is set for allocating resources, the formula will develop entrenched constituency groups in its defense; and

WHEREAS the MSP and other State departments are represented on the SPT and receiving Homeland Security funds for State programs; and

WHEREAS the County has developed effective mutual aid consortia by encouraging cooperative relationships with the first responders through grants provided to the local governmental units with both

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County General Fund appropriations from the Board of Commissioners and funds received through the State; and

WHEREAS the County would encourage the State to actively work in building local consortia and/or supporting local consortia already in existence; and

WHEREAS the County's significant experience in building consortia and the experience of other counties, including first responders and emergency managers, would benefit in development of mutual aid relationships in the case of an emergency; and

WHEREAS many other organizations involving police, fire/EMS and emergency management functions have called for representation on the SPT; and

WHEREAS State Representatives have asserted that the City of Detroit emergency manager sits on the SPT to represent urban emergency management interests and the six county region (despite having no input from those counties).

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners requests and urges that the region of southeast Michigan be adequately represented on the SPT for the purpose of objectivity in fund distribution and adequate assessments of vulnerability.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners requests that the funding formulas be based primarily upon population, critical infrastructure and vulnerability.

BE IT FURTHER RESOLVED that the SPT meetings be open to the first responder community for all but the most sensitive homeland security discussions.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby requests that the Oakland County Clerk forward copies of this adopted resolution to Wayne County, Macomb County, St. Clair County, Monroe County, Washtenaw County, Governor Granholm and the Oakland County delegation to the State Legislature.

Chairperson, I move the adoption of the foregoing resolution.

HUGH CRAWFORD, TOM MCMILLIN, EILEEN KOWALL, JEFF POTTER, THOMAS MIDDLETON, CHRISTINE LONG, DAVID MOFFITT, WILLIAM PATTERSON, ERIC WILSON, SUE ANN DOUGLAS, GEORGE SUAREZ, CHARLES PALMER, PETER WEBSTER, MICHAEL ROGERS, GREG JAMIAN, JOHN SCOTT, THOMAS LAW, MARTIN KNOLLENBERG, BILL BULLARD, CHUCK MOSS, DAVID COULTER, ERIC COLEMAN VINCENT GREGORY, HELAINE ZACK, MATTIE HATCHETT

Moved by Webster supported by Crawford the resolution be adopted.

Moved by Webster supported by Crawford the Public Services Report be accepted.

A sufficient majority having voted therefore, the report was accepted.

Moved by Webster supported by Crawford the General Government Committee Report be accepted.

A sufficient majority having voted therefore, the report was accepted.

Moved by Webster supported by Crawford the resolution be amended to coincide with the recommendation in the General Government Committee Report.

A sufficient majority having voted therefore, the amendment carried.

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Vote on resolution as amended:

AYES: Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter. (22)

NAYS: None. (0)

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

**REPORT (MISC. #04022)**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DIVISION OF WASTE RESOURCES - RESOLUTION APPROVING THE INTERLOCAL AGREEMENTS FOR THE NORTH OAKLAND COUNTY HOUSEHOLD HAZARDOUS WASTE CONSORTIUM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Finance Committee having reviewed the above referenced resolution recommends the following amendments:

1. Change title of resolution to:  
Community and Economic Development Administration Division - Solid Waste Resource Management Unit – Resolution Approving the Interlocal Agreements for the North Oakland County Household Hazardous Waste Consortium.
2. Add BE IT FURTHER RESOLVED paragraph stating:  
BE IT FURTHER RESOLVED that the communities shall take over the administration of this program in a time frame not to exceed two (2) years.

Chairperson on behalf of the Finance Committee, I move the acceptance of the foregoing report.

FINANCE COMMITTEE

**MISCELLANEOUS RESOLUTION #04022**

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

**IN RE: DIVISION OF WASTE RESOURCES - RESOLUTION APPROVING THE INTERLOCAL AGREEMENTS FOR THE NORTH OAKLAND COUNTY HOUSEHOLD HAZARDOUS WASTE CONSORTIUM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Oakland County and its northern municipalities are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and WHEREAS the improper handling and disposal of toxic and poisonous household chemicals poses a health risk to our citizens; and

WHEREAS recognizing there is a need to provide regular and easily accessible household hazardous waste collection services to North Oakland County residents; and

WHEREAS collection events for household hazardous waste are widely accepted as the best way to provide citizens with a safe way to dispose of these toxic and poisonous household chemicals, meet Phase II Stormwater Protection requirements, encourage pollution prevention and enhance environmental health and safety in the home; and

WHEREAS Oakland County, through its Waste Resource Management Division has facilitated the creation of the North Oakland County Household Hazardous Waste Consortium (NO HAZ); and

WHEREAS participating municipalities in Northern Oakland County have appointed an official representative to the NO HAZ Consortium Board; and

WHEREAS the NO HAZ consortium has developed a household hazardous waste collection program; and

WHEREAS the municipalities recognize and agree that absent an agreement with the County, the County has no obligation to facilitate such a program; and

WHEREAS the County's Corporation Counsel has reviewed and approved an Interlocal Agreement between the County and a number of municipalities in North Oakland County for the creation of a program to collect household hazardous waste; and

WHEREAS the interlocal Agreement has been previously approved or is being considered by these currently participating communities: Addison, Brandon, Commerce, Groveland, Lake Angelus, Oxford, Orchard Lake, Pontiac, Rochester, Rochester Hills, Rose, Springfield, Sylvan Lake, Waterford, White Lake; and

WHEREAS the Interlocal Agreement is also being offered to the following communities that have previously expressed an interest in participating: Auburn Hills, Bloomfield, Clarkston, Highland, Holly, Independence, Lake Orion, Oakland, Orion, West Bloomfield; and

WHEREAS this Interlocal Agreement requires participating municipalities to fully reimburse the County for all costs it incurs in connection with the NO HAZ program.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the attached Interlocal Agreement and authorizes the Chairperson of the Board to sign the Agreement with all municipalities who have signed the Interlocal Agreement and passed a resolution in support thereof.

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

PLANNING AND BUILDING COMMITTEE

Copy of North Oakland County Household Hazardous Waste Interlocal Agreement, Exhibits A, B, and 2004 NO HAZ Event and Educational Operations and Waste Disposition on file in County Clerk's office.

FISCAL NOTE (MISC. #04022)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DIVISION OF WASTE RESOURCES – RESOLUTION APPROVING THE INTERLOCAL AGREEMENTS FOR THE NORTH OAKLAND COUNTY HOUSEHOLD HAZARDOUS WASTE CONSORTIUM

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. Oakland County has facilitated the creation of the North Oakland County Household Hazardous Waste Consortium (NO HAZ) to provide household hazardous waste collection services to residents of North Oakland County.
2. The resolution approves the Interlocal Agreement between Oakland County and municipalities in Northern Oakland County participating in the NO HAZ program.
3. The Interlocal Agreement has been reviewed and approved by Corporation Counsel.
4. Participating municipalities are required to fully reimburse the County for all costs incurred for the NO HAZ program.
5. Total program costs for the NO HAZ 2004 program year are estimated at \$249,200, including administrative costs of \$99,200 and hazardous waste vendor costs of \$150,000.
6. The Fiscal Year 2004/2005 Budget includes revenue estimates and expenditure appropriations in the amount of \$358,200 for the NO HAZ Program. A budget amendment is recommended to reduce revenue and expenditure budgets by \$109,000 to reflect the anticipated NO HAZ program level.
7. The Fiscal Year 2004/2005 Budget is amended as follows:

Revenue

19-115000-13600-0905 Reimb. – General \$(109,000)

Expenditure

19-215000-13600-2018 Emergency Salaries ( 7,530)

19-215000-13600-2074 Fringe Benefits ( 670)

19-215000-13600-2340 Advertising 6,700

19-215000-13600-3292 Personal Mileage 400

19-215000-13600-3348 Professional Serv. (130,350)

19-215000-13600-3844 Workshops & Mtgs. 3,200

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19-215000-13600-4148 Information Supplies	5,000
19-215000-13600-4252 Office Supplies	1,000
19-215000-13600-6666 Print Shop	10,750
19-215000-13600-6675 Telephone Commun.	<u>2,500</u>
	<u>\$ (109,000)</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

Moved by Wilson supported by Kowall the resolution be adopted.

Moved by Wilson supported by Long the Finance Committee Report be accepted.

A sufficient majority having voted therefore, the report was accepted.

Moved by Wilson supported by Coulter the resolution be amended to coincide with the recommendation in the Finance Committee Report.

A sufficient majority having voted therefore, the amendment carried.

Vote on resolution as amended:

AYES: Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford. (22)

NAYS: None. (0)

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

**MISCELLANEOUS RESOLUTION #04031**

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

**IN RE: PLANNING AND ECONOMIC DEVELOPMENT SERVICES DIVISION RESOLUTION APPROVING PROJECT PLAN (THE CATHOLIC CENTRAL HIGH SCHOOL OF DETROIT PROJECT) - CITY OF NOVI**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS The Economic Development Corporation of the County of Oakland (the "EDC") has recommended that the Board of Commissioners approve the Project Plan required by the Economic Development Corporations Act (the "Act") for the captioned Project, a copy of which has been presented to this meeting (the "Project Plan"); and

WHEREAS the EDC's recommendations to the Board of Commissioners were based upon its determinations that the Project is reasonable and necessary to effectuate the purposes of the Act and that the Project Plan satisfies all of the requirements of the Act regarding project plans; and

WHEREAS the governing body of the City of Novi, Oakland County, Michigan, has also approved the Project Plan and given its consent to the exercise of jurisdiction over the Project by the EDC; and

WHEREAS the Board of Commissioners has held a public hearing to consider whether the Project Plan constitutes a public purpose as contemplated by the Act; and

WHEREAS the Board of Commissioners, following such public hearing and its review of the Project Plan, concurs in the determinations of the EDC with respect thereto.

NOW THEREFORE BE IT RESOLVED that the Project Plan is hereby determined to constitute a public purpose as contemplated by the Act and is hereby approved.

BE IT FURTHER RESOLVED that the EDC is hereby authorized to take such steps as are necessary to implement the Project and the financing thereof by the issuance of its limited obligation revenue bonds as contemplated by the Project Plan.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to provide four certified copies of this resolution to the Assistant Secretary of the Board of the EDC.

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

PLANNING AND BUILDING COMMITTEE

Copy of Project Plan – Summary Description of Detroit Catholic Central High School Project on file in County Clerk's office.

Moved by Wilson supported by Law the resolution be adopted.

AYES: Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas. (22)

NAYS: None. (0)

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

**MISCELLANEOUS RESOLUTION #04032**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – REQUEST FOR APPROVAL OF CONSTRUCTION LICENSE AND LEASE AGREEMENT WITH THE TOWNSHIP OF GROVELAND FOR THE NEW COUNTYWIDE RADIO SYSTEM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners, by Miscellaneous Resolution #98308, recognized that the County's current 800MHz radio system needed to be upgraded and expanded to encompass all public safety agencies and to create interoperability between public safety agencies; and WHEREAS the Oakland County Board of Commissioners, pursuant to MCL 484.1401 and Miscellaneous Resolution #99279, authorized the levy of a four (4%) percent emergency telephone operational charge to pay for a new County-wide radio system that will have the ability to encompass all public safety agencies and create interoperability between public safety agencies; and

WHEREAS to properly implement and operate the new County-wide radio system, the County will need to build towers, lease land, and/or lease space on towers at sites throughout the County; and

WHEREAS it is the recommendation of the Departments of Facilities Management and Information Technology that the Oakland County Board of Commissioners accept and approve the terms and conditions of the attached Construction License and Lease Agreement; and

WHEREAS under the attached Construction License and Lease Agreement, the County will construct a tower located at 4695 Grange Hall Road, Holly, Michigan; the County will sell the tower to Groveland Township for one (\$1) dollar upon completion, and the Township will lease the County space on the tower for one (\$1) dollar per year; and

WHEREAS the Departments of Facilities Management, Information Technology, and Corporation Counsel have reviewed and/or prepared all necessary documents related to the attached construction license and lease agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached construction license and lease agreement between the County of Oakland and Groveland Township.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached construction license and lease agreement and all other related documents between the County of Oakland and Groveland Township, which may be required.

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

PLANNING AND BUILDING COMMITTEE

Copy of Construction License and Lease Agreement, Exhibit A – Legal Description, and Oakland Radio Sites on file in County Clerk's office.

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

**MISCELLANEOUS RESOLUTION #04033**

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

**IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – REQUEST FOR APPROVAL OF CONSTRUCTION LICENSE AND LEASE AGREEMENT WITH THE CHARTER TOWNSHIP OF WHITE LAKE FOR THE NEW COUNTYWIDE RADIO SYSTEM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners, by Miscellaneous Resolution #98308, recognized that the County's current 800MHz radio system needed to be upgraded and expanded to encompass all public safety agencies and to create interoperability between public safety agencies; and WHEREAS the Oakland County Board of Commissioners, pursuant to MCL 484.1401 and Miscellaneous Resolution #99279, authorized the levy of a four (4%) percent emergency telephone operational charge to pay for a new County-wide radio system that will have the ability to encompass all public safety agencies and create interoperability between public safety agencies; and

WHEREAS to properly implement and operate the new County-wide radio system, the County will need to build towers, lease land, and/or lease space on towers at sites throughout the County; and

WHEREAS it is the recommendation of the Departments of Facilities Management and Information Technology that the Oakland County Board of Commissioners accept and approve the terms and conditions of the attached Construction License and Lease Agreement; and

WHEREAS under the attached Construction License and Lease Agreement, the County will construct the tower, install radio equipment and remove two existing radio towers located at 7525 Highland Road, White Lake, Michigan; the County will sell the tower to the Charter Township of White Lake for one (\$1) dollar upon completion, and the Township will lease the County space on the tower for one (\$1) dollar per year; and

WHEREAS the Departments of Facilities Management, Information Technology, and Corporation Counsel have reviewed and/or prepared all necessary documents related to the attached construction license and lease agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached construction license and lease agreement between the County of Oakland and the Charter Township of White Lake.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached construction license and lease agreement and all other related documents between the County of Oakland and the Charter Township of White Lake, which may be required.

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

PLANNING AND BUILDING COMMITTEE

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

**REPORT (MISC. #03337)**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF WASTE MANAGEMENT - RESOLUTION APPROVING THE PROVISIONS OF A BROWNFIELD PLAN FOR THE FORMER SANICEM LANDFILL**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Finance Committee, having reviewed the above-referenced resolution, reports with the recommendation that the resolution be adopted with the resolution's title amended to strike the word "PLAN" and insert the word "LOAN" in its place.

Chairperson, on behalf of the Finance Committee, I move acceptance of the foregoing report.

FINANCE COMMITTEE

MISCELLANEOUS RESOLUTION #03337

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

IN RE: DEPARTMENT OF WASTE MANAGEMENT - RESOLUTION APPROVING THE PROVISIONS OF A BROWNFIELD PLAN FOR THE FORMER SANICEM LANDFILL

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland Brownfield Initiative (OBI) was established in 2000 upon designation by the US EPA of Oakland County as a Brownfield Demonstration Pilot Community, and was further assisted by a US EPA Brownfield Revolving Loan Fund Cleanup Grant (BCRLF) in September of 2002, to facilitate the redevelopment of contaminated and underutilized properties to provide new taxes, jobs, and protect the health and environment of Oakland County and its residents; and

WHEREAS the former Sanicem landfill site in Orion Township has been a long-standing environmental hazard, a "facility" under state statute, and a tax-reverted, non-producing parcel for many years; and

WHEREAS Brownfield clean up and redevelopment plans have been prepared to restore the environmental and economic viability of this parcel within Orion Township and the City of Auburn Hills; and

WHEREAS the Brown Road Group, LLC has assumed environmentally related development costs estimated at over \$10 million and actively begun environmental response, removal and brownfield redevelopment of the former Sanicem site pursuant to agreements and under law and regulation of the US EPA and the Michigan DEQ; and

WHEREAS OBI, in consultation with US EPA and Corporation Counsel, and the Brown Road Group, LLC have developed a Brownfield Clean Up Loan agreement (attached) which satisfies BCRLF grant requirements, CERCLA/NCP clean up standards, and oversight and repayment terms and conditions of the parties, to facilitate the partial funding of methane and leachate control systems during the construction phase of redevelopment; and

WHEREAS the provision of such funding will greatly advance the overall mission of OBI, the specific requirements of the BCRLF grant, and contribute to the timely success of this important clean up and redevelopment project.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners does hereby approve the making of a Brownfield Clean Up Loan to the Brown Road Group, LLC, and authorize the Chairman of the Board to execute the attached agreement, promissory note, and other documents as required to complete the loan.

BE IT FURTHER RESOLVED the final Brownfield Clean Up Loan Agreement has not yet been received and is subject to Corporation Counsel approval.

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

PLANNING & BUILDING COMMITTEE

Copy of Summary of Proposed Loan Award to Brown Road Group, LLC November 4, 2003, Brownfields Cleanup Revolving Loan Fund Loan Agreement Between Brown Road Group, LLC and Oakland County, and Exhibits A, B, C, D, E, and F on file in County Clerk's office.

FISCAL NOTE (MISC. #03337)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF WASTE MANAGEMENT – RESOLUTION APPROVING THE PROVISIONS OF A BROWNFIELD LOAN FOR THE FORMER SANICEM LANDFILL

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. Oakland County was awarded a \$1,000,000 Brownfield Clean-Up Revolving Loan Fund Grant from the U.S. Environmental Protection Agency by Miscellaneous Resolution #02285.
2. The grant includes provision of \$700,000 for loan capitalization to be used for clean-up "removal" activities, as specified in the "Summary of Proposed Loan Award to Brown Road Group, LLC", dated November 4, 2003.

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3. Miscellaneous Resolution #02170 adopted a Brownfield Plan relating to the clean-up and redevelopment of the former Sanicem Landfill in Orion Township to restore the environmental and economic viability of the property.
4. The property is a tax-reverted, non-producing parcel and no property taxes are currently being collected.
5. The Brown Road Group, LLC, has assumed environmentally related development costs and has actively begun environmental response, removal and brownfield redevelopment of the former Sanicem site.
6. The resolution approves a Brownfield Clean-Up Loan of \$700,000 to the Brown Road Group, LLC, to facilitate the partial funding of methane and leachate control systems during the construction phase of the redevelopment project.
7. The loan is for a 24-month period with interest at the prevailing six-month Treasury bill rate and includes penalty provisions upon default.
8. No additional appropriation is required. Therefore, no budget amendment is necessary.

FINANCE COMMITTEE

Moved by Wilson supported by McMillin the resolution be adopted.

Moved by Wilson supported by Moss the Finance Committee Report be accepted.

A sufficient majority having voted, therefore the report was accepted.

Moved by Wilson supported by McMillin the resolution be amended to coincide with the recommendation in the Finance Committee Report.

A sufficient majority having voted therefore, the amendment carried.

Moved by Wilson supported by Long the resolution be amended to substitute the Final Contract as approved by Corporation Counsel on January 29, 2004.

A sufficient majority having voted therefore, the amendment carried.

Vote on resolution as amended:

AYES: Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory. (22)

NAYS: (0)

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

**MISCELLANEOUS RESOLUTION #03369**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: DEPARTMENT OF PUBLIC SERVICES/MEDICAL EXAMINER - ADJUSTMENT TO THE MEDICAL EXAMINER DIVISION FEE SCHEDULE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Department of Public Services has reviewed the fee schedule for certain Medical Examiner services; and

WHEREAS fees have not been reviewed since 1997; and

WHEREAS it is indicated certain fees should be adjusted upward at this time; and

WHEREAS the recommendations for certain Medical Examiner fees are listed on the attached Schedule "A".

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NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the proposed adjustments to the Medical Examiner Division fee schedule, as detailed on the attached Schedule "A", to be effective after the adoption of this resolution.

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

PUBLIC SERVICES COMMITTEE

Copy of Schedule "A" on file in County Clerk's office.

FISCAL NOTE (MISC. #03369)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF PUBLIC SERVICES/MEDICAL EXAMINER - ADJUSTMENT TO THE MEDICAL EXAMINER DIVISION FEE SCHEDULE

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 Medical Examiner is requesting to increase service fees for certain Medical Examiner services.
2. The fees have not been adjusted since 1997.
3. The Medical Examiner's Office conducted a survey and concluded certain fees should be increased.
4. The services that are being recommended for increases are Complete Autopsy, Cranial Autopsy, Cremation approval, and Photocopy Fees.
5. The recommendation for the increased fees and survey are listed on the attached Schedule "A".
6. It is requested that the fee schedule be effective upon adoption.
7. The following budget amendment is recommended for Fiscal Year 2004 and Fiscal Year 2005.

<u>PUBLIC SERVICES/MEDICAL EXAMINER (101)</u>		<u>FY 2004</u>	<u>FY 2005</u>
<u>Revenues</u>			
17-911000-15000-030	Autopsies	\$ 30,000	\$ 50,000
17-911000-15000-0411	Cremation Approval Fee	\$ 12,000	\$ 27,000
17-911000-15000-0701	Miscellaneous	8,750	20,000
17-911000-15000-0979	Charges for Services	<u>4,500</u>	<u>6,000</u>
	Total	\$ 55,250	\$103,000
<u>Expenditures</u>			
90-290000-25000-2564	Budget Task	\$ <u>55,250</u>	\$ <u>103,000</u>
		\$ <u>-0-</u>	\$ <u>-0-</u>

FINANCE COMMITTEE

Moved by Crawford supported by Scott the resolution be adopted.

Moved by Crawford supported by Potter the resolution be amended by amending the Medical Examiner's Fee Schedule as follows:

**To strike all information pertaining to x-rays, photographs and film slides; official records, including photo copies, copies produced from microfilm, mailing and labor; and items for which a fee has been established by statute or ordinance and therefore are not subject to this fee schedule.**

A sufficient majority having voted therefore, the amendment carried.

Moved by Crawford supported by Jamian the resolution be amended to coincide with the amendment as stated above.

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Vote on the resolution as amended:

AYES: Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett. (22)

NAYS: None. (0)

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

**REPORT (MISC. #04034)**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: CIRCUIT COURT - 2004 BYRNE GRANT PROGRAM - ADULT - FROM THE MICHIGAN OFFICE OF DRUG CONTROL POLICY - CONTRACT AGREEMENT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Finance Committee having reviewed the above referenced resolution recommends the following amendment to the contract:

Strike the word "none" from Part II, Section I.A.1., line 4.

Chairperson on behalf of the Finance Committee, I move the acceptance of the foregoing report.

FINANCE COMMITTEE

**MISCELLANEOUS RESOLUTION #04034**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: CIRCUIT COURT – 2004 BYRNE GRANT PROGRAM – ADULT – FROM THE MICHIGAN OFFICE OF DRUG CONTROL POLICY – CONTRACT AGREEMENT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Michigan Department of Community Health, Office of Drug Control Policy has awarded grant funding to the 6th Judicial Circuit in the amount of \$90,000 with a grant period of January 1, 2004 through September 30, 2004; and

WHEREAS the Circuit Court/General Jurisdiction Adult Drug Court has received continuation funding to deal with the problems of increasing recidivism, increasing use of alcohol and illegal drugs, rising systems costs, and an increase in jail days ordered; and

WHEREAS the Circuit Court Adult Drug Court Program is currently funded by the Byrne Memorial Drug Court Grant, and the State Court Administrative Office (SCAO) grant; and

WHEREAS the Circuit Court, General Jurisdiction Division Adult Drug Court Program is awarded total program funds of \$130,000 which includes a match of \$40,000 to be funded by SCAO Grant in-kind funds; and

WHEREAS the Byrne Grant Award is in the amount of \$90,000, the match of \$40,000 is funded by SCAO Grant in-kind funds requiring no General Fund/General Purpose funds; and

WHEREAS continuation funding of one (1) Circuit Court/General Jurisdiction Community Service Coordinator (35301-09837) position, and contracted services for program evaluation; and

WHEREAS Miscellaneous Resolution #90004 established a fiscal policy to maintain proportionate funding for Federal, State and Private grants; and

WHEREAS the grant agreement has been processed through the County Executive Contract Review Process and the Board of Commissioners Grant Acceptance Procedures.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts Michigan Department of Community Health, Office of Drug Control Policy grant, in the amount of \$130,000 which includes \$40,000 from the State Court Administrators Office (SCAO), and \$90,000 in Byrne Memorial Grant funds.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the contract agreement and that the chairperson may approve amendments and extensions up to fifteen (15%) percent variance from the award, consistent with the original agreement as approved.

BE IT FURTHER RESOLVED that acceptance of this grant is conditioned upon continued interpretation of the contract consistent with the February 6, 2001, letter from the Michigan Supreme Court, State Court Administrative Office, providing that assurance #4 of the grant application shall not be construed as a

mandate for future funding of the program from the funding unit, said letter attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that one (1) Circuit Court/General Jurisdiction Community Service Coordinator (35301-09837) jointly funded by SCAO is continued, with the SCAO Grant award used as matching dollars for the Byrne Memorial Grant, per approval of the State Court Administrator's Office.

BE IT FURTHER RESOLVED that the Circuit Court/General Jurisdiction Division/Adult Drug Court will contract for an independent evaluation of the outcome of this program, with an agency to be determined.

BE IT FURTHER RESOLVED that continuation of the position associated with this grant is contingent upon continuation of State funding.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – Circuit Court on file in County Clerk's office.

FISCAL NOTE (MISC. #04034)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: CIRCUIT COURT – 2004 BYRNE GRANT PROGRAM – ADULT - FROM THE MICHIGAN OFFICE OF DRUG CONTROL POLICY – CONTRACT AGREEMENT

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 Michigan Department of Community Health, Office of Drug Control Policy has awarded the Oakland County Circuit Court/General Jurisdiction grant funding in the amount of \$90,000 for the period January 1, 2004 through September 30, 2004
2. The total program cost is \$130,000, which includes \$90,000 in State funds and \$40,000 in Local match.
3. The Local match of \$40,000 will be covered by the 2004 SCAO grant award and require no additional General Fund/General Purpose funds.
4. Should the SCAO grant used as match for this Byrne Grant is not be awarded, the total program expenditures must be reduced to the level of the Byrne Grant awarded.
5. The grant award includes continued funding for one (1) Circuit Court/General Jurisdiction Community Service Coordinator position (#35301-09837) salary and fringes of \$41,903, travel and supplies of \$3,931, and treatment cost of \$44,166.
6. In addition to the County match requirements, the County is expected to incur administrative and support costs of \$2,362 for 2004, which have been included in the Fiscal Year 2004/Fiscal Year 2005 budget. This grant does not allow for recovery of those costs.
7. According to the current agreement language, acceptance of this grant will not require the County to continue the program beyond the grant-funding period.
8. A budget amendment is recommended as follows:

<u>SPECIAL REVENUE FUND 279</u>		<u>FY 2004</u>
<u>Revenue</u>		
1-35-279-100911-28000-0171	Grants-State	<u>\$ 90,000</u>
		<u>\$ 90,000</u>
<u>Expenditures</u>		
2-35-279-200911-28000-2001	Salaries	\$ 29,931
2-35-279-200911-28000-2075	Fringe Benefits	11,972
2-35-279-200911-28000-3756	Travel and Conference	360
2-35-279-200911-28000-3348	Professional Services	44,166
2-35-279-200911-28000-4172	Materials and Supplies	<u>\$ 3,571</u>
		<u>\$ 90,000</u>

FINANCE COMMITTEE

Moved by Crawford supported by Kowall the resolution be adopted.

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Moved by Crawford supported by Zack the Finance Committee Report be accepted.

A sufficient majority having voted therefore, the report was accepted.

Moved by Crawford supported by Long the resolution be amended to coincide with the recommendation in the Finance Committee Report.

A sufficient majority having voted therefore, the amendment carried.

Vote on resolution as amended:

AYES: Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian. (22)

NAYS: None. (0)

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

**REPORT (MISC. #04035)**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: 52ND DISTRICT COURT, DIVISION IV - 2004 MICHIGAN DRUG COURT PROGRAM (SCAO) CONTINUATION GRANT ACCEPTANCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Finance Committee having reviewed the above reference resolution recommends the following amendment:

Strike the 5<sup>th</sup> WHEREAS paragraph.

Chairperson, on behalf of the Finance Committee, I move the acceptance of the foregoing report.

FINANCE COMMITTEE

**MISCELLANEOUS RESOLUTION #04035**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: 52nd DISTRICT COURT, DIVISION IV – 2004 MICHIGAN DRUG COURT PROGRAM (SCAO) CONTINUATION GRANT ACCEPTANCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the 52nd District Court, Division IV (Troy) applied for a grant with the State Court Administrative Office (SCAO), Michigan Drug Court Grant Program with a granting period of January 1, 2004 through December 31, 2004; and

WHEREAS the total program cost is \$145,426 of which \$50,000 is the State portion, \$89,926 is the County's in-kind match and a local match from the City of Troy of \$5,500; and

WHEREAS the court intends to continue the Drug Court to deal with the problems of increasing recidivism, increasing use of alcohol and illegal drugs, rising systems costs, and an increase in jail days ordered; and

WHEREAS to provide intensive probation supervision and frequent drug testing of defendants, one (1) part-time non-eligible Probation Officer I position (#32505-09716), be continued in the Probation Unit, which will be covered by grant funds; and

WHEREAS the Court contracts with A.D.E. Inc. for its NEEDS assessment instrument; and

WHEREAS Miscellaneous Resolution #90004 established a fiscal policy to maintain proportionate funding for Federal, State and Private grants; and

WHEREAS the contract has been approved in accordance with the County Executive's Review Process.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the State Court Administrative Office, Michigan Drug Court Program Grant in the amount of \$145,426 which includes \$50,000 from the State, \$89,926 from the County's In-kind Match, \$5,500 from the City of Troy.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the contract agreement and that the chairperson may approve amendments and extensions up to fifteen (15%) percent variance from the award, consistent with the original agreement as approved.

BE IT FURTHER RESOLVED that acceptance of this grant is conditioned upon continued interpretation of the contract consistent with the February 6, 2001, letter from the Michigan Supreme Court, State Court Administrative Office, providing that assurance #4 of the grant application shall not be construed as a mandate for future funding of the program from the funding unit, said letter attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that one (1) part-time non-eligible special revenue Probation Officer I position (pos. 32505-09716) be continued within the Probation Unit of the 52nd District Court, Division IV (Troy).

BE IT FURTHER RESOLVED that no positions may be filled nor expenditures authorized until a grant agreement is fully executed with the County's obligation limited to the grant funding period.

BE IT FURTHER RESOLVED that continuation of the existing positions associated with this grant is contingent upon continuation of state funding.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – 52-4 District Court on file in County Clerk's office

FISCAL NOTE (MISC. #04035)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: 52nd DISTRICT COURT, DIVISION IV – 2004 MICHIGAN DRUG COURT PROGRAM (SCAO)  
CONTINUATION GRANT ACCEPTANCE

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 52nd District Court, Division IV (Troy) has received a grant from the State Court Administrator's Office (SCAO), Michigan Drug Court Program, for the period of January 1, 2004 through December 31, 2004.
2. The award from SCAO is for \$50,000, in addition to \$89,926 in County in-kind match and \$5,500 from the City of Troy local in-kind match for a total program amount of \$145,426.
3. The County in-kind match consists of \$64,926 from Circuit Court General Fund/General Purpose personnel support and \$25,000 in support from the Office of Substance Abuse Coordinating Agency within the Oakland County Health Department.
4. The in-kind matches are currently budgeted in the General Fund/General Purpose budget and therefore, no budget amendments are necessary to cover these costs.
5. The grant contract includes the continued funding for one (1) special revenue part-time non-eligible Probation Officer I position (32505-09716), which totals \$26,840 in salary and fringes.
6. The grant also funds \$20,000 of contracted services consultant costs, \$1,500 in travel and \$1,660 of operating supplies, for a total SCAO grant funded budget of \$50,000.
7. In addition to the County match requirements, the County is expected to incur administrative and support costs of \$1,280 for 2004, which have been included in the FY 2004/FY2005 budget. This grant does not allow for recovery of those costs.
8. The Fiscal Year 2004 budget should be amended as follows to accept continued funding from the SCAO, 52-4 District Court Drug Court grant:

SPECIAL REVENUE FUND 279

Revenue

1-32-279-100403-28000-0171	Grants-State	\$ 50,000
		<u>\$ 50,000</u>

Expenditures

2-32-279-200403-28000-2001	Salaries	\$ 22,000
2-32-279-200403-28000-2075	Fringe Benefits	\$ 4,840
2-32-279-200403-28000-2560	Consultant	\$ 20,000

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2-32-279-200403-28000-3756	Travel and Conference	\$ 1,500
2-32-279-200403-28000-4156	Lab. Supplies	<u>\$ 1,660</u>
		<u>\$ 50,000</u>

FINANCE COMMITTEE

Moved by Crawford supported by Coleman the resolution be adopted.

Moved by Crawford supported by Coleman the Finance Committee Report be accepted.

A sufficient majority having voted therefore, the report was accepted.

Moved by Crawford supported by Wilson the resolution be amended to coincide with the recommendation in the Finance Committee Report.

A sufficient majority having voted therefore, the amendment carried.

Vote on resolution as amended:

AYES: Kowall, Law, Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg. (22)

NAYS: None. (0)

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

**MISCELLANEOUS RESOLUTION #04036**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: 52ND DISTRICT COURT/DIVISION III, ROCHESTER – CREATION OF ADDITIONAL STAFF IN THE PROBATION UNIT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the caseload at the 52nd District Court/Division III in Rochester has significantly increased in recent years; and

WHEREAS the Court states that probation caseload has increased; and

WHEREAS probation caseload has become more complex due to longer probation sentencing terms and multiple probation conditions; and

WHEREAS additional work and time are involved in processing the current probation caseload; and

WHEREAS to manage the current workload more efficiently, the Court is requesting the creation of two (2) full-time eligible Probation Officer I to assist with caseload and pre-sentence investigations and one (1) full-time eligible District Court Clerk I position in the Probation Unit; and

WHEREAS cost of this proposal is anticipated to be offset by current and increased revenue.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the creation of two (2) General Fund/General Purpose full-time eligible Probation Officer I positions and one (1) General Fund/General Purpose full-time eligible District Court Clerk I position in the Probation Unit of the 52nd District Court/Division III, Rochester.

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

PUBLIC SERVICES COMMITTEE

The Chairperson referred the Personnel Committee and the Finance Committee. There were no objections.

**MISCELLANEOUS RESOLUTION #04037**

BY: Public Services Committee, Hugh D. Crawford, Chairperson

**IN RE: SHERIFF'S OFFICE - USE OF FORFEITED FUNDS FOR EQUIPMENT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Section 333.7524 of Public Act 368 of 1978 authorizes courts to distribute property and funds forfeited through narcotic seizures to participating agencies to be utilized toward the enhancement of law enforcement efforts related to the Controlled Substances Act; and

WHEREAS the courts have distributed \$949,976.20 (balance as of 12/31/03) as a result of Sheriff's Office forfeiture efforts; and

WHEREAS the Sheriff is requesting that a portion of these funds be used to pay for equipment; and

WHEREAS this equipment will be used by the Sheriff's Office to enhance law enforcement efforts in compliance with state law; and

WHEREAS the estimated expenses are \$152,000.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the use of \$152,000 from the Sheriff Department Law Enforcement Enhancement Account (#101-43-223101-20001-2853-60053) to purchase the attached equipment.

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

PUBLIC SERVICES COMMITTEE

Copy of Sheriff's Office Use of Forfeited Funds on file in County Clerk's office.

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

**MISCELLANEOUS RESOLUTION #04038**

BY: Commissioners Jeff Potter, District #6, Bill Bullard, Jr., District #2, Hugh D. Crawford, District #9, Christine Long, District #7, Peter H. Webster, District #18, Sue Ann Douglas, District #12, Greg Jamian, District #16, Martin J. Knollenberg, District #13, Eileen T. Kowall, District #6, Thomas A. Law, District #17, Tom McMillin, District #11, Thomas F. Middleton, District #4, David L. Moffitt, District #15, Chuck Moss, District #20, Charles E. Palmer, District #19, William R. Patterson, District #1, Mike Rogers, District #14, John A. Scott, District #5, Eric S. Wilson, District #3

**IN RE: BOARD OF COMMISSIONERS - SUPPORT FOR I-96/WIXOM ROAD INTERCHANGE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS transportation and access to corridors of commerce are critical to the viability of southeastern Michigan in general and especially to Oakland County - the "economic engine" of the Michigan economy; and

WHEREAS the Oakland County Board of Commissioners adopted Miscellaneous Resolution #03101 to strongly urge the Michigan Department of Transportation to re-instate funding for the highway and road improvement projects that are important to the continued growth and safety of Oakland County residents and the residents of southeast Michigan; and

WHEREAS the City of Wixom is presently the third fastest growing city in Oakland County, located in the midst of the rapidly growing I-96 corridor; and

WHEREAS in the early 1990's, the City of Wixom, along with Oakland County and other governmental entities and the private sector, recognized the need to improve the I-96/Wixom Road interchange for the purpose of enhancing the region's health, safety and welfare; and

WHEREAS the Mission Roads Task Force was formed to assist the Michigan Department of Transportation with concept planning and property acquisition; and

WHEREAS the upgrading and reconstruction of the I-96 Interchanges at Beck Road and Wixom Road were deemed a priority by the Michigan Department of Transportation when compiling the current Five Year Road Bridge Plan; and

WHEREAS the Wixom Road and Beck Road I-96 interchanges - in their current condition pose a serious threat to the health, safety and welfare of the residents and commuters in the region; and

WHEREAS the I-96/Beck Interchange and the I-96/Wixom Interchange were considered to be a single project; and

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WHEREAS the economic vitality of Ford Motor Company and a significant number of jobs in a vast assortment of other businesses in southeastern Michigan rely upon safe and efficient access and egress to the area surrounding I-96/Wixom Road; and

WHEREAS Oakland County thanks the Governor, the Michigan Department of Transportation and others for the reinstatement of the I-96/Beck interchange project; and

WHEREAS the Michigan Department of Transportation, the City of Wixom and Oakland County are partners and want to maintain that partnership and understand the funding complexities; and

WHEREAS Oakland County supports the efforts of the City of Wixom and the Michigan Department of Transportation to upgrade and reconstruct the I-96 Interchanges at Wixom Road and Beck Road.

NOW THEREFORE BE IT RESOLVED THAT the Oakland County Board of Commissioners hereby petition Michigan Governor Jennifer M. Granholm and the Michigan Department of Transportation to proceed with the construction of the I-96/Wixom interchange immediately upon completion of the I-96/Beck Road Interchange.

BE IT FURTHER RESOLVED THAT the Oakland County Board of Commissioners requests the Oakland County Clerk to forward copies of this adopted resolution to the City of Wixom, Governor Granholm, Michigan Department of Transportation Director - Gloria Jeff, Road Commission for Oakland County, the Michigan Delegation to the State Legislature, the Michigan Association of Counties, the Michigan Municipal League and Oakland County's Legislative Lobbyists.

Chairperson, we move the adoption of the foregoing resolution.

JEFF POTTER, BILL BULLARD, JR., HUGH D. CRAWFORD, CHRISTINE LONG, PETER H. WEBSTER, SUE ANN DOUGLAS, GREG JAMIAN, MARTIN J. KNOLLENBERG, EILEEN T. KOWALL, THOMAS A. LAW, TOM MCMILLIN, THOMAS F. MIDDLETON, DAVID L. MOFFITT, CHUCK MOSS, CHARLES E. PALMER, WILLIAM R. PATTERSON, MIKE ROGERS, JOHN A. SCOTT, ERIC S. WILSON

Commissioner Potter requested the rules be suspended to allow immediate consideration of MISCELLANEOUS RESOLUTION #04038 - BOARD OF COMMISSIONERS – SUPPORT FOR I-96/WIXOM ROAD INTERCHANGE.

Moved by Moss supported by Kowall the rules be suspended.

Discussion followed.

Commissioner Moffitt as a "Point of Order" stated that the rules be suspended for consideration of this resolution only.

Vote on suspension of rules:

AYES: Long, McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law. (22)

NAYS: None. (0)

Chairperson Thomas Law stated a majority of 15 votes are needed to suspend the rules.

A sufficient majority having voted therefore, the motion to suspend the rules carried.

Moved by Potter supported by Crawford the resolution be adopted.

Discussion followed.

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Vote on resolution:

AYES: McMillin, Moffitt, Moss, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long. (22)

NAYS: None. (0)

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

**MISCELLANEOUS RESOLUTION # 04039**

BY: Commissioner Peter H. Webster, District #18

**IN RE: BOARD OF COMMISSIONERS – RESOLUTION RE: OAKLAND COUNTY REPRESENTATIVE TO THE DETROIT WATER BOARD**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the City of Detroit through its Water and Sewerage Department ("DWSD") supplies water and wastewater services to much of southeastern Michigan; and, the proficient and efficient provision of service by DWSD is essential to the health and welfare of the citizens of southeastern Michigan; and WHEREAS DWSD is a regional system that must be accountable to the regional customers, and the communities served by the regional system have been paying ever increasing water and sewer bills for several years; and

WHEREAS the current process for setting and determination of rates and the total annual cost for water and sewer services has caused continued concern among its customers because of an inability to determine with specificity the legitimate reasons for rate hikes; and

WHEREAS the rate formulation and budget process must begin at such time as to allow full disclosure permitting stakeholders to engage in meaningful review and evaluation and make constructive suggestions; and

WHEREAS the Mayor of Detroit and the Detroit City Council must permit an evaluation of the efficiency of the DWSD operations by an independent, outside consultant, and such evaluation should be conducted in a public forum to provide assurances that DWSD is operated efficiently and cost effectively; and

WHEREAS the DWSD has failed to take any positive action on the unanimous resolution of the Oakland County Board of Commissioners to provide for rate payer representation from each participating municipality on the regional water and sewerage system to review the rates, charges, procedures and overall efficiency of the water supply and sewerage services; and

WHEREAS the Oakland County Board of Commissioners and numerous cities, villages, and townships in Oakland County requested that the Detroit City Council place a moratorium on Water and Sewer rate increases for Fiscal Year 2004-05, and the Detroit City Council failed to do so; and

WHEREAS the Oakland County Board of Commissioners and numerous cities, villages, and townships in Oakland County requested that the Detroit Water Board place a moratorium on Water and Sewer rate increases for Fiscal Year 2004-05, and the Detroit Water Board failed to do so.

NOW THEREFORE BE IT RESOLVED that the Mayor of the City of Detroit open the appointment process to public input and appoint a representative from Oakland County nominated and approved by the Oakland County Board of Commissioners to properly represent Oakland County customers.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners, General Government Committee initiate the process to advertise, receive applications, interview, and recommend for the Oakland County Board of Commissioners' consideration and approval, a representative from Oakland County to properly represent Oakland County customers on the Detroit Water Board.

BE IT FURTHER RESOLVED that copies of this adopted resolution be forwarded to the Oakland County delegation to the state legislature, Oakland County cities, villages, and townships, the Michigan Association of Counties, the Michigan Municipal League, Oakland County's lobbyists, the City of Detroit, the Detroit Water Board, and the Honorable John Feikens.

Chairperson, I move the adoption of the foregoing Resolution.

PETER H. WEBSTER, THOMAS A. LAW,  
HUGH D. CRAWFORD, MARTIN J.  
KNOLLENBERG, THOMAS MCMILLIN, CHUCK  
MOSS, ERIC S. WILSON, EILEEN KOWALL,  
ERIC COLEMAN

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

**MISCELLANEOUS RESOLUTION #04040**

BY: Commissioners Peter H. Webster, District #18

**IN RE: BOARD OF COMMISSIONERS – SUPPORT FOR THE REPEAL OF THE HOTEL/MOTEL OCCUPANCY TAX AND PUBLIC ACT 107 OF 1985**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS State law requires hotels and motels in the Detroit Metropolitan Area, including Oakland County, to levy a Hotel Occupancy Tax, the proceeds of which are used to fund Cobo Hall in the City of Detroit, and

WHEREAS in Fiscal Year 2000 this tax raised a total of \$18.3 million in the metropolitan area, and

WHEREAS Oakland County, having 40.6% of the hotel and motel rooms subject to this tax provided an estimated \$7.4 million of this annual total, and

WHEREAS Public Act 107 of 1985 imposes a 4% tax on all liquor sold for consumption in the state, and

WHEREAS PA 107 requires the tax revenue to be placed in the “Convention Facility Development Fund”, and

WHEREAS distribution of these funds are as follows:

1. First use of revenue must be to cover any portion of the Cobo Hall debt not covered by the Hotel tax.
2. After the Cobo debt is covered, the 80 counties outside the metropolitan Detroit area are reimbursed 100% of the tax collected in their counties
3. The remaining balance after refunding the out state counties is distributed among all 83 counties, and

WHEREAS since Fiscal Year 2000 the Hotel tax proceeds have been sufficient to cover the entire Cobo Hall debt, and

WHEREAS in Fiscal Year 2002, alone, the statutory distribution formula resulted in \$3 million of liquor tax revenues collected in Oakland County being sent to other counties.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners requests the Governor and the State Legislature to repeal both the Hotel/Motel Occupancy Tax and the 4% tax of liquor sold for consumption, PA 107 of 1985.

BE IT FURTHER RESOLVED that, in the event the taxes are not repealed, the Oakland County Board of Commissioners, the Governor and the State Legislature appropriate all tax proceeds raised in Oakland County to Oakland County and its Cities, Villages, and Townships to replace the lost revenue sharing appropriation taken by the State Government.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to all Oakland County members of the Michigan Legislature, and Oakland County Cities, Villages, and Townships.

Chairperson, I move adoption of the foregoing resolution.

PETER H. WEBSTER

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

**MISCELLANEOUS RESOLUTION #04041**

BY: Eric S. Wilson, County Commissioner-District #3

**IN RE: OAKLAND COUNTY ANIMAL CARE—SALE OF DOG LICENSES**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Public Act of 1919 mandates Oakland County in conjunction with the Oakland County Treasurer’s Office as responsible for the licensing of dogs 4 months of age and older, as well as kennel inspections and licensing of such; and

WHEREAS the Oakland County Animal Care Center Department is responsible for the enforcement of Act 339 of 1919 in 11 cities, 18 townships and 8 villages; and

WHEREAS the most important function of Oakland County Animal Care is the prevention of rabies in animals and humans, along with the Oakland County Health Department and the Michigan Department of Communicable Diseases. This Care Center follows the guidelines and procedures of Act 338 of 1978, Section 333.5111 (the Public Health Code), and the enforcement of Act 328 of 1931 and Act 338 of 1976 and Act 426 of 1988 (dangerous animals), and Act 246 of 2000 (wolf dog crosses) to increase the numbers of vaccinated animals in the County; and

WHEREAS the Board of Commissioners sets the fees for board, disposal, and licenses which are renewed every 3rd year; and

WHEREAS Oakland County licenses more than 50,000 dogs each year; and

WHEREAS Oakland uses Vet clinics, municipalities and other appropriate outlets as agents for the sale of dog licenses; and

WHEREAS Oakland County provides a payment for service to its agents to cover the costs associated with maintaining and transacting the sale of licenses by these agents.

NOW THEREFORE BE IT RESOLVED that the Treasurer of Oakland County is authorized to enter into contracts with suitable persons and/or entities for such persons and/or entities to sell dog licenses.

BE IT FURTHER RESOLVED that the Treasurer of Oakland County is authorized to pay such persons and/or entities, with whom he contracts, a commission of \$1.00 for each dog license sold from December 1st through June 1st, and \$1.50 for each dog license sold from June 2nd through November 30th, with said commission to be paid from the license fee received for each dog license sold.

Chairperson, I move the adoption of the foregoing resolution.

ERIC WILSON

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

**MISCELLANEOUS RESOLUTION #04042**

BY: Commissioners Eileen T. Kowall, District #6; John A. Scott, District #5; Thomas F. Middleton, District #4

**IN RE: BOARD OF COMMISSIONERS – ADDITION OF TWO (2) DEPUTY I POSITIONS TO THE SHERIFF’S TRANSPORT UNIT TO PROVIDE PRISONER TRANSPORT FOR THE 51ST DISTRICT COURT AND THE ADDITION OF ONE (1) TRANSPORT VAN TO THE COUNTY FLEET**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Transport Unit of the Oakland County Sheriff’s Office is responsible for transporting inmates to various Courts, police departments, doctors appointments, and performing special court ordered details, as well as transporting state sentenced inmates throughout Michigan and picking up state prisoners of various writs; and

WHEREAS due to staffing levels and past practice, every time an inmate is scheduled to appear at the 51st District Court, officers from the Waterford Township Police Department must be pulled from patrol duty to perform transport duties; and

WHEREAS depending on the length of the court hearing(s) an officer could be away from patrol duties for as long as three hours; and

WHEREAS the Oakland County Sheriff’s Office currently provides prisoner transport services to a number of communities without cost to those communities; and

WHEREAS the addition of two (2) Deputy I positions to the Sheriff’s Office Transport Unit would facilitate the transport of inmates to and from the 51st District Court as well as augment other Transport Unit responsibilities; and

WHEREAS the addition of one (1) transport van with radios is needed to preform these transport duties.

NOW THEREFORE BE IS RESOLVED that two (2) Deputy I positions be created in the Transport Unit, Satellite Services Division of the Sheriff’s Office.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners authorizes the expansion of the fleet by one (1) transport van, mobile and prep radios assigned to the Satellite Services Division, Transport Unit of the Sheriff’s Office.

Chairperson, we move adoption of the foregoing resolution.

EILEEN T. KOWALL, JOHN A. SCOTT,  
THOMAS F. MIDDLETON

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

**MISCELLANEOUS RESOLUTION #04043**

BY: Christine Long, District #7

**IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE VILLAGE OF MILFORD – FISCAL YEAR 2003 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 Village of Milford 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 Village of Milford is requesting reimbursement for expenses directly related to the Old Plank Road Landfill Remedial Investigation; and

WHEREAS the Fiscal Year 2003 authorized amount of funding for The Village of Milford is \$22,649.48 from the Environmental Infrastructure Fund as repayment to The Village of Milford for expenses incurred in connection with environmental remediation or improvement projects.

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

BE IT FURTHER RESOLVED that the Board authorizes the Fiscal Year 2003 appropriation in the amount of \$22,649.48 from the Environmental Infrastructure Fund (Account #90-263215-41000-3985) to repay The Village of Milford for expenses incurred with the Old Plank Road Landfill Remedial Investigation, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

CHRISTINE LONG

Copy of letter from Becky Jacques, CPFA, Treasurer/Finance Director of the Village of Milford, Old Plank Rd. Landfill Remedial Investigation Change Order #1, Village of Milford Resolution #04-003 Authorizing Environmental Infrastructure Fund Expense Reimbursement Request, 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 #04044**

BY: Commissioner Martin J. Knollenberg, District #13

**IN RE: BOARD OF COMMISSIONERS - APPROVAL OF ENHANCED ACCESS TO PUBLIC RECORDS FOR LICENSED INSURANCE AGENTS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Public Act 462 of 1996, the Michigan Enhanced Access to Public Records Act, allows public bodies to provide enhanced access for the inspection, copying or purchasing of public records that are not confidential or otherwise exempt by law from disclosure; and

WHEREAS the Oakland County Board of Commissioners with the adoption of Miscellaneous Resolution #97165, established the Oakland County Enhanced Access to Public Records Policy; and

WHEREAS the initial effort of the Access Oakland Program was to provide a host of fee-based Land/Tax, Delinquent Tax and Register of Deeds related information products to title companies, lending institutions, real estate professionals and the general public; and

WHEREAS Access Oakland has established a successful partnership with licensed real estate agents and appraisers to access digital photographs and sketches which involved the Department of Information Technology staff managing the potential users by undertaking a series of validation steps and security measures; and

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WHEREAS Access Oakland tools would be an appropriate and effective tool for licensed insurance agents, by providing these professionals with easy access to public information, including the type of construction, year built, square footage of property, digital photographs and digital sketches located in Oakland County; and

WHEREAS providing licensed insurance agents the opportunity to gather information through Access Oakland would prove beneficial to the homeowners of Oakland County by facilitating the ability of insurance agents to expeditiously gather more exact information for the issuance of insurance policies.

NOW THEREFORE BE IT RESOLVED THAT the Oakland County Board of Commissioners hereby authorizes the use of Enhanced Access products, including the Digital Photography and Digital Sketches Programs, to Licensed Insurance Agents.

BE IT FURTHER RESOLVED THAT the Oakland County Board of Commissioners requests the Oakland County Department of Information Technology to utilize the existing procedures enabling licensed insurance agents to undergo a validation process and establish a business account with Access Oakland. Chairperson, we move the adoption of the foregoing Resolution.

MARTIN J. KNOLLENBERG, MIKE ROGERS,  
THOMAS A. LAW, CHUCK MOSS, EILEEN  
KOWALL, JOHN SCOTT, ERIC S. WILSON,  
GREG JAMIAN, DAVID MOFFITT, BILL  
BULLARD, HUGH D. CRAWFORD, DAVID  
COULTER, JEFF POTTER, CHRISTINE A.  
LONG, VINCENT GREGORY, SUE ANN  
DOUGLAS

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

Commissioner Mattie Hatchett addressed Chairperson Thomas Law and requested a procedure to get information to the Commissioners on Fast Track Resolutions. Chairperson Thomas Law stated for Commissioner Hatchett to put her request in writing.

The Board adjourned at 10:55 a.m. to the call of the Chair on March 4, 2003, at 9:30 a.m.

G. WILLIAM CADDELL  
Clerk

THOMAS A. LAW  
Chairperson