

OAKLAND COUNTY
BOARD OF COMMISSIONERS
MINUTES

April 1, 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, Coulter, Crawford, Douglas, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack. (22)

ABSENT: Coleman, Gregory (absent with notice). (2)

Quorum present.

Invocation given by Helaine Zack.

Pledge of Allegiance to the Flag.

Moved by Crawford supported by Coulter the minutes of the March 18, 2004 Board Meeting be approved.

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

Moved by Patterson supported by Palmer the minutes of the March 25, 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, as follows:

ITEM ON BOARD AGENDA

PUBLIC SERVICES COMMITTEE

c. Miscellaneous Resolution #04041 – Oakland County Animal Care – Sale of Dog Licenses.

(Reason for Suspension of Public Services Committee, item c: Waiver of Rule XII.C.1 – Direct referral to the Finance Committee.)

Moved by Webster supported by Rogers the Agenda be further amended by adding "Notice of Intent to Discharge" Miscellaneous Resolution #04065 from the Finance Committee under Special Order of Business, and move General Government Committee, items (c) and (e) from the Consent Agenda to the Regular Agenda.

Vote on agenda as amended:

AYES: Bullard, Coulter, Crawford, Douglas, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack (21)

NAYS: None. (0)

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

Oakland County Executive L. Brooks Patterson along with Chairperson Thomas Law presented William and Judy Hewitt a proclamation acknowledging receipt of the generous gift of an antique 1924 Oakland automobile to keep on permanent public display at Oakland County.

Lawrence Obrecht, Manager of the Animal Control Division, presented a proclamation to Dennis King President of Harley Ellis and Kendall Ruhberg of Spectrum Strategies in recognition and appreciation of the donation of their staff time and expertise to the Oakland County Animal Care Center.

The following people addressed the Board: Ervin Durkins.

Moved by Potter supported by Zack the resolutions on the Consent Agenda, be adopted (with accompanying reports being accepted). (The vote for this motion appears on page 192.) The resolutions on the Consent Agenda follow (annotated by an asterisk {*}):

***REPORT (MISC. #04081)**

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

IN RE: DEPARTMENT OF CENTRAL SERVICES – OAKLAND COUNTY INTERNATIONAL AIRPORT – 2004 GRANT PROGRAM ACCEPTANCE – CONSTRUCTION OF NORTH HANGAR AREA

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building Committee having reviewed the above referenced resolution on March 23, 2004 reports to the Board with the recommendation the resolution be adopted.

Chairperson, on behalf of the Planning and Building Committee, I move the acceptance of the foregoing report.

PLANNING AND BUILDING COMMITTEE

MISCELLANEOUS RESOLUTION #04081

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

IN RE: DEPARTMENT OF CENTRAL SERVICES – OAKLAND COUNTY INTERNATIONAL AIRPORT – 2004 GRANT PROGRAM ACCEPTANCE – CONSTRUCTION OF NORTH HANGAR AREA

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is in receipt of Michigan Department of Transportation Grant Contract No. 2004-0162, for State funds in the amount of \$1,386,700 for the development and improvement of Oakland County International Airport; and

WHEREAS the project consists of construction of a north hangar area; and

WHEREAS the Michigan Department of Transportation shall act as agent on behalf of the County in the administration of the project; and

WHEREAS the development project as offered and approved by the Michigan Department of Transportation requires a local grant match of \$199,300, which is available from the airport fund; and

WHEREAS the Airport Committee has reviewed the project and recommends acceptance of the grant contract; and

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WHEREAS the attached contract has been approved in accordance with the County Executive's review process; and

WHEREAS no application was requested from Oakland County, therefore the application provisions of Miscellaneous Resolution #95098, do not apply.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the grant contract in an amount not to exceed \$1,586,000.

BE IT FURTHER RESOLVED that the Chairperson of the Oakland County Board of Commissioners is authorized to execute the grant contract.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Revised Contract Review – Central Services/Aviation, Contract for a State/Local Airport Project, Exhibit 1, Attachment 7, and Appendix A and B on file in County Clerk's office.

FISCAL NOTE (MISC. #04081)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF CENTRAL SERVICES - OAKLAND COUNTY INTERNATIONAL AIRPORT - 2004 GRANT PROGRAM ACCEPTANCE - CONSTRUCTION OF NORTH HANGAR AREA

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 received Michigan Department of Transportation Grant No. 2004-0162, for State funds in the amount of \$1,386,700 for Oakland County International Airport.
2. The project is for construction of a north hangar area.
3. The Airport Committee has reviewed the project and recommends acceptance of the grant contract.
4. The funding period of the grant is 36 months from the date of the award.
5. total cost for the project is \$1,586,000, with \$1,386,700 (87%) of the cost from State funds, and \$199,300 (13%) from the Airport Fund for the grant match.
6. The Michigan Department of Transportation shall act as agent on behalf of the County in the administration of the project.
7. No General Fund appropriation is required.
8. No budget amendment is necessary.

FINANCE COMMITTEE

(The vote for this motion appears on page 192.)

***REPORT (MISC. #04082)**

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

IN RE: DEPARTMENT OF CENTRAL SERVICES – OAKLAND COUNTY INTERNATIONAL AIRPORT – 2004 GRANT PROGRAM ACCEPTANCE – DESIGN AND CONSTRUCTION OF SCREEN WALL/PURCHASE OF AIRCRAFT RESCUE FIRE FIGHTING (ARFF) VEHICLE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building committee having reviewed the above referenced resolution on March 23, 2004 reports to the Board with the recommendation the resolution be adopted.

PLANNING AND BUILDING COMMITTEE

MISCELLANEOUS RESOLUTION #04082

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

IN RE: DEPARTMENT OF CENTRAL SERVICES – OAKLAND COUNTY INTERNATIONAL AIRPORT – 2004 GRANT PROGRAM ACCEPTANCE – DESIGN AND CONSTRUCTION OF SCREEN WALL/PURCHASE OF AIRCRAFT RESCUE FIRE FIGHTING (ARFF) VEHICLE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is in receipt of Michigan Department of Transportation Grant Contract No. 2004-0163, for Federal funds in the amount of \$1,131,301, and State funds in the amount of \$62,849 for the development and improvement of Oakland County International Airport; and

WHEREAS the project consists of design and construction of a screen wall, and for the purchase of an aircraft rescue and fire fighting (ARFF) vehicle; and

WHEREAS the Michigan Department of Transportation shall act as agent on behalf of the County in the administration of the project; and

WHEREAS the development project as offered and approved by the Michigan Department of Transportation requires a local grant match of \$62,850, which is available from the airport fund; and

WHEREAS the Airport Committee has reviewed the project and recommends acceptance of the grant contract; and

WHEREAS the attached contract has been approved in accordance with the County Executive's review process; and

WHEREAS no application was requested from Oakland County, therefore the application provisions of Miscellaneous Resolution #95098, do not apply.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the grant contract in an amount not to exceed \$1,257,000.

BE IT FURTHER RESOLVED that the Chairperson of the Oakland County Board of Commissioners is authorized to execute the grant contract.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Contract Review – Central Services/Aviation, Contract for a Federal/State/Local Airport Project Under the Block Grant Program, Exhibit 1, Attachment 1, Appendix A, Appendix G, and Instructions on file in County Clerk's office.

FISCAL NOTE (MISC. #04082)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF CENTRAL SERVICES - OAKLAND COUNTY INTERNATIONAL AIRPORT - 2004 GRANT PROGRAM ACCEPTANCE - DESIGN AND CONSTRUCTION OF SCREEN WALL/PURCHASE OF AIRCRAFT RESCUE FIRE FIGHTING (ARFF) VEHICLE

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 received Michigan Department of Transportation Grant No. 2004-0163, Federal Project No. C-26-0079-3403, for Federal funds of \$1,131,301, and State funds in the amount of \$62,849 for Oakland County International Airport.
2. The project is for the design and construction of screen wall/purchase of aircraft rescue fire fighting (ARFF) vehicle.
3. The Airport Committee has reviewed the project and recommends acceptance of the grant contract.
4. The funding period of the grant is 36 months from the date of the award.
5. The total cost for the design and construction of the screen wall is \$707,000 and the cost of the aircraft rescue fire fighting vehicle is \$550,000.
6. The total cost for the project is \$1,257,000, with \$1,131,301 (90%) of the cost from Federal funds, \$62,849 (5%) from State funds, and \$62,850 (5%) from the Airport Fund for the grant match.

7. The Michigan Department of Transportation shall act as agent on behalf of the County in the administration of the project.
8. No General Fund appropriation is required.
9. No budget amendment is necessary.

FINANCE COMMITTEE

(The vote for this motion appears on page 192.)

***MISCELLANEOUS RESOLUTION #04073**

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

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT OF LIVE SCAN INTERLOCAL AGREEMENT

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen:

WHEREAS the COURT LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM ("CLEMIS") is a computerized system that provides access to and entry of law enforcement data and facilitates the exchange of information among public safety agencies. CLEMIS also provides access to various other criminal justice databases. CLEMIS is interfaced with state and federal law enforcement computers, as well as computer systems within other states which maintain records and files essential to the needs of the justice community; and

WHEREAS the CLEMIS Division is a division of the Oakland County Department of Information Technology that supports public safety agencies using CLEMIS, that provides services such as training, help desk, and technical support to the public safety agencies, and that is a liaison with the State on law enforcement technology matters; and

WHEREAS part of this information includes exchange of fingerprint information on Live Scan Equipment; and

WHEREAS the CLEMIS Division desires to establish an Interlocal Agreement with certain municipalities to provide maintenance services and preventative maintenance services for the Live Scan Equipment; and

WHEREAS the CLEMIS Division and the Department of Corporation Counsel have developed a Live Scan Interlocal Agreement setting forth the rights and obligations of the County and the municipalities; and

WHEREAS the municipalities signing this Agreement will be charged an annual fee for these services; and

WHEREAS the Oakland County Board of Commissioners is required under the Urban Cooperation Act of 1967 to approve Interlocal Agreements between the County and the municipalities.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the attached Interlocal Agreement and authorizes the Chairperson of the Board of Commissioners to sign the Agreement for the following municipalities:

Ann Arbor Police Department
Auburn Hills Police Department
Berkley Department of Public Safety
Beverly Hills Department of Public Safety
Birmingham Police Department
Bloomfield Township Police Department
Chesterfield Township Police Department
Dearborn Heights Police Department
Eastpointe Police Department
Farmington Department of Public Safety
Farmington Hills Police Department
Ferndale Police Department
Fraser Department of Public Safety
Garden City Police Department
Grosse Pointe Department of Public Safety
Harper Woods Police Department
Hazel Park Police Department

Roseville Police Department
Royal Oak Police Department
Saint Clair Shores Police Department
Sterling Heights Police Department
Walled Lake Police Department
Waterford Police Department
Wayne Police Department
West Bloomfield Township Police Department
White Lake Police Department
Wixom Police Department
Center Line Department of Public Safety
Clinton Township Police Department
Dearborn Police Department
Macomb County Sheriff
Novi Police Department
Pontiac Police Department
Shelby Township Police Department

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Huntington Woods Department of Public Safety
Livingston County Sheriff
Livonia Police Department
Madison Heights Police Department
Milford Police Department
Northville Twp Department of Public Safety
Oak Park Department of Public Safety
Plymouth Township Police Department
Rochester Police Department

Southfield Police Department
Troy Police Department
Utica Police Department
Warren Police Department
Washtenaw County Sheriff
Westland Police Department

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

GENERAL GOVERNMENT COMMITTEE

Copy of Clemis Live Scan Agreement between Oakland County and Municipality on file in County Clerk's office.

FISCAL NOTE (MISC. #04073)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY - ESTABLISHMENT OF LIVE SCAN INTERLOCAL 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 COURT LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM (CLEMIS) is a computerized system that provides access and entry of law enforcement data which facilitates the exchange of information among public safety agencies.
2. CLEMIS is interfaced with state and federal law enforcement computers as well as other states that maintain records and files essential to the needs of the justice community.
3. CLEMIS is a division of the Oakland County Department of Information Technology that supports public safety agencies using CLEMIS to provide services such as training, help desk, and technical support to the public safety agencies, and is a liaison with the State on law enforcement technology matters.
4. The CLEMIS Division and the Department of Corporation Counsel have developed a Live Scan Interlocal Agreement setting forth rights and obligations of the County and the municipalities.
5. The municipalities signing this agreement will be charged annually per unit for maintenance and preventative services.
6. The Oakland County Board of Commissioners is required under the Urban Cooperation Act of 1967 to approve Interlocal Agreements between the County and the municipalities.
7. Revenues and expenses related to the approval of the Interlocal Agreement have been included in the FY 2004 and 2005 Adopted Budget; no additional amendments are required.

FINANCE COMMITTEE

(The vote for this motion appears on page 192.)

***REPORT (MISC. #04080)**

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

IN RE: BOARD OF COMMISSIONERS – SUPPORT OF MICHIGAN CONSUMER PRESCRIPTION PROTECTION LEGISLATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04080 on March 22, 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 #04080

BY: Commissioner William R. Patterson, District 31

IN RE: BOARD OF COMMISSIONERS - SUPPORT OF MICHIGAN CONSUMER PRESCRIPTION PROTECTION LEGISLATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners are dedicated to supporting efforts to preserve and improve the health, safety and welfare of the residents of our community; and

WHEREAS in order to maintain quality health care, it is imperative that the opportunity for the residents of Oakland County to choose the pharmacy of their choice is guaranteed; and

WHEREAS in 2003, a reported \$1.15 Billion in prescription drugs were mailed out of the State of Michigan and the number of prescriptions projected to be filled out-of-state is expected to exceed \$2 Billion in 2004; and

WHEREAS local community pharmacies are willing to provide the same quality, professional services at the same price as mail order pharmacies located outside of the State of Michigan, without an increase in cost to the customer or to their employer; and

WHEREAS the pharmacy services provided by local community pharmacists provides more personal, customer friendly services than the pharmacy services provided by out-of-state mail order pharmacies; and

WHEREAS the Michigan Legislature has introduced a package of bills - the Consumer Prescription Protection Legislation - House Bills 4987, 5435, 5436, 5437 and 5438; and

WHEREAS the Consumer Prescription Protection Legislation proposes to preserve consumer choice - at the same cost - for prescription services by allowing Michigan community pharmacies to provide a 90-day supply of medication for the same co-pay as out-of-state mail order pharmacies; and

WHEREAS the Consumer Prescription Protection Legislation would allow prices to be as low at community pharmacies as they are through mail order; and

WHEREAS the Consumer Prescription Protection Legislation would ensure that consumers can continue to rely on community pharmacists for life-saving counseling and advice; and

WHEREAS the Consumer Prescription Protection Legislation would ensure patient safety when receiving medications by mail - by requiring mail order pharmacies to meet the same professional, counseling, safety and quality control standards required of community pharmacies; and

WHEREAS the Consumer Prescription Protection Legislation would help reduce the flow of \$2 Billion out of Michigan for mail order prescription drugs by creating a level playing field for mail order and community pharmacies; and

WHEREAS the Consumer Prescription Protection Legislation would allow mail order and community pharmacies to be reimbursed identically for the same covered prescriptions, including the same co-pay, dispensing fees and performance-based incentives.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby supports the major provisions contained in the Consumer Prescription Protection Legislation.

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 Governor of the State of Michigan, the Michigan House of Representatives' Health Policy Committee, the Oakland County delegation to the state legislature, the Michigan Association of Counties and Oakland County's legislative lobbyists.

Chairperson, we move the adoption of the foregoing resolution.

WILLIAM R. PATTERSON, HUGH CRAWFORD, THOMAS MIDDLETON, TOM MCMILLIN, HELAINE ZACK, EILEEN KOWALL, JEFF POTTER, CHRISTINE LONG, CHARLES PALMER, ERIC COLEMAN, MARTIN KNOLLENBERG, THOMAS MIDDLETON, SUE ANN DOUGLAS, MICHAEL ROGERS, GREG JAMIAN, CHARLES PALMER, ERIC WILSON, GEORGE SUAREZ, VINCENT GREGORY, DAVID COULTER

(The vote for this motion appears on page 192.)

***MISCELLANEOUS RESOLUTION #04074**

BY: Personnel Committee, Gregory C. Jamian, Chairperson

IN RE: HUMAN RESOURCES DEPARTMENT – FISCAL YEAR 2004 EXTENSION OF THE LABOR AGREEMENT FOR EMPLOYEES REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) COUNCIL 25, LOCAL 2720

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland and AFSCME Council 25, Local 2720, have agreed to extend the provisions of the current collective bargaining agreement covering approximately four Board of Commissioners employees; and

WHEREAS this agreement provides for a 2% increase with the pay period beginning September 20, 2003; and

WHEREAS the agreement regarding a one year extension has been reached for the period October 1, 2003, through September 30, 2004, and said agreement has been reduced to writing; and

WHEREAS the agreement has been reviewed by your Personnel Committee, which recommends approval of the agreement.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners approves the proposed agreement between the County of Oakland and AFSCME Council 25, Local 2720, covering the period of October 1, 2003 through September 30, 2004, and that the Board Chairperson, on behalf of the County of Oakland, is authorized to execute said agreement as attached.

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

PERSONNEL COMMITTEE

Copy of Memorandum of Agreement on file in County Clerk's office.

FISCAL NOTE (MISC. #04074)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: HUMAN RESOURCES DEPARTMENT – FISCAL YEAR 2004 EXTENSION OF THE LABOR AGREEMENT FOR EMPLOYEES REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) COUNCIL 25, LOCAL 2720

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 County of Oakland and AFSCME Council 25, Local 2720 have agreed to extend the provisions of the current collective bargaining agreement covering approximately four (4) Board of Commissioners employees.
2. The positions covered under this agreement are: One (1) Secretary- Board of Commissioner II (#620), one (1) Committee Coordinator (#2568), one (1) Senior Committee Coordinator (#3130) and one (1) Secretary- Board of Commissioner I (#9719).
3. The agreement provides for a 2% increase for the employees with the pay period beginning September 20, 2003.

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4. The agreement provides for a one-year extension covering the period October 1, 2003 through September 30, 2004.
5. Total costs pursuant to the agreement equal \$5,020 (Salary \$3,746, Fringe Benefits \$1,274) for FY 2004.
6. Sufficient funds have been budgeted for FY 2004 to cover this agreement. No budget amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 192.)

***MISCELLANEOUS RESOLUTION #04083**

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

IN RE: COMMUNITY AND HOME IMPROVEMENT DIVISION - 2004 HOME IMPROVEMENT PROGRAM GUIDELINE CHANGES

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen:

WHEREAS the Community and Home Improvement Division has administered the Home Improvement Program since 1976 to improve approximately 250 single family owner occupied homes per year for low and moderate income persons in the 50 communities participating in the Oakland County Community Development Block Grant Program each year; and

WHEREAS in Miscellaneous Resolutions #81237, #82233, #90201, #94082, #96151, #99122 and #00142 the Oakland County Board of Commissioners approved guidelines and amendments for administering the Home Improvement Program; and

WHEREAS the current Home Improvement Program loan limitation guidelines require that the total property related indebtedness after improvement shall not exceed 100 per cent of the market value analysis obtained by the homeowner or market value as identified by the Oakland County Mortgage Application Acceleration Program (MAAP); and

WHEREAS such market value analysis may exceed the actual sale price of a property and result in an over encumbrance thus jeopardizing Oakland County's Home Improvement lien; and

WHEREAS the Community and Home Improvement Division recommends that the total property related indebtedness after improvement shall not exceed 95 percent of a) a market value as identified by the Oakland County MAAP or b) a current appraisal prepared by a Michigan licensed appraiser as provided by the homeowner or c) lowest value of a market analysis prepared by a licensed realtor as provided by the homeowner; and

WHEREAS the current Oakland County Home Improvement eligibility requirements stipulate that property taxes can not be more than one year delinquent at the time of application; and

WHEREAS changes in the State of Michigan property tax laws have reduced the maximum allowable delinquency period leading to tax foreclosure from 5 to 2 years; and

WHEREAS this change has accelerated the foreclosure process and the potential for increasing the number of mortgage and tax foreclosures leading to the loss of program funds; and

WHEREAS the Oakland County Community and Home Improvement Division recommends that property taxes shall be current at the time of application to better protect the homeowner and the program from tax or mortgage foreclosure situations; and

WHEREAS the current scope of eligible home improvements preclude the installation of air conditioning and air purifying systems without a physician's medical justification; and

WHEREAS the Oakland County Community and Home Improvement Division recommends that the scope of eligible home improvements be modified to include air conditioning and air purifying systems without formal medical justification; and

WHEREAS the Oakland County Home Improvement Program prohibits homeowners from transferring ownership of their property to their spouse or children; and

WHEREAS Oakland County Corporation Council has indicated that current Michigan and federal law enumerates that a transfer where the spouse or children of the borrower becomes an owner of the property by transfer or sale may not be prohibited; and

WHEREAS the Oakland County Community and Home Improvement Citizens Advisory Council voted unanimously to approve the Home Improvement Program Guideline changes as reflected in Attachment A.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approve the Home Improvement Program Guideline changes in Attachment A that decrease the total property related indebtedness after improvement from a maximum of 100% to a maximum of 95%; require property taxes to be current at the time of application; deem the installation of air conditioning and air purifying systems as eligible home improvements without formal medical justification and allows homeowners to convey ownership in their property to their spouse or children by transfer or sale in accordance with current federal and Michigan law.

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

PLANNING AND BUILDING COMMITTEE

Copy of Oakland County Community and Home Improvement Division Home Improvement Program Guidelines on file in County Clerk's office.

(The vote for this motion appears on page 192.)

***MISCELLANEOUS RESOLUTION #04075**

BY: Planning and Building Committee, Charles Palmer, Chairperson

IN RE: COUNTY EXECUTIVE – ACCEPTANCE OF ANTIQUE 1924 OAKLAND AUTOMOBILE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS MCL 123.871 and MCL 45.556(q) provide statutory authority for counties to accept gifts; and WHEREAS pursuant to Miscellaneous Resolution #83204, the Oakland County Board of Commissioners adopted a procedure proposed by the Department of Management and Budget entitled "Acceptance of a Gift Donation and/or Gift Item from Private Sources Procedure"; and

WHEREAS Ms. Judy Hewett, wishes to donate an antique 1924 Oakland automobile to the County, the only condition attached to this donation is that the County keep the automobile on permanent public display; and

WHEREAS keeping this vehicle on permanent public display requires agreement of the Board of Commissioners through a resolution; and

WHEREAS the value of the vehicle is estimated at \$10,000, there is no financial match required by this donation and minimal financial obligations to the County.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners acknowledges receipt of the generous gift of an antique 1924 Oakland automobile made by Ms. Judy Hewett.

BE IT FURTHER RESOLVED that the Board of Commissioners accepts the donation of the Oakland automobile under the condition that the County permanently keep the automobile on public display, subject to an act of God or other event beyond the control of the County.

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

PLANNING AND BUILDING COMMITTEE

FISCAL NOTE (MISC. #04075)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: COUNTY EXECUTIVE – ACCEPTANCE OF ANTIQUE 1924 OAKLAND AUTOMOBILE

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. Since the dedication of the Courthouse North Lobby Addition in June of 1996, a 1924 Oakland Sedan belonging to Bill and Judy Hewett has been on public display in the Lobby.
2. Ms. Judy Hewett wishes to donate the antique 1924 Oakland automobile to the County; the only condition attached to this donation is that the County keep the automobile on permanent public display.
3. The County Executive and the Board of Commissioners are willing to accept the 1924 Oakland Sedan.

4. In accordance with the Procedure of Acceptance of a Gift Donation from Private Sources, per Miscellaneous Resolution #83204, as adopted July 14, 1983, official acknowledgement and acceptance of gifts, with a value of \$10,000 or greater, and no match requirement or other financial implications to the County, shall be formally approved by the Board of Commissioners through signed resolution.
5. The value of the donated equipment is assessed to be approximately \$10,000 with yearly care and maintenance of approximately \$250.
6. Sufficient funds exist in the FY 2004 and FY 2005 Facilities Maintenance and Operations Divisions budget to cover maintenance; therefore, no budget amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 192.)

***REPORT (MISC. #04084)**

BY: Personnel Committee, Gregory Jamian, Chairperson

IN RE: PROSECUTING ATTORNEY, CIRCUIT COURT/FAMILY DIVISION AND PUBLIC SERVICES/COMMUNITY CORRECTIONS DIVISION PROGRAM YEAR 2004 JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) ACCEPTANCE.

To the Oakland County Finance Committee

Chairperson, Ladies and Gentlemen:

The Personnel Committee having reviewed the above referenced resolution on March 24, 2004 reports with the recommendation the resolution be adopted.

PERSONNEL COMMITTEE

MISCELLANEOUS RESOLUTION #04084

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

IN RE: PROSECUTING ATTORNEY, CIRCUIT COURT/FAMILY DIVISION AND PUBLIC SERVICES/COMMUNITY CORRECTIONS DIVISION – PROGRAM YEAR 2004 JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) ACCEPTANCE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Michigan Family Independence Agency has awarded grant funding to the Prosecuting Attorney, Circuit Court/Family Division and Community Corrections Division under the Juvenile Accountability Block Grant (JABG) for the period of April 1, 2004 through March 31, 2005; and

WHEREAS this is the sixth (6th) year of grant acceptance for this program; and

WHEREAS this grant award has been processed through the County Executive's Contract Review Process and the Board of Commissioners' Grant Application Procedures; and

WHEREAS the Michigan Family Independence Agency approved the grant application as submitted, and awarded Oakland County a federal pass-through grant totaling \$527,634 of which \$474,872 is from the State as a Federal pass-through, and the balance of \$52,762 is the County's match amount; and

WHEREAS the required County match of \$52,762 is included in the FY 2004/FY 2005 Adopted Budget.

WHEREAS the grant award provides funding of the following: Prosecuting Attorney Teen Court and School Violence programs; Circuit Court/Family Division juvenile probation IRAP program, the accountability based sanctions STRIDE project, and a portion of the Juvenile Drug Court; and a portion of the Public Services/Community Corrections Division's InStep program (see attachments A, B, C and D); and

WHEREAS the grant award provides funding for one (1) SR Paralegal (position number 41201-09818), one (1) SR Probation Officer I (position number 41201-09330), and one (1) SR Social Worker I (position number 41101-09819) in the Prosecuting Attorney's Office; and

WHEREAS the grant award provides funding for one (1) SR Youth & Family Caseworker II (position number 35402-09711) in the Circuit Court/Family Division Juvenile Drug Court; and

WHEREAS the grant award provides funding for one (1) SR Community Corrections Specialist II (position number 17410-09820), and 50% funding for one (1) SR Supv.-Community Corrections (position number 17410-09396); and

WHEREAS the grant discontinues funding for one (1) SR PTNE Case Management Coordinator (position number 17410-09932) in the Community Corrections Division.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts grant funding from the Michigan Family Independence Agency in the amount of \$527,634, including County match of \$52,762 for the period of April 1, 2004 through March 31, 2005.

BE IT FURTHER RESOLVED that one (1) SR PTNE Case Management Coordinator (position number 17410-09932) in the Community Corrections Division be deleted effective April 1, 2004; and

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the grant agreement upon resolution of the remaining

BE IT FURTHER RESOLVED that acceptance of this grant does not obligate the County to any future commitment, and continuation of the special revenue positions in the grant are contingent upon continued future levels of grant funding.

BE IT FURTHER RESOLVED that future level of service, including personnel; will be contingent upon the level of funding available from the State for this program.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – Multi-Departmental, Attachments A, B, C, D, Agreement between Michigan Family Independence Agency and Oakland County, Certifications, Block Grant Format, and Juvenile Accountability Block Grant FY 2004-2005 on file in County Clerk's office.

FISCAL NOTE (MISC. #04084)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: PROSECUTING ATTORNEY, CIRCUIT COURT/FAMILY DIVISION, AND PUBLIC SERVICES/COMMUNITY CORRECTIONS DIVISION - PROGRAM YEAR 2004 JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) 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 Michigan Family Independence Agency has awarded grant funding to the Prosecuting Attorney, Circuit Court/Family Division and Community Corrections Division under the Juvenile Accountability Block Grant (JABG) for the period of April 1, 2004 through March 31, 2005.
2. The grant award of \$527,634 provides funding to the following: Prosecuting Attorney's Teen Court and School Violence programs; Circuit Court/Family Division's juvenile probation IRAP program, STRIDE program, and a portion of the Juvenile Drug Court; and a portion of the Public Services/Community Corrections Division's InStep program.
3. The State contribution is \$474,872 (90%) and the County grant match is \$52,762 (10%).
4. In addition to the County match requirements, the County is expected to incur administrative and support costs of \$34,531, which have been included in the FY 2004/FY 2005 budget. This grant does not allow for recovery of those costs.
5. The grant award provides funding for five and one half (5 1/2) positions.
6. The grant discontinues funding for one (1) PTNE Case Management Coordinator position (position number 17410-09932) in the Community Corrections Division.
7. Acceptance of this grant does not obligate the County to future commitments and continuation, including personnel, is contingent upon future grant funding.
8. The grant match amount of \$52,762 is included in the FY 2004/FY 2005 Adopted Budget Non-departmental grant match line item.
9. A budget amendment is recommended to transfer the funds to the Prosecuting Attorney, Circuit Court/Family Division and Community Corrections grant match line items. The Fiscal Year 2004 Budget is amended as follows:

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GENERAL FUND

90-290000-25000-2872 Grant Match	(\$ 52,762)
41 211000-41800-2872 Grant Match	\$ 11,923
41 211000-47100-2872 Grant Match	8,171
35 230000-28000-2872 Grant Match	20,105
17 402200-70500-2872 Grant Match	<u>12,563</u>
	<u>\$ -0-</u>

FUND 270

Revenue

41 501053-41800-0113 Grants - Federal	\$107,310
41 501053-41800-0167 Grant Match	\$ 11,923
41 501053-47100-0113 Grants - Federal	\$ 73,538
41 501053-47100-0167 Grant Match	\$ 8,171
35 501052-28000-0113 Grants - Federal	\$180,950
35 501052-28000-0167 Grant Match	\$ 20,105
17 501051-70500-0113 Grants - Federal	\$113,074
17 501051-70500-0167 Grant Match	<u>\$ 12,563</u>
Total Revenue	<u>\$527,634</u>

Expenditures

Prosecuting Attorney Teen Court Program	
41 401053-41800-2001 Salaries	\$ 78,079
41 401053-41800-2075 Fringe Benefits	\$ 34,689
41 401053-41800-6636 Info Tech Operations	\$ 4,744
41 401053-41800-6675 Telephone Comm.	<u>\$ 1,721</u>
Sub-Total Pros. Atty. Teen Ct. Program	\$119,233

Prosecuting Attorney School Violence Program	
41 401054-47100-2001 Salaries	\$ 53,283
41 401054-47100-2075 Fringe Benefits	<u>\$ 28,426</u>
Sub-Total Pros. Atty. School Violence Prog.	\$ 81,709

Circuit Court Drug Court	
35 401052-28000-2001 Salaries	\$ 49,680
35 401052-28000-2075 Fringe Benefits	\$ 20,954
35 401052-28000-3292 Personal Mileage	\$ 1,250
35 401052-28000-3348 Professional Services	\$ 46,867
35 401052-28000-6636 I.T. Operations	<u>\$ 2,304</u>
Sub-Total Cir. Ct. Drug Court	\$121,055

Circuit Court IRAP Program	
35 401052-65000-3348 Professional Services	\$ 8,000
Circuit Court Stride Program	
35 401052-66000-3348 Professional Services	\$ 72,000
Community Corrections In-Step Program	

17 401051-70500-2001 Salaries	\$ 80,560
17 401051-70500-2075 Fringe Benefits	\$ 40,109
17 401051-70500-3324 Printing	\$ 844
17 401051-70500-6636 Info Tech Oper.	\$ 2,304
17 401051-70500-6675 Telephone Comm.	<u>\$ 1,820</u>
Sub-Total Comm. Corr. In Step Program	<u>\$125,637</u>
Total Expenditures	<u>\$527,634</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

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Vote on resolutions on the Consent Agenda:

AYES: Coulter, Crawford, Douglas, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard. (23)

NAYS: None. (0)

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

REPORT (MISC. #04070)

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

IN RE: BOARD OF COMMISSIONERS – OPPOSITION TO GOVERNOR’S PROPOSAL TO CONTINUE STATE ESTATE TAX

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04070 on March 22, 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 #04070

BY: Commissioner Bill Bullard, Jr., District #2

IN RE: BOARD OF COMMISSIONERS - OPPOSITION TO GOVERNOR'S PROPOSAL TO CONTINUE STATE ESTATE TAX

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the estate tax is used to tax the transfer of wealth between individuals at the time of death of the benefactor. The estate tax is the government's only tax on accumulated wealth; and

WHEREAS the Michigan Inheritance Tax was abolished and the Michigan Estate Tax was enacted for estates of persons who died after September 30, 1993; and

WHEREAS since that time, Michigan's Estate Tax has been labeled a "pick up" tax which means that Michigan's Estate Tax equals the state death tax credit computed on the Federal Estate Tax Return (Form 706). This means that an Estate Tax liability is not increased by the "pick up" tax but it is a mechanism for sharing the Estate Tax liability between the federal and state governments; and

WHEREAS a 10-year phase out of the Federal estate tax was enacted, which also included a five-year phase out of the state death tax credit. As a result, Michigan's estate tax is scheduled to expire on January 1, 2005, when the Federal credit expires - although revenue from the tax will be collected through FY 2004-05; and

WHEREAS Governor Granholm and House Bill 4683, propose to break the link between the state and federal death taxes and establish a permanent eight (8%) percent Michigan estate tax rate, which would not be affected by the phase-out of the federal tax; and

WHEREAS Governor Granholm's FY 2004-2005 Budget estimates that this change in the estate tax would generate an additional \$94.4 million revenue that will be deposited into the Medicaid Benefits Trust Fund; and

WHEREAS one of the misfortunes of the Estate Tax is that it often prevents some family businesses from passing from generation to generation because the tax burden on the estate forces the sale of the business or liquidation of some of its assets; and

WHEREAS especially hard hit by the Estate Tax are family farms and non-farm family businesses - where the revenue yield from the estate of a family-owned business is a very small percentage of the total estate tax revenues - the burden on some of these estates can be excessive and contributes to the loss of farmland; and

WHEREAS Governor Granholm's proposal does include exemptions for Estates under \$1 million (increasing to \$2 million in 2006) and family owned businesses, including farms; and

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WHEREAS not only does this "death tax" penalize hard work, thrift and good husbandry of property -- it is harmful to the economy, shatters Michigan's tradition of family owned farms and contributes to the loss of prime cropland.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby opposes Governor Granholm's proposal and any proposal to amend the Michigan Estate Tax to impose any tax on estates in Michigan that are not subject to a Federal Estate Tax.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners urges the Governor and the Michigan Legislature to continue in their efforts to seek proactive measures to address the State's budgetary challenges -- but not by levying a new Michigan Estate Tax - which would be harmful to Michigan's economy, families and farmland.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners requests the Oakland County Clerk to forward copies of this adopted resolution to Governor Granholm, the Michigan Delegation to the State Legislature, the Michigan Association of Counties and Oakland County's Legislative Lobbyists.

Chairperson, we move the adoption of the foregoing resolution.

BILL BULLARD, THOMAS A. LAW, MICHAEL ROGERS, TOM MCMILLIN, EILEEN KOWALL, CHRISTINE A. LONG, JEFF POTTER, WILLIAM R. PATTERSON, HUGH CRAWFORD, CHUCK MOSS, CHARLES PALMER, GREG JAMIAN, ERIC S. WILSON, JOHN SCOTT, MARTIN KNOLLENBERG, THOMAS MIDDLETON, PETER WEBSTER

Moved by Patterson supported by Long the resolution be adopted.

Moved by Patterson supported by Suarez the General Government Committee Report be accepted.

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

Vote on resolution:

AYES: Crawford, Douglas, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Webster, Wilson, Bullard. (20)

NAYS: Suarez, Zack, Coulter. (3)

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

REPORT (MISC. #04077)

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

IN RE: BOARD OF COMMISSIONERS – OPPOSE GOVERNOR’S BUDGET PLAN TO COLLECT COUNTY TAXES IN JULY OF EACH YEAR AND RECOMMEND TO CITIES, VILLAGES AND TOWNSHIPS LANGUAGE TO PLACE ON SUMMER TAX STATEMENTS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04077 on March 22, 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

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MISCELLANEOUS RESOLUTION #04077

BY: Sue Ann Douglas, District #12; Peter Webster, District #18; John Scott, District #5; Eileen Kowall, District # 6; Bill Bullard, Jr. , District #2

IN RE: BOARD OF COMMISSIONERS - OPPOSE GOVERNOR'S BUDGET PLAN TO COLLECT COUNTY TAXES IN JULY OF EACH YEAR AND RECOMMEND TO CITIES, VILLAGES AND TOWNSHIPS LANGUAGE TO PLACE ON SUMMER TAX STATEMENTS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Governor's proposed budget suspends Revenue Sharing payments to counties; and

WHEREAS the Governor's proposed budget moves the collection date for county taxes up from December 2004 to July 2004; and

WHEREAS the early collection date requires counties to collect the taxes in mid 2004 that would normally be collected in December 2004 and would be used to fund their 2005 budgets; and

WHEREAS the Governor's budget requires each county to place all of the money from the early tax collection into a reserve fund to pay itself the equivalent of state revenue sharing each year until each county's fund is exhausted; and

WHEREAS the amount lost to fund Oakland County's 2005 budget will be approximately \$200 million; and

WHEREAS taxpayers will be required to pay these taxes early with little notice and mortgage escrow accounts will not be adequately funded to meet the requirements of the Governor's proposed budget; and WHEREAS the Governor's proposed budget effectively shifts a statewide \$1.4 billion responsibility for county Revenue Sharing from the State of Michigan to local taxpayers; and

WHEREAS the Governor's proposed budget will cause counties to use their reserve funds and/or seek short term loans or seek new taxes to meet their cash flow needs during the first half of each year; and

WHEREAS local units of government in Oakland County send out the summer tax statements.

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners opposes the Governor's plan to shift a statewide \$1.4 billion State Revenue Sharing tax burden to county taxpayers by requiring the early collection of county property taxes for the purpose of replacing lost State Revenue Sharing.

BE IT FURTHER RESOLVED that should the Governor's tax shift plan pass the Legislature, the Oakland County Board of Commissioners requests that all local units of Government please place the following information on their 2004 summer tax statements:

"Your summer tax bill has increased because the Governor and Legislature decided to collect county taxes early and shift a \$1.4 billion State Revenue Sharing burden to local taxpayers. Oakland County has opposed this action and recommends that you contact the Governor and State elected officials to voice your opinion."

BE IT FURTHER RESOLVED that this resolution be sent to all Oakland County cities, villages and townships, Governor Jennifer Granholm and the Oakland County legislative contingent.

Chairperson we move the adoption of the foregoing resolution.

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

Moved by Patterson supported by Douglas the resolution be adopted.

Moved by Patterson supported by Scott the General Government Committee Report be accepted.

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

Discussion followed.

Vote on resolution:

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

NAYS: Coulter. (1)

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

MISCELLANEOUS RESOLUTION #04085

BY: General Government Committee, William R. Patterson

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY – INTERLOCAL AGREEMENT BETWEEN OAKLAND COUNTY AND THE CITY OF SOUTH LYON FOR THE FIRE RECORDS MANAGEMENT SYSTEM

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners approved the acquisition of the Fire Records Management System in Miscellaneous Resolution #99309; and

WHEREAS the purpose of the Fire Records Management System is to capture and create fire records from the inception of a 9-1-1 call, to include the additional computer-aided dispatch information, and complete the recording in a standard records management system, promoting communication and the sharing of fire records among the municipalities that participate; and

WHEREAS the Department of Information Technology, the Department of Corporation Counsel, and the Fire Governance Committee have developed a Fire Records Management System Interlocal Agreement setting forth the rights and obligations of the County and the municipalities participating in the Fire Records Management System; and

WHEREAS the Oakland County Board of Commissioners authorized the execution of the attached Interlocal Agreement with specific municipalities in Miscellaneous Resolution #02045; and

WHEREAS the City of South Lyon would like to participate in the Fire Records Management System.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the Chairperson of the Board of Commissioners to sign the attached Fire Records Management System Interlocal Agreement with the City of South Lyon.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Fire Records Management Agreement Between Oakland County and South Lyon Fire Department and Approval of Contract – Oakland County fire Records Management file in County Clerk's office.

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

REPORT (MISC. #04066)

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

IN RE: COUNTY EXECUTIVE – EMERGENCY RESPONSE AND PREPAREDNESS – ODP HOMELAND SECURITY GRANT REDUCTIONS RECOMMENDED FOR FISCAL YEAR 2005

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04066 on March 22, 2004, reports with a recommendation that the resolution be amended, as follows:

Amend the IN RE:, as follows: ~~COUNTY EXECUTIVE – EMERGENCY REPOSE AND PREPAREDNESS~~ **BOARD OF COMMISSIONERS – ODP HOMELAND SECURITY GRANT REDUCTIONS RECOMMENDED FOR FY 2005**

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

GENERAL GOVERNMENT COMMITTEE

REPORT (MISC. #04066)

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

IN RE: COUNTY EXECUTIVE – EMERGENCY RESPONSE AND PREPAREDNESS – ODP HOMELAND SECURITY GRANT REDUCTIONS RECOMMENDED FOR FISCAL YEAR 2005

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Public Services Committee, having reviewed Miscellaneous Resolution #04066 on March 23, 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

MISCELLANEOUS RESOLUTION #04066

BY: Sue Ann Douglas, District #12; Eileen Kowall, District #6

IN RE: COUNTY EXECUTIVE – EMERGENCY RESPONSE AND PREPAREDNESS – ODP HOMELAND SECURITY GRANT REDUCTIONS RECOMMENDED FOR FISCAL YEAR 2005

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Oakland County has recently become aware of the proposed FY 2005 federal budget cuts and reallocation of funds for homeland security; and

WHEREAS the Urban Area Security Initiative (UASI) grant for FY 2004 has provided a direct grant to certain urban areas, including the City of Detroit, for an amount approximating \$13.8 million out of the \$725 million in the UASI available for the current year; and

WHEREAS the proposed FY 2005 federal budget would increase the UASI grant from \$725 million nationwide to \$1.4 billion; and

WHEREAS the ODP Homeland Security grant funds are proposed to be reduced in the FY 2005 federal budget by as much as \$700 million with the reduction being allocated to the UASI; and

WHEREAS the Oakland County Board of Commissioners has recently expressed its concerns in Miscellaneous Resolution #04026 involving representation and other issues on the State committee determining the allocation formula for counties and cities, villages and townships (CVTs); and

WHEREAS Oakland County represents roughly 11% of the State's population, roughly 17% of the State's taxable value, and provides much of the economic development and related support to the entire State of Michigan; and

WHEREAS the CVTs in Oakland County, as well as those CVTs not covered by the UASI grant outside of the County, are no less affected by the reductions in the proposed ODP Homeland Security grant budget for FY 2005; and

WHEREAS the Emergency Management Director's Association of Michigan have just formally objected to the ODP Homeland Security grant reductions proposed for FY 2005; and

WHEREAS the reduction of the ODP Homeland Security grant will adversely impact the police, fire, emergency medical services, public health, public works and other first responders who could effectively use these grant funds to ensure that the County's citizens are properly covered in the event of a weapons of mass destruction or other emergency.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners objects to the reduction in the ODP Homeland Security grants as proposed in the FY 2005 federal budget.

BE IT FURTHER RESOLVED that the proposed federal grant reductions be restored to the grant levels included in the FY 2004 federal operating budget.

BE IT FURTHER RESOLVED that if there is a need to expand the program involving the UASI grant that the funds be secured from other sources and not at the expense of other governmental units.

BE IT FURTHER RESOLVED that this resolution be submitted to Michigan's United States Senators, all members of the Michigan legislature, Oakland County's cities, villages and townships and the Governor's office.

Chairperson, we move adoption of the foregoing resolution.

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

Moved by Patterson supported by Douglas the resolution be adopted.

Moved by Patterson supported by Kowall the General Government Committee Report be accepted.

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

Moved by Patterson supported by Wilson the Public Services Committee Report be accepted.

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

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

A sufficient majority having voted therefore, the motion carried.

Vote on resolution as amended:

AYES: Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coulter, Crawford, Douglas. (23)

NAYS: None. (0)

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

REPORT (MISC. #04067)

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

IN RE: SUPPORT FOR HOUSE BILL 4338 – THE DIRECT ELECTION OF INTERMEDIATE SCHOOL BOARD MEMBERS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04067 on March 22, 2004, reports with a recommendation that the resolution be amended, as follows:

1. Amend the IN RE:, as follows: **Board of Commissioners** – Support for ~~HB 4338~~ The Direct Election of Intermediate School Board Members.
2. Strike the 11th WHEREAS (~~WHEREAS HB4338, requiring a method for the direct election of intermediate school board members, is being considered by the legislature.~~
3. Add the following three WHEREAS paragraphs, making them the 11th, 12th and 13th WHEREAS paragraphs:

WHEREAS HB 4338, as passed by the House Education Committee, required that voters must circulate petitions and collect the number of signatures equal to 25% of the total votes cast for governor in the last election in order to place the question of directly electing Intermediate School Board members on the ballot, which equates to 108,903 signatures in Oakland County; and

- WHEREAS the requirement for petitions to contain signatures equal to 25% of the total votes cast for governor in the last election is significantly greater than the vast majority of Michigan statutes that contain initiative and referendum language, and such a requirement is clearly intended to block democracy by placing an obstructive burden upon the voting taxpayers of Michigan; and
- WHEREAS HB 4338 passed the State of Michigan House and the portion of the Bill permitting voters the right to petition to place on the ballot the question of whether to elect intermediate school board members was completely removed.
4. Amend the NOW THEREFORE BE IT RESOLVED paragraph, as follows:
NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners supports the concept of legislation that provides a **reasonable** mechanism **of petitioning** for the direct election of intermediate school board members.
 5. Add the following BE IT FURTHER RESOLVED paragraphs, making them the 1st and 2nd BE IT FURTHER RESOLVED paragraphs, as follows:
BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners encourages the Michigan State Senate to place a reasonable and democratic process for petitioning the public to place the question before the voters for the direct election of intermediate school board members.
BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners urges the Michigan State Senate to require petition signatures of no more than 10% of the total votes cast for governor in the last election in order to place the question of directly electing intermediate school board members on the ballot.
 6. Amend the last BE IT FURTHER RESOLVED paragraph, as follows:
BE IT FURTHER RESOLVED that copies of this resolution be sent to all Oakland County State Representatives, Oakland County State Senators, the House Education Committee, the House Intermediate School Board Subcommittee, **the Senate Education Committee**, all Oakland County cities, villages and townships and Governor Jennifer Granholm.

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

GENERAL GOVERNMENT COMMITTEE

MISCELLANEOUS RESOLUTION #04067

BY: Sue Ann Douglas, District 12; Eileen Kowall, District 6; John Scott, District 5; Eric Wilson, District 3
IN RE: SUPPORT FOR HOUSE BILL 4338 – THE DIRECT ELECTION OF INTERMEDIATE SCHOOL BOARD MEMBERS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS American citizens value the right to vote for those who govern; and

WHEREAS in rare cases, Michigan Law has not provided the registered voters of Michigan the right and privilege of directly electing board members to a governing body funded primarily through property taxes; and

WHEREAS governance of intermediate school districts (ISD's) relies on a board of education to oversee the finances and operations of the district; and

WHEREAS intermediate school districts are responsible for providing educational services to students in their constituent local school districts; and

WHEREAS intermediate school districts are primarily funded by voted property tax millages; and

WHEREAS most Michigan intermediate school districts do not provide a system for the registered voters of the district to directly elect the members of the ISD governing board of education; and

WHEREAS in intermediate school districts that do not provide for direct election of board members, intermediate school board members are elected by the members of the ISD's constituent district school boards with each constituent board providing 1(one) member to a body that votes biennially on the first Monday in June to elect ISD board members; and

WHEREAS current law does not require the disclosure of constituent school boards' voting preferences for intermediate school board (ISD) members or require that the electoral meeting be an open meeting; and

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WHEREAS not providing for the direct election of ISD board members by the registered voters of the district establishes a system with distance and anonymity from the registered voters of the district who fund the operation; and

WHEREAS the direct election by the registered voters of an ISD district provides a level of accountability that currently does not exist; and

WHEREAS HB4338, requiring a method for the direct election of intermediate school board members, is being considered by the legislature.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners supports the concept of legislation that provides a mechanism for the direct election of intermediate school board members.

BE IT FURTHER RESOLVED that copies of this resolution be sent to all Oakland County State Representatives, Oakland County State Senators, the House Education Committee, the House Intermediate School Board Sub Committee, all Oakland County cities, villages and townships and Governor Jennifer Granholm.

Chairperson, I move adoption of the foregoing resolution.

SUE ANN DOUGLAS, EILEEN KOWALL, ERIC S. WILSON, JOHN A. SCOTT, WILLIAM R. PATTERSON, HUGH CRAWFORD, CHUCK MOSS, MICHAEL ROGERS, GREG JAMIAN, THOMAS MCMILLIN, DAVID L. MOFFITT, CHRISTINE A. LONG, MARTIN KNOLLENBERG, JEFF POTTER, BILL BULLARD, TOM MIDDLETON, PETER H. WEBSTER

Moved by Patterson supported by Douglas the resolution be adopted.

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

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

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

A sufficient majority having voted therefore, the motion carried.

Moved by Douglas supported by Kowall to amend the resolution in the first BE IT FURTHER RESOLVED paragraph to insert the words **put in** to read as follows:

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners encourages the Michigan State Senate to **put in** place a reasonable and democratic process for petitioning the public to place the question before the voters for the direct election of intermediate school board members.

A sufficient majority having voted therefore, the motion carried.

Discussion followed.

Vote on resolution as amended:

AYES: Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Webster, Wilson, Bullard, Crawford, Douglas, Hatchett. (20)

NAYS: Suarez, Zack, Coulter. (3)

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

REPORT (MISC. #04071)

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

IN RE: BOARD OF COMMISSIONERS – OPPOSITION TO THE JULY PROPERTY TAX COLLECTION PROPOSAL FOR COUNTY REVENUE SHARING FUNDS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04071 on March 22, 2004, reports with a recommendation that the resolution be amended, as follows:

1. Amend the 6th WHEREAS, as follows: WHEREAS the effect of this proposal is to shift ~~and shuffle~~ the burden of the State's budget shortfall onto county government, placing a new tax on the counties by requiring counties to fund their own "revenue sharing", and
2. Amend the NOW THEREFORE BE IT RESOLVED paragraph, as follows: NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners is adamantly opposed to the ~~proposed three card monte with~~ **July property tax collection proposal** for revenue sharing funds.
3. Amend the BE IT FURTHER RESOLVED paragraph, as follows: BE IT FURTHER RESOLVED that copies of this resolution be sent to all State Representatives and Senators for Oakland County, Governor Jennifer Granholm, the Michigan Association of Counties (MAC), and the Boards of Commissioners of Michigan's other 82 counties.

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

GENERAL GOVERNMENT COMMITTEE

MISCELLANEOUS RESOLUTION #04071

BY: Commissioner Eric S. Wilson, District 3

IN RE: BOARD OF COMMISSIONERS – OPPOSITION TO THE JULY PROPERTY TAX COLLECTION PROPOSAL FOR COUNTY REVENUE SHARING FUNDS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Governor has submitted her 2005 budget proposal to the Legislature; and

WHEREAS the budget, as proposed, would suspend statutory revenue sharing payments to county governments by substituting funds made available by requiring summer tax collection of county property taxes; and

WHEREAS moving the county property tax collection to July 1, 2004, would create a hardship on many citizens by requiring property tax payments a mere six months after having paid their property taxes; and WHEREAS the tax revenue collected in July 2004 will not be available for county operations as it will be placed into a revenue sharing restricted reserve account to be drawn on over a period of years in lieu of revenue sharing; and

WHEREAS property taxes will not be levied again until June 2005, leaving the counties without operating funds for six months (January 2005-July 2005) and leaving Oakland County at the end of the 11 month period of time with a shortfall of over \$100 million in its budget; and

WHEREAS the effect of this proposal is to shift and shuffle the burden of the State's budget shortfall onto County government, placing a new tax on the counties by requiring counties to fund their own "revenue sharing"; and

WHEREAS many counties will be forced to borrow operating funds during the time property tax revenues are unavailable adding debt service to already stressed general fund budgets.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners is adamantly opposed to the proposed three card monte with revenue sharing funds.

BE IT FURTHER RESOLVED that copies of this resolution be sent to all State Representatives and Senators for Oakland County, Governor Jennifer Granholm, The Michigan Association of Counties (MAC), and the Boards of Commissioners of Michigan's other 82 counties.

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Chairperson, I move adoption of the foregoing resolution.

ERIC S. WILSON, CHUCK MOSS, TOM MCMILLIN, EILEEN KOWALL, CHRISTINE A. LONG, JEFF POTTER, THOMAS A. LAW, CHARLES PALMER, MARTIN KNOLLENBERG, DAVID L. MOFFITT, BILL BULLARD, SUE ANN DOUGLAS, THOMAS MIDDLETON, WILLIAM R. PATTERSON, JOHN A. SCOTT, HUGH D. CRAWFORD, MICHAEL ROGERS, GREG JAMIAN, GEORGE SUAREZ, VINCENT GREGORY, MATTIE HATCHETT

Moved by Patterson supported by Wilson the resolution be adopted.

Moved by Patterson supported by Knollenberg the General Government Committee Report be accepted.

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

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

A sufficient majority having voted therefore, the motion carried.

Discussion followed.

Vote on resolution as amended:

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

NAYS: None. (0)

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

REPORT

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

IN RE: BOARD OF COMMISSIONERS' REVISED STANDING COMMITTEE MEMBERSHIP FOR 2004

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee hereby recommends realignment of appointments to the Board of Commissioners' Standing Committees for 2004 as detailed below.

FINANCE COMMITTEE: Moss (Chair), Bullard (Vice Chair), ~~Suarez~~ ~~Gregory~~ (Minority Vice Chair), Palmer, Crawford, Webster, Jamian, Knollenberg, Long, **Gregory**, ~~Suarez~~, Zack

GENERAL GOVERNMENT COMMITTEE: Patterson (Chair), Webster (Vice Chair), Coulter (Minority Vice Chair), Bullard, Potter, Scott, Knollenberg, Kowall, Hatchett

PERSONNEL COMMITTEE: Jamian (Chair), Rogers (Vice Chair), Hatchett (Minority Vice Chair), Moss, Patterson, Middleton, Wilson, Coleman, Suarez

PLANNING AND BUILDING COMMITTEE: Palmer (Chair), Wilson (Vice Chair), Coleman (Minority Vice Chair), Douglas, Knollenberg, Rogers, McMillin, Long, Coulter

PUBLIC SERVICES COMMITTEE: Crawford (Chair), Potter (Vice Chair), **Gregory** ~~Zack~~ (Minority Vice Chair), Douglas, Middleton, Kowall, McMillin, Scott, ~~Gregory~~, **Zack**

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

GENERAL GOVERNMENT COMMITTEE

Moved by Patterson supported by Zack the General Government Committee Report be accepted.

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Discussion followed.

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

Moved by Patterson supported by Zack the realignment of appointments to the Board of Commissioners' Standing Committees be confirmed.

Vote on appointments:

AYES: Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coulter, Crawford, Douglas, Hatchett, Jamian, Knollenberg. (23)

NAYS: None. (0)

A sufficient majority having voted therefore, the realigned appointments were confirmed.

MISCELLANEOUS RESOLUTION #04086

BY: Personnel Committee, Gregory Jamian, Chairperson

IN RE: DEPARTMENT OF HUMAN RESOURCES – CHANGE TO MERIT RULES 2, 6, 7, 12, 13, 16, 22, AND 23

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Merit Rule Book is the County employee handbook that has not been revised since 1992; and

WHEREAS several Merit Rule changes have been approved during that time period; and

WHEREAS these Rule changes have been forwarded to employees if applicable, it is desirable to provide employees with a fully revised Merit Rule Book; and

WHEREAS several other Rules need to be updated for consistency with previous Rule changes, changes to the law, and current County procedures; and

WHEREAS the Merit Rules have been reviewed and it has been determined that changes are necessary to Rules 2, 6, 7, 12, 13, 16, 22, and 23; and

WHEREAS pursuant to the an earlier reorganization, the Personnel Department was retitled to the Human Resources Department and all references to the Personnel Department should be changed to Human Resources Department.

WHEREAS Section IV, Subsection A of the Merit System Resolution requires that all changes in the rules and regulations of the Merit System shall be submitted to the Board of Commissioners at a regular meeting of the Board and shall become effective thirty (30) days after such meeting unless an objection is received in writing by the Chairperson of the Board of Commissioners, in which case objection shall become a matter of business at the next meeting of the Board.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes that the reading and distribution of this notice and copies of the proposed changes to Merit Rules 2, 6, 7, 12, 13, 16, 22, and 23, to all Commissioners present and absent, is considered as the official submission to the Board of Commissioners of the described changes in Rules 2, 6, 7, 12, 13, 16, 22, and 23.

BE IT FURTHER RESOLVED THAT references in the Merit Rule Book to the Personnel Department will be changed to the Human Resources Department.

BE IT FURTHER RESOLVED THAT changes to the Merit Rules be cross referenced by the appropriate Board of Commissioners' Resolution number authorizing such change.

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

PERSONNEL COMMITTEE

Copy of Proposed Change in Merit System Rules 2, 6, 7, 12,13, 16, 22, 23 on file in County Clerk's office.

The Chairperson ordered the resolution be laid over for 30 days until the May 6, 2004 Board meeting. There were no objections.

MISCELLANEOUS RESOLUTION #04087

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

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – APPROVAL AND ACCEPTANCE OF LEASE WITH OPTION TO PURCHASE AGREEMENT WITH THE CITY OF SOUTHFIELD, PART OF THE SOUTHFIELD HEALTH CENTER PROPERTY, PART OF PARCEL NOS. 24-13-426-001 and 24-13-404-013.

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of the Southfield Health Center property located at 27725 Greenfield Road in the City of Southfield consisting of 28.43-acres; and

WHEREAS the County has leased approximately 25-acres of the Southfield Health Center property to the City of Southfield for recreational purposes (Catalpa Park) since 1978; and

WHEREAS the City of Southfield has requested that the lease of 25-acres of the Health Center property be extended and that the County and the City negotiate the possible purchase of 22-acres of the Health Center property by the City; and

WHEREAS pursuant to the authorization of the Oakland County Board of Commissioners Planning and Building Committee the Departments of Facilities Management and Corporation Counsel have negotiated the terms of the attached Lease with Option to Purchase agreement with the City of Southfield; and

WHEREAS pursuant to the terms and conditions of said Lease with Option to Purchase agreement the County will continue to lease approximately 25-acres of land to the City for recreational purposes until May 5, 2005 for the sum of one dollar per year. During the term of the lease the City will have the option to purchase 22-acres of the Southfield Health Center property on or before May 5, 2005. The sale of the property shall be pursuant to a purchase agreement to be negotiated and adopted pursuant to the rules and procedures of the parties.

WHEREAS the Departments of Facilities and Corporation Counsel have reviewed and/or prepared all necessary documents related to the attached Lease with Option to Purchase agreement and recommend its approval.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached Lease with Option to Purchase agreement between the County of Oakland and the City of Southfield.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached Lease with Option to Purchase agreement and all other related documents between the County of Oakland and the City of Southfield, 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 Lease with Option to Purchase on file in County Clerks office.

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

MISCELLANEOUS RESOLUTION #04088

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

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – APPROVAL AND ACCEPTANCE OF LICENSE AGREEMENT WITH SPRINT SPECTRUM, LP FOR CONSTRUCTION OF RADIO TOWER AND SUPPORT FACILITIES AT ADDISON OAKS COUNTY PARK, PART OF PARCEL NO. 05-33-100-004.

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of the Addison Oaks County Park located at 1440 Romeo Road, Leonard, Michigan; and

WHEREAS Sprint Spectrum, LP has requested a license from the County to construct, own, operate and maintain a radio tower and related support facilities at Addison Oaks County Park; and

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WHEREAS the Oakland County Parks and Recreation Commission has negotiated the terms and conditions of a License Agreement with Sprint Spectrum, LP for said radio tower construction. Said License Agreement was recommended for approval by the Oakland County Parks and Recreation Commission on March 10, 2004; and

WHEREAS pursuant to the terms and conditions of said License Agreement the County grants Sprint Spectrum LP the right to construct, own, operate and maintain a 190-ft. monopole tower and related support facilities on part of the Addison Oaks County Park property for an initial term of five years with the option for three renewable five year terms. The initial term of the License shall commence upon completion of construction of the tower or 60 days after issuance of a building permit for said tower, which ever occurs first. Sprint Spectrum LP shall pay the County a \$5,000 non-refundable legal and administration fee upon execution of the agreement. Further, Sprint Spectrum shall pay the County an annual license fee of \$21,600 per year for the initial term of the license agreement, which fee shall increase at a rate of 15% at each five year renewal of the license. In addition to the license fee Sprint Spectrum shall pay the County 30% of any co-location revenue generated by Sprint, which amount shall also be subject to a 15% increase at each five year renewal of the license; and

WHEREAS the Departments of Facilities and Corporation Counsel have reviewed and/or prepared all necessary documents related to the attached License Agreement and recommend its approval.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached License Agreement between the County of Oakland and Sprint Spectrum, LP.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached License Agreement and all other related documents between the County of Oakland and Sprint Spectrum, LP, 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 License Agreement and Exhibits A and B on file in County Clerk's office.

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

MISCELLANEOUS RESOLUTION #04089

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

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT – REQUEST TO CONVEY GIDDINGS ROAD RIGHT OF WAY TO THE CITY OF AUBURN HILLS PART OF PARCEL NO. 14-03-100-028

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is the owner of the Oakland County Animal Shelter and Trusty Camp located on Brown Road in the City of Auburn Hills known as parcel number 14-03-100-028; and

WHEREAS on July 12, 1983 the County of Oakland sold parcel number 14-03-100-024 to the Motorcar Transport Company reserving the east 60-ft. and the north 60-ft. thereof for future road right of way dedication; and

WHEREAS the City of Auburn Hills has requested that the County of Oakland convey the east 60-ft. of parcel number 14-03-100-028 for road right of way purposes; and

WHEREAS it is the recommendation of the Departments of Facilities Management and Corporation Counsel that the east 60-ft. of parcel no. 14-03-100-028 be conveyed to the City of Auburn Hills via quit claim deed for the sum of one dollar; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and/or prepared all necessary documents related to the conveyance of said road right of way to the City of Auburn Hills.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the conveyance via quit claim deed of the east 60-ft. of parcel no. 14-03-100-028 to the City of Auburn Hills for the sum of one dollar.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached quit claim deed and all other related documents between the County of Oakland and the City of Auburn Hills, which may be required.

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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 Quit Claim Deed and Aerial Map on file in County Clerk's office.

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

MISCELLANEOUS RESOLUTION #04090

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

IN RE: CIRCUIT COURT - VISITING JUDGE APPROPRIATION AND CREATION OF COURT CLERK POSITION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the State Court Administrative Office, in its August 2003 report of judicial resources in the Michigan trial courts, determined that there is a net judicial need of nearly three judgeships in the Oakland County Circuit and Probate Courts; and

WHEREAS the Circuit Court has initiated several procedural and operational changes to make greater use of alternative sentencing practices (when appropriate) and expedite the processing of criminal cases, so as to control the population at the jail and avert jail overcrowding emergencies which nearly occurred twice in 2003; and

WHEREAS the Circuit judges will continue to consider procedural and operational improvements to assist in managing the jail population; and

WHEREAS the Circuit Court has, and continues to review its practices regarding the handling of family cases that could result in the residential placement of children at taxpayer expense; and

WHEREAS the shortage of judicial resources in the Circuit and Probate Courts and the emphasis on the criminal and family dockets has resulted in an increase in the number of older cases on the civil docket; and

WHEREAS the Supreme Court has promulgated caseload management standards that include time guidelines for case processing; and

WHEREAS for the reasons mentioned above, the Circuit Court is requesting judicial relief in the form of a visiting judge who will be assigned to the civil docket to ensure that cases are settled, tried, or otherwise concluded in accord with the time guidelines for civil case processing; and

WHEREAS one GF/GP funded Court Clerk position is requested to provide staff support for the visiting judge; and

WHEREAS new recurring annual revenue from an increase in case filing fees is estimated to more than offset the cost of the visiting judge and Court Clerk position.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves an appropriation for the Circuit Court sufficient to pay the salary expense for one visiting judge.

BE IT FURTHER RESOLVED that the Board of Commissioners approves the creation of one GF/GP funded Court Clerk position to provide staff support for the visiting judge.

BE IT FURTHER RESOLVED that the Circuit Court is responsible for providing courtroom space, equipment, supplies, and all other necessary expenses to support the visiting judge in the exercise of his/her duties on behalf of the Circuit Court.

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

PUBLIC SERVICES COMMITTEE

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

REPORT (MISC. #04041)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: OAKLAND COUNTY ANIMAL CARE - SALE OF DOG LICENSES

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Finance Committee, having considered Miscellaneous Resolution #04041 on March 24, 2004, reports with a recommendation that the NOW THEREFORE BE IT RESOLVED paragraph be amended as follows.

NOW THEREFORE BE IT RESOLVED that the **OAKLAND COUNTY BOARD OF COMMISSIONERS AUTHORIZES THE ANIMAL CONTROL DIVISION, PER AUTHORITY OF** the Treasurer of Oakland County, ~~is authorized~~ to enter into contracts with suitable veterinarians and/or veterinary clinics, **HUMANE SOCIETIES, LICENSED KENNELS, REGISTERED RESCUES** and Oakland County cities, villages and townships, for such persons and/or entities to sell dog licenses.

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

FINANCE COMMITTEE

REPORT (MISC. #04041)

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

IN RE: OAKLAND COUNTY ANIMAL CARE - SALE OF DOG LICENSES

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Public Services Committee, having reconsidered Miscellaneous Resolution #04041 on March 23, 2004, reports with a recommendation that the NOW THEREFORE BE IT RESOLVED paragraph be amended, as follows:

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

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

PUBLIC SERVICES COMMITTEE

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 (wolfdog 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.

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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, CHUCK MOSS

FISCAL NOTE (MISC. #04041)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: OAKLAND COUNTY ANIMAL CARE - SALE OF DOG LICENSES

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. Resolution authorizes the Treasurer to contract for dog licenses under Act 339 of 1919.
2. The Animal Control Division is a current agent issuing 50,000 dog licenses a year.
3. The number of additional agents that may be authorized to sale dog licenses has not been identified at this time, and therefore it is unknown as to the financial impact it will have on the budget.
4. The Oakland County Treasurer's Office is authorized per Miscellaneous Resolution #93016 to pay agents under contract a commission of \$1.00 for each dog license sold from December 1st through June 1st, and \$1.50 for each license sold from June 2nd through November 30th, with the commission to be paid from the license fee received for each dog license sold.
5. No budget amendment is necessary at this time, as this activity is currently included in the FY 2004 and FY 2005 budget.

FINANCE COMMITTEE

Moved by Crawford supported by Wilson the resolution be adopted.

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

A sufficient majority having voted therefore the report was accepted.

Moved by Crawford supported by Zack the Public Services Committee Report be accepted.

A sufficient majority having voted therefore the report was accepted.

Moved by Crawford supported by Bullard the resolution be amended to coincide with the recommendation in the Finance Committee Report and the Public Services Committee Report.

A sufficient majority having voted therefore, the motion carried.

Vote on resolution as amended:

AYES: Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coulter, Crawford, Douglas, Hatchett, Jamian, Knollenberg, Kowall. (23)

NAYS: None. (0)

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

REPORT (MISC. #04042)

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

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:

The Public Services Committee, having reviewed Miscellaneous Resolution #04042 on March 23, 2004, reports with a recommendation that the resolution be amended, as follows:

1. Amend the IN RE:, as follows: BOARD OF COMMISSIONERS – ADDITION OF TWO (2) DEPUTY I POSITIONS TO THE SHERIFF’S TRANSPORT UNIT TO PROVIDE PRISONER TRANSPORT FOR ~~TO THE 51ST DISTRICT COURT~~ **WATERFORD TOWNSHIP POLICE DEPARTMENT** AND THE ADDITION OF ONE (1) TRANSPORT VAN TO THE COUNTY FLEET.
2. Amend the 5th WHEREAS, as follows: 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~~ **Waterford Township Police Department** as well as augment other Transport Unit responsibilities; and

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

PUBLIC SERVICES COMMITTEE

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 perform 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

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

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Chairperson Thomas Law addressed Commissioner McMillin's "Notice of Intent to Discharge" Miscellaneous Resolution #04065 – BOARD OF COMMISSIONERS – REQUEST FOR TAX CUT from the Finance Committee under Special Order of Business.

The Chairperson stated there needs to be a support of the motion in order to discharge the resolution.

Commissioner McMillin stated under Rule XIII.F a "Notice of Intent to Discharge" does not require a support.

Moved by McMillin to discharge Miscellaneous Resolution #04065 from the Finance Committee. There was no support

Discussion followed.

Chairperson Thomas Law, after discussion with the Clerk's office, ruled the motion to discharge does require a support.

Commissioner McMillin stated, I appeal the rule of the Chair. The Chairperson stated the motion required a three-fifth (3/5) vote in order to appeal the rule of the Chair.

There being no support the decision of the Chair is sustained and the motion to discharge failed.

MISCELLANEOUS RESOLUTION #04091

BY: Commissioner Tom McMillin, - District #11

IN RE: BOARD OF COMMISSIONERS-SUPPORT OF HOUSE BILL 5029

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS on August 13, 2003, Representative Susan Tabor introduced HB 5029 to make Michigan the 40th State to allow dove hunting; and

WHEREAS doves have been considered a game bird for more than 70 years and are presently hunted in 39 of the 48 contiguous States; and

WHEREAS one of the Oakland County Board of Commissioners' goals is to encourage a business friendly atmosphere in our County; and

WHEREAS the hunting and tourism industries are staples of Michigan's economy; and

WHEREAS Michigan loses tens-of-thousands of dollars annually to neighboring States as hunters cross our borders to pursue dove hunting elsewhere.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners does hereby support the adoption of HB 5029 and urges the Michigan Legislature to approve this Bill in support of dove hunting, and override any veto.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners does hereby encourage the Governor of the State of Michigan to support and sign House Bill 5029.

Chairperson, I move the adoption of the foregoing resolution.

TOM MCMILLIN

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

MISCELLANEOUS RESOLUTION #04092

BY: Commissioner Thomas F. Middleton, District #4

IN RE: BOARD OF COMMISSIONERS – SUPPORT FOR POH MEDICAL CENTER EXPANSION OF SERVICES TO PROVIDE INPATIENT HEALTHCARE IN THE CLARKSTON AREA

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS POH has reached out to the growing communities of northern Oakland County, and is serving the health care needs of its citizens through the Clarkston Medical Campus, and

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WHEREAS convenient access to affordable, quality health care is a cornerstone to the strength and viability of a community; and

WHEREAS the POH Medical Center in Clarkston has made great strides to meet this need in the Clarkston area by providing 24-hour emergency care to area residents as well as a wide array of outpatient services; and

WHEREAS developing an inpatient facility on the Clarkston Campus would provide a local health care option not currently available to the growing population in this area; and

WHEREAS POH has indicated an interest in establishing in-patient care at its Clarkston Campus.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners supports all efforts at the local, state, and federal level to allow POH to develop an inpatient facility at its Clarkston Medical Campus.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to State Representatives and Senators representing Oakland County, Clerk of the City of the Village of Clarkston and the Township of Independence.

Chairperson, I move adoption of the foregoing resolution.

THOMAS F. MIDDLETON

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

The Board adjourned at 10:40 a.m. to the call of the Chair on April 22, 2004 at 9:30 a.m.

G. WILLIAM CADDELL
Clerk

THOMAS A. LAW
Chairperson