

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

July 22, 2004

Meeting called to order by Chairperson Thomas Law at 9:52 a.m. in the Courthouse Auditorium, 1200 N. Telegraph Road, Pontiac, Michigan.

Roll called.

PRESENT: Bullard, Coleman, Coulter, Crawford, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moss, Palmer, Potter, Scott, Suarez, Webster, Wilson, Zack. (22)  
ABSENT: None. (0)

Quorum present.

Invocation given by Mattie Hatchett.

Pledge of Allegiance to the Flag.

Moved by Kowall supported by Coulter the minutes of the June 17, 2004, Board Meeting be approved.

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

Moved by Webster supported by Rogers the rules be suspended and the agenda be amended by removing General Government Committee, item (g) from the Regular Agenda.

Moved by Webster supported by Rogers the agenda be further amended as follows:

ITEMS ON BOARD AGENDA

GENERAL GOVERNMENT COMMITTEE

- f. Department of Information Technology – Pay Local Taxes.com Agreement with the Identified Cities, Townships and Villages.  
(Reason for Suspension of General Government Committee, item (f): Waiver of Rule XII.C.1 – Direct referral to the Finance Committee.)

Vote on agenda as amended:

AYES: Bullard, Coleman, Coulter, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack. (24)  
NAYS: None. (0)

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

Commissioners Minutes Continued. July 22, 2004

Chairperson Thomas Law along with Commissioner Eric Coleman presented a proclamation honoring Johnson Controls for their outstanding achievements and tremendous contributions over the years.

Deputy Clerk/Register James H. VanLeuven read a communication appointing Commissioner Bill Bullard to the Bush Lake – Lake Board for a term ending December 31, 2004.

There being no objections, the appointment was confirmed.

Oakland County Executive L. Brooks Patterson addressed the board concerning the recommended budget for 2005/2006.

Commissioner Mattie Hatchett addressed the board commending Commissioner Eric Coleman in becoming the second Vice President of NACO.

Commissioner Eric Coleman addressed the board thanking the Commissioners for recognition of his achievement and at that time introduced his granddaughter Brittany, visiting from Anchorage Alaska.

Moved by Scott supported by Knollenberg the resolutions on the Consent Agenda be adopted (with accompanying reports being accepted). (The vote for this motion appears on page 360.) The Resolutions on the Consent Agenda follow (annotated by an asterick {\*}):

**\*MISCELLANEOUS RESOLUTION #04158**

BY: Eric S. Wilson, District #3

**IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CHARTER TOWNSHIP OF OAKLAND – FISCAL YEAR 1999, 2000, 2001, 2002 AND 2003 ALLOCATIONS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

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

WHEREAS the Charter Township of Oakland is requesting reimbursement for expenses directly related to the Twin Lakes Well House and Knorrwood Knolls Well House Connection, Gallagher Road Water Main, and Water Treatment at the Plum Creek Well House Projects; and

WHEREAS the Fiscal Year 1999, Fiscal Year 2000, Fiscal Year 2001, Fiscal Year 2002 and Fiscal Year 2003 authorized amount of funding for the Charter Township of Oakland is \$55,185.61 annually from the Environmental Infrastructure Fund as repayment to the Charter Township of Oakland for expenses incurred in connection with environmental remediation or improvement projects.

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

BE IT FURTHER RESOLVED that the Board authorizes the Fiscal Year 1999, Fiscal Year 2000, Fiscal Year 2001, Fiscal Year 2002 and Fiscal Year 2003 appropriations in the amount of \$55,185.61 annually from the Environmental Infrastructure Fund (Account #90-263217-41000-3985) to repay the Charter Township of Oakland for expenses incurred in connection with the water treatment, water main, and water connection projects, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

ERIC WILSON

Copy of Environmental Infrastructure Fund Reimbursement Request, Attachment A – Twin Lakes Well House and Knorrwood Knolls Well House Connection, Attachment A – Gallagher Road Water Main,

Commissioners Minutes Continued. July 22, 2004

Attachment A – Water Treatment at the Plum Creek Well House, and minutes of the Charter Township of Oakland Board of Trustees May 24, 2004 board meeting on file in County Clerk’s office.

FISCAL NOTE (MISC. #04158)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CHARTER TOWNSHIP OF OAKLAND - FISCAL YEAR 1999, 2000, 2001, 2002, 2003 ALLOCATIONS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. Funding of \$55,185.61 is available in the Environmental Infrastructure Fund for FY 1999, FY 2000, FY 2001, FY 2002 and FY 2003 to reimburse the Charter Township of Oakland for this project; no additional appropriation is required.
2. The Committee recommends adoption of this resolution.

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04161**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF MANAGEMENT AND BUDGET - REVISIONS TO BUSINESS EXPENSE REIMBURSEMENT REGULATIONS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to Miscellaneous Resolutions #92272, #94209, #94267, #96008, #97091, #99082 and #00061, the Board of Commissioners established regulations by which County officials and employees may obtain reimbursement for personal expenses incurred while conducting County business; and

WHEREAS Management and Budget, Human Resources, Corporation Counsel, and Internal Audit, have reviewed and recommend several amendments to the current BUSINESS EXPENSE REIMBURSEMENT REGULATIONS as detailed on the attached document.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners revises the OAKLAND COUNTY, MICHIGAN BUSINESS EXPENSE REIMBURSEMENT REGULATIONS, as detailed on the attached document.

BE IT FURTHER RESOLVED that all County officials and departments are directed to adhere to the attached OAKLAND COUNTY, MICHIGAN BUSINESS EXPENSE REIMBURSEMENT REGULATIONS, beginning October 1, 2004 in order for officials and employees to be eligible to obtain reimbursement for their business related expenses.

BE IT FURTHER RESOLVED that the attached regulations supercede all other regulations and resolutions related to business expense reimbursement.

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

FINANCE COMMITTEE

Copy of Oakland County Michigan Business Expense Reimbursement Regulations on file in County Clerk’s office.

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04162**

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

**IN RE: BOARD OF COMMISSIONERS - AREA AGENCY ON AGING 1-B FISCAL YEAR 2005 ANNUAL IMPLEMENTATION PLAN FOR SERVICES TO OLDER ADULTS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS in Michigan, the Older Michiganians Act (P.A. 180 of 1981) authorizes the Michigan Office of Services to the Aging to serve as the State unit on aging and specifies the powers and duties of the State's designated area agencies on aging; and

WHEREAS the Agency on Aging 1-B (AAA1-B) is a private nonprofit organization responsible for planning, coordinating, and funding older adult services in Livingston, Macomb, Monroe, Oakland, St. Clair and Washtenaw Counties; and

WHEREAS the Area Agency on Aging 1-B has been supporting services to Oakland County residents since 1974; and

WHEREAS the Area Agency on Aging 1-B has assessed the needs of older county residents and developed a plan to provide assistance that addresses identified needs; and

WHEREAS the proposed plan has been submitted for review by the public, and has been subjected to a public hearing; and

WHEREAS the comments at the public hearings on the proposed plan were mostly favorable, and constructive changes in the plan were made as a result of some comments; and

WHEREAS the Oakland County Board of Commissioners appoints two representatives to serve on the Board of Directors of the Area Agency Aging 1-B - a County Commissioner and a County resident who is at least 60 years of age; and

WHEREAS the Area Agency on Aging 1-B Board of Directors approved the final Fiscal Year 2005 Annual Implementation Plan for Region 1-B on June 25, 2004, and that such plan be submitted to the Michigan Office of Services to the Aging for approval; and

WHEREAS the Michigan Office of Services requires that county Boards of Commissioners be given the opportunity to review and approve an area agency on aging multi-year area plans and annual implementation plans; and

WHEREAS the Oakland County Board of Commissioners has already taken action to approve the Area Agency on Aging 1-B's Multi-Year Area Plan for FY 2004-2006. The FY 2005 Annual Implementation Plan represents an annual update to the approved three-year Area Plan.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves the Fiscal Year 2005 Annual Implementation Plan of the Area Agency on Aging 1-B, for the purpose of conveying such support to the Area Agency on Aging 1-B and the Michigan Office of Services to the Aging.

BE IT FURTHER RESOLVED that the Oakland County Clerk forward a copy of this adopted resolution and minutes of the Board of Commissioners' meeting where such action was taken to the Area Agency on Agency 1-B.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Fiscal Year 2005 Annual implementation Plan on file in County Clerk's office.

(The vote for this motion appears on page 360.)

**\*REPORT (MISC #04163)**

BY: Planning and Building Committee, Charles Palmer, Chairperson

**IN RE: DEPARTMENT OF CENTRAL SERVICES - OAKLAND COUNTY INTERNATIONAL AIRPORT - 2004 GRANT PROGRAM ACCEPTANCE - ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREAS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building Committee having reviewed the above referenced resolution on July 13, 2004 reports with the recommendation the Resolution be adopted.

Commissioners Minutes Continued. July 22, 2004

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

PLANNING AND BUILDING COMMITTEE

MISCELLANEOUS RESOLUTION #04163

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

IN RE: DEPARTMENT OF CENTRAL SERVICES – OAKLAND COUNTY INTERNATIONAL AIRPORT – 2004 GRANT PROGRAM ACCEPTANCE – ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREAS

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. 2004-0329, Federal Project No. B-26-0079-3504, for Federal funds in the amount of \$62,100.00, and State funds in the amount of \$3,450.00, for the development and improvement of Oakland County International Airport; and

WHEREAS the project consists of the preparation of an environmental assessment for runway safety areas; 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 \$3,450.00, 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 \$69,000.00.

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

Chairperson, 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 and Michigan Department of Transportation County of Oakland Contract for a Federal/State/Local Airport Project Under the Block Grant Program, and Exhibit 1 on file in County Clerk's office.

FISCAL NOTE (MISC. #04163)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF CENTRAL SERVICES - OAKLAND COUNTY INTERNATIONAL AIRPORT - 2004 GRANT PROGRAM ACCEPTANCE - ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREAS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The Oakland County has received Michigan Department of Transportation Grant Control No. 2004-0329, Federal Project No B-26-0079-3504 in the amount of \$62,100 for Federal funds and \$3,450 in State funds, for the development and improvement of the Oakland County International Airport's runway safety areas.
2. The Airport Committee has reviewed the project and recommends acceptance of the grant contract.
3. The funding period of the grant is 36 months from the date of the award.

Commissioners Minutes Continued. July 22, 2004

4. The total cost for the project is \$69,000, with \$62,100 (90%) of the cost from Federal funds, \$3,450 (5%) from State funds, and \$3,450 (5%) from the Airport Fund resources for the grant match.
5. The Michigan Department of Transportation shall act as agent on behalf of the County in the administration of the project.
6. No General Fund appropriation is required.
7. No budget amendment is necessary.

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04164**

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

**IN RE: ROAD COMMISSION FOR OAKLAND COUNTY – CONFIRMATION OF CONTRACT FOR AUDIT SERVICES**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS in accordance with the requirements of Section 27 of C IV, 1909 PA 283 (MCL 224.27), the Road Commission for Oakland County, pursuant to a qualification-based, competitive process through issuance of a Request for Proposal (R.F.P.) has selected Plante & Moran, P.L.L.C., certified public accountants, to perform annual audits; and

WHEREAS the Road Commission for Oakland County and Plante & Moran, P.L.L.C., have negotiated an agreement for audit services; and

WHEREAS the above referred statute provides that a contract with a Certified Public Accountant shall be confirmed by the County Board of Commissioners.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby confirms the Road Commission for Oakland County's selection of, and contract with Plante & Moran, P.L.L.C. for audit services.

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

GENERAL GOVERNMENT COMMITTEE

Copy of RCOC – Plante and Moran, P.L.L.C. Audit of RCOC Records Fiscal Years Ending 9-30-03 through 9-30-07, Exhibits A, B, and C on file in County Clerk's office.

(The vote for this motion appears on page 360.)

**\*REPORT (MISC. #04150)**

BY: Planning and Building Committee, Charles Palmer, Chairperson

**IN RE: PARKS AND RECREATION COMMISSION – RED OAKS WATERPARK LEASE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building Committee having reviewed Miscellaneous Resolution #04150 on July 13, 2004 reports 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 #04150**

BY: General Government Committee, William Patterson, Chairperson

**IN RE: PARKS AND RECREATION COMMISSION – RED OAKS WATERPARK LEASE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentleman:

WHEREAS the Oakland County Parks and Recreation Commission, at its regular meeting of May 5, 2004, authorized the department to enter into a lease for the property at the Red Oaks Waterpark to allow for the addition of new water features; and

Commissioners Minutes Continued. July 22, 2004

WHEREAS the Oakland County Parks and Recreation Commission committed \$3.3 million in funds for this endeavor; and

WHEREAS the residents of Oakland County are the benefactors; and

WHEREAS the funding for this project was allocated from the Oakland County Parks and Recreation Commission Capital Improvement Projects Budget; and

WHEREAS the construction, operational, and maintenance costs of this facility will be paid for by fees and charges and Parks millage revenues; and

WHEREAS said lease, which was developed by Oakland County Drain Commission staff and counsel, Park staff, and Oakland County Corporation Counsel, is for a period of 50 years; and

WHEREAS said lease, which will be between the County of Oakland and the George W. Kuhn Drainage District, is for the amount of \$1 annually.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approve the lease agreement between the County of Oakland and the George W. Kuhn Drainage District for the property at the Red Oaks Waterpark to allow for the addition of new water features.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the lease on behalf of the County of Oakland.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Oakland County Waterpark Lease Agreement on file in County Clerk's office.

FISCAL NOTE (MISC. #04150)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: PARKS AND RECREATION COMMISSION - RED OAKS WATERPARK LEASE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The resolution approves Oakland County Parks and Recreation (OCPR) to enter into a lease with the George W. Kuhn Drainage District for an annual amount of \$1 for the property at the Red Oaks Waterpark to allow for the addition of new water features.
2. \$3.3 million from the Parks and Recreation Capital Improvement Projects Budget has been committed for the project.
3. The construction, operational and maintenance costs for this facility will be paid for by fees and charges and Parks millage revenues.
4. The lease of the Red Oaks Waterpark property shall commence on May 1, 2004 and extend for 50 years, termination on May 1, 2054. This lease may be renewed or extended by written agreement between the parties.
5. No budget amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04152**

BY: General Government Committee, William Patterson, Chairperson

**IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY – THIN CLIENT COMPUTING PROPOSAL PHASE 2**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Department of Information Technology has identified Thin Client computing as a strategy for the execution of commonly used application software on a group of servers allowing the end-user devices to be a low end personal computer or Thin Client device and has recognized Thin Client computing as means to control future operating costs; and

WHEREAS Thin Client computing allows County wide application software upgrades to be performed in a timely manner and Thin Client computing devices require less hours for service and support; and

WHEREAS Thin Client computing provides many other benefits such as improving the ability to manage software licenses, increased flexibility in disaster recovery planning, extension of the useful life of the current computer hardware; and

WHEREAS Thin Client computing can reduce energy consumption by using Thin Client devices and Thin Client computing increases data security by centralizing data storage for backup and anti-virus protection; and

WHEREAS Phase 1 is approximately 95% complete and is estimated to be \$21,600 under budget resulting in the successful implementation of 285 Thin Client conversions achieving a first year return on investment of \$31,012.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the implementation of Thin Client Computing Phase 2.

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

GENERAL GOVERNMENT COMMITTEE

FISCAL NOTE (MISC. #04152)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY - THIN CLIENT COMPUTING PROPOSAL PHASE II

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The Oakland County Board of Commissioners approved a phased approach for the implementation of Thin Client environment. Phase I is approximately 95% complete and is estimated to be \$21,600 under budget resulting in a return on investment of \$31,012.
2. Phase II will build on the infrastructure established by Phase I and will require the incorporation of additional application software to expand the use of the Thin Client PC's and devices to approximately 545 additional users. The cost of this project is to be depreciated over the useful life estimated at six years.
3. Thin Client Computing Phase II Proposal costs are estimated at \$1,003,759 as detailed in the attached schedule.
4. Total cost for Phase II will be funded by the Information Technology Fund in the amount of \$229,168, the General Fund Designated Fund Balance (GL #9407-90000) in the amount of \$752,991 and funding available from the Phase I project in the amount of \$21,600.
5. A budget amendment for the FY 2004 budget is recommended as follows:

	<u>FY 2004</u>
<u>General Fund (101)</u>	
90-190000-19000-1582 Prior Year Balance	(\$752,991)
90-310000-98636-8001 Transfer Out	<u>752,991</u>
	<u>\$ -0-</u>
<u>Information Technology Fund (636)</u>	
18-636113-98101-1701 Transfer In	\$ 752,991
18-636113-98101-8005 Change in Fund Equity	<u>752,991</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

Commissioners Minutes Continued. July 22, 2004

**\*REPORT (MISC. #04159)**

BY: Planning and Building Committee, Charles Palmer, Chairperson

**IN RE: ESTABLISHMENT OF THE NORMAL LAKE LEVEL FOR BUSH LAKE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building Committee having reviewed Miscellaneous Resolution #04159 on July 13, 2004 reports with the recommendation of 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 #04159

BY: Bill Bullard, District #2

**IN RE: ESTABLISHMENT OF THE NORMAL LAKE LEVEL FOR BUSH LAKE**

To the Oakland County Board of Commissioner

Chairperson, Ladies and Gentleman:

WHEREAS Bush Lake is an inland lake located in the Village of Holly and Township of Holly, Oakland County, Michigan; and

WHEREAS the Drain Commissioner was presented with a petition from the property owners abutting Bush Lake, requesting that a normal level be established; and

WHEREAS the procedures for establishing the normal level of an inland lake and the powers and duties of the delegated county authority are found in Part 307 of Act 451 of the Public Acts of 1994, as amended, MCL 324.30701 et seq., ("Part 307"); and

WHEREAS said petition alleges that a normal level is necessary to protect the public health, welfare and safety, preserve the natural resources of the State of Michigan, and protect the value of properties developed around Bush Lake; and

WHEREAS said petition acknowledges the necessity of an engineering study to determine the normal level of Bush Lake, and the potential costs associated with construction of a new outlet structure and downstream improvements; and

WHEREAS Section 30702 of Part 307 (MCL 324.30702) provides that the County Board of Commissioners shall, within 45 days of receipt of a petition to establish a normal level of an inland lake, proceed with the necessary steps to have a normal level of an inland lake determined by the circuit court; and

WHEREAS Part 307 provides that all costs associated with establishing a normal level shall be assessed as a cost to all benefiting property owners within the special assessment district to be established for Bush Lake.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners hereby acknowledges receipt of a petition for the establishment of the normal level for Bush Lake.

BE IT FURTHER RESOLVED that the Drain Commissioner is appointed the delegated authority under Part 307 and is directed to initiate action to take the necessary steps to cause to be determined the normal level of Bush Lake.

BE IT FURTHER RESOLVED that Corporation Counsel is authorized to initiate proceedings in the name of the County in the circuit court for a determination of a "normal" level for Bush Lake and consistent with the provisions of Part 307.

Chairperson, I move the adoption of the foregoing resolution.

BILL BULLARD

Copy of correspondence from Holly Township Supervisor, Dale M. Smith, letter from E. Thomas Ault, Village Manager, fax from Joe Colaianne, Public Act 451 of 1994, Petitions to Determine and Establish the Normal Level, for Bush Lake, Village and Township of Holly, Michigan on file in County Clerk's office.

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04165**

BY: Planning and Building Committee, Charles Palmer, Chairperson

**IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT – COMMUNITY AND HOME IMPROVEMENT DIVISION – 2004 HOME AMERICAN DREAM DOWNPAYMENT INITIATIVE GRANT ACCEPTANCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners authorized submittal of the Oakland County 2004 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS the 2004 Annual Action Plan contains a consolidated Federal grant application for activities designed to accomplish the goals and objectives for the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program and the Emergency Shelter Grant (ESG) Program; and

WHEREAS HUD by letter dated June 3, 2004 transmitted to the Community and Home Improvement Division a total Program Year 2004 HOME Program American Dream Downpayment Initiative (ADDI) allocation of \$192,817 for the period of May 1, 2004 through April 30, 2005; and

WHEREAS the ADDI allocation of \$192,817 represents \$88,447 appropriated in Federal Fiscal Year 2003 and \$104,370 appropriated in Federal Fiscal Year 2004 with separate federal regulations for each appropriation; and

WHEREAS this is the first year grant acceptance for this activity under the HOME program; and

WHEREAS total program revenue for the 2004-2005 HOME ADDI Program will be \$214,929 including FY 2003 grant allocation of \$88,447, FY 2003 grant match of \$22,112 and FY 2004 grant allocation of \$104,370 with no match requirement; and

WHEREAS funding for the 2003 HOME ADDI program match is appropriated in the Oakland County 2004 Adopted Budget; and

WHEREAS fund schedules and preliminary program description for the 2004-2005 HOME ADDI program appears in attachment A; and

WHEREAS specific HOME ADDI Program Guidelines will be developed by the Oakland County Community and Home Improvement Division for authorization by the Oakland County Board of Commissioners prior to program expenditure; and

WHEREAS the HOME ADDI grant agreement has been reviewed by County Executive Departments through the County grant process (Miscellaneous Resolution #01320); and

WHEREAS acceptance of the grant does not obligate the County to any future commitment.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts HOME American Dream Downpayment Initiative grant funds from the U.S. Department of Housing and Urban Development in the amount of \$192,817, and HOME ADDI County match of \$22,112 for a 2004 program year grant package totaling \$214,929; and

BE IT FURTHER RESOLVED that the future level of service, including personnel, will be contingent upon the level of federal funding available for these programs.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners authorizes both the Board of Commissioners Chairperson and the County Executive to execute the grant agreements and to approve amendments and extensions up to fifteen (15) percent variance from the award, consistent with the agreement as originally approved.

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

PLANNING AND BUILDING COMMITTEE

Copy of letter from Jeanette Harris, Director of U.S. Department of Housing and Urban Development, Funding Approval and Home Investment Partnerships Agreement, 2004 Annual Action Plan and Attachment A on file in County Clerk's office.

FISCAL NOTE (MISC. #04165)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT – COMMUNITY AND HOME IMPROVEMENT DIVISION – 2004 HOME AMERICAN DREAM DOWNPAYMENT INITIATIVE 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 resolution authorizes acceptance of grant funding from the U.S. Department of Housing and Urban Development for the HOME American Dream Downpayment Initiative Grant (ADDI) in the amount of \$192,817.
2. The award includes \$88,447 appropriated in FY 2003 and \$104,370 appropriated in FY 2004 under separate federal regulations, and requires County Match of \$22,112, for a 2004 program year total of \$214,929.
3. The goals of the ADDI are to increase the overall rate of homeownership, create greater opportunity for homeownership among lower income and minority households, and revitalize and stabilize communities.
4. Application for ADDI funding was made as part of the 2004 Consolidated Grant Application.
5. The ADDI grant award is provided subsequent to the Consolidated Grant award and is the same amount as the application.
6. Local County match of \$22,112 (25%) is required for the FY 2003 portion of the award. No County match is required for the FY 2004 portion of the award.
7. County Match is available in the Non-Departmental Grant Match line item of the FY 2004 General Fund Budget, account #90-290000-25000-2872.
8. This is the first year of grant funding for ADDI activity under the HOME Investment Partnership Grant.
9. The funding period is for the program year May 1, 2004 through April 30, 2005.
10. Indirect costs associated with this grant are not paid due to administrative and planning limits.
11. A budget amendment is recommended as follows:

<u>Non-Departmental</u>	
90-290000-25000-2872 Grant Match	(\$22,112)
<u>Community &amp; Home Improvement Fund</u>	
19-610300-70007-2872 Grant Match	\$22,112
	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04166**

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

**IN RE: DEPARTMENT OF WASTE MANAGEMENT - RESOLUTION AMENDING MISCELLANEOUS RESOLUTION #03337 AND THE PREVIOUSLY ADOPTED PROVISIONS OF A BROWNFIELD CLEANUP REVOLVING LOAN FOR THE FORMER SANICEM LANDFILL**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

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

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

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

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

WHEREAS it is necessary to amend Miscellaneous Resolution #03337 in order to provide changes to the language listed in the Loan agreement. These changes are listed here:

1. Page 6, Section 2.01 - add all documents that BRG has provided to Oakland since the date of execution of the original loan. These documents to include the following:  
Interim Remedial Action Plan, 2004  
Methane Management Plan - Atlas Copco Building, 2004
2. Page 8, Section 3.01, E - at the end of the sentence add "the sign will include appropriate contacts for obtaining information on activities being conducted at the site and for reporting suspected criminal activities. The sign shall comply with the requirements in 40 C.F.R. Part 35, Subpart O."
3. Page 9, Section 4.04 - at the end of the paragraph, add a sentence that says "The Borrower shall also furnish both the annual reports and the monthly status reports to the U.S. EPA."
4. Page 12, Section 4.16 - insert "and U.S. EPA" into the first sentence, second line, after "Lender". In the same section, add "and U.S. EPA" in the second sentence, after "Lender" in the fourth line.
5. Page 12, Section 4.17 - insert "and U.S. EPA" into the second sentence, in the third line, after "Lender".
6. Page 12, Section 5.01 - add the following: "H. The Borrower missing a deadline contained in the work plan by more than 7 business days"
7. Page 15, Section 8.03 - add the following  
To U.S. EPA  
Brooke Furio  
Project Manager  
U.S. EPA, Region 5  
25089 Center Ridge Road  
Westlake, OH 44145-4114

and

Jeff Kimble  
On-Scene Coordinator  
U.S. EPA, Region 5  
9311 Groh Road  
Gross Ile, MI 48138-1697; and

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

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

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

PLANNING AND BUILDING COMMITTEE

Copy of Brownfields Cleanup Revolving Loan Fund Loan Agreement between Brown Road Group, LLC and Oakland County, Exhibits A, B, C, D, E, and F on file in County Clerk's office.

Commissioners Minutes Continued. July 22, 2004

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04167**

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

**IN RE: SHERIFF'S OFFICE – BULLETPROOF VEST PARTNERSHIP PROGRAM GRANT FISCAL YEAR 2004 ACCEPTANCE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice has awarded the Oakland County Sheriff's Office grant funding for the Bulletproof Vest Partnership Program in the amount of \$21,975.74 for the period of October 1, 2003 through September 30, 2004; and

WHEREAS the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice did not award any grant funds for the Bulletproof Vest Program for FY 2003 covering the period October 1, 2002 through September 30, 2003; and

WHEREAS Oakland County has been awarded a grant totaling \$21,975.74 comprised of Federal funds with no County match, which is a 89.56% reduction from the grant application amount of \$210,591.00 per attached Schedule A, for the grant period covering October 1, 2003 through September 30, 2004; and

WHEREAS this grant will be used to continue to fund bulletproof vests for the officers of the Oakland County Sheriff's Department; and

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

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts grant funding from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the amount of \$21,975.74 covering the grant period October 1, 2003 through September 30, 2004.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the grant agreement and to approve any grant extensions or changes, within fifteen percent (15%) of the original award, which are consistent with the agreement as approved.

BE IT FURTHER RESOLVED that acceptance of this grant does not obligate the County to any further commitments in the Bulletproof Vest Partnership Program and is contingent upon continued future levels of grant funding.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – Sheriff's Department, Schedule A, memo from C. Camille Cain, (Acting) Director, BJA BVP – Jurisdiction Status, Successful Submission of Application for Funding for BVP Approval on file in County Clerk's office.

**FISCAL NOTE (MISC. #04167)**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: SHERIFF'S OFFICE - BULLETPROOF VEST PARTNERSHIP PROGRAM GRANT FISCAL YEAR 2004 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 Bureau of Justice Assistance Programs, U. S. Department of Justice has awarded the Oakland County Sheriff's Department grant funding in the amount of \$21,975.74 covering the period October 1, 2003 through September 30, 2004.
2. The award of \$21,975.74 represents a 89.56% reduction from the original application amount of \$210,591.
3. The grant allows reimbursement up to 50% of actual costs.
4. The grant funds purchases of vests for officers of the Oakland County Sheriff's Office.

Commissioners Minutes Continued. July 22, 2004

5. Acceptance of this grant does not obligate the County to any future commitments in the Bulletproof Vest Partnership Program.
6. The Fiscal Year 2004 Adopted Budget for the General Fund included a budget for the Bulletproof Vest Program. Therefore, no budget amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04168**

BY: Public Services Committee, Hugh D. Crawford

**IN RE: COUNTY EXECUTIVE – EMERGENCY RESPONSE AND PREPAREDNESS MEMORANDUM OF UNDERSTANDING FOR USE AND OPERATION OF EMERGENCY OPERATION CENTERS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS due to the events of September 11, 2001, the Emergency Response and Preparedness Division (ERP) has reviewed the County-wide operational readiness posture; and

WHEREAS ERP has undertaken substantial efforts and initiatives to enhance the emergency preparedness posture with the CVTs and first responder communities; and

WHEREAS once a disaster or emergency affects Oakland County, activation of the Emergency Operations Plan (EOP) will occur, and the Oakland County Emergency Operations Center (EOC) is opened as a central point to coordinate response and recovery activities; and

WHEREAS a vulnerability analysis was conducted on the overall operations necessary to respond to catastrophic incidents, and the need for an alternate EOC was identified; and

WHEREAS if the Oakland County emergency coordination facility (EOC) is not usable when an incident occurs, a backup facility is necessary for designated representatives to coordinate response and recovery to the disaster or emergency; and

WHEREAS the City of Troy has agreed and executed a Memorandum of Understanding to allow the County of Oakland to use the City EOC as an alternate; and

WHEREAS through the execution of this Miscellaneous Resolution, the County of Oakland will agree and execute a Memorandum of Understanding to allow the City of Troy to use the County EOC for an alternate; and

WHEREAS Emergency Response and Preparedness and the Department of Corporation Counsel have developed the Memorandum of Understanding; and

WHEREAS the Oakland County Risk Management Division has reviewed the Memorandum and has no objections.

NOW THEREFORE BE IT RESOLVED that the attached Memorandum of Understanding is approved, and the Board of Commissioners authorizes the Chairperson of the Board of Commissioners and the Oakland County Executive to sign the Memorandum.

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

PUBLIC SERVICES COMMITTEE

Copy of Memorandum of Understanding and City Council Minutes on file in County Clerk's office.

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04169**

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

**IN RE: COUNTY EXECUTIVE - EMERGENCY RESPONSE AND PREPAREDNESS - AGREEMENT/ACCEPTANCE FOR HAZARD MITIGATION GRANT PROGRAM**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Robert T. Stafford Disaster Relief and Emergency Assistance Hazard Mitigation Grant Program administered by the Federal Emergency Management Agency provides grants to implement long-term hazard mitigation measures before and after a disaster; and

WHEREAS to remain eligible to receive mitigation monies, Oakland County is required to prepare a Hazard Mitigation Plan by November 1, 2004 for the County and all communities in the County; and

WHEREAS a Hazard Mitigation Plan is a tool for reducing the risks from natural and manmade hazards and for providing a guide to commit resources that will reduce the effects of the hazards; and  
WHEREAS a local Hazard Mitigation Plan is created and adopted by the community and describes the ways that the community will be protected from the hazards that may affect it; and  
WHEREAS the Michigan Department of State Police Emergency Management Division will serve as the administrating agency for this grant.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the grant funding from the State of Michigan in an amount up to \$215,467, including an in-kind match of \$53,867.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the grant agreement and to approve any grant extensions or changes, within fifteen percent (15%) of the original award, which are consistent with the original agreement as approved.

BE IT FURTHER RESOLVED that acceptance of this grant does not obligate the County to any future commitment.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract Review – Emergency Response and Preparedness and Oakland County Emergency Response and Preparedness Executive Summary Hazard Mitigation Grant Program 2004, letter from John Ort, Captain Governor’s Authorized Representative, State of Michigan Department of State Police Hazard Mitigation Grant Agreement FEMA-1346-DR-M, Hazard Mitigation Grant Program Planning Application on file in County Clerk’s office.

FISCAL NOTE (MISC. #04169)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: COUNTY EXECUTIVE - EMERGENCY RESPONSE AND PREPAREDNESS – AGREEMENT/ACCEPTANCE FOR HAZARD MITIGATION GRANT PROGRAM

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 Executive – Emergency Response and Preparedness Division has been awarded up to \$215,467, of which \$161,600 is direct grant funding and \$53,867 is in-kind match included in the budget to prepare a Hazard Mitigation Plan by November 1, 2004, for communities covered under its emergency operations plan.
2. The Hazard Mitigation Plan is a tool for reducing the risks from natural and manmade hazards and for providing a guide to commit resources that will reduce the effects of hazards.
3. The Robert T. Stafford Disaster Relief and Emergency Assistance Hazard Mitigation Grant Program administered by the Federal Emergency Management Agency provides grants to implement long-term hazard mitigation measures before and after a disaster.
4. A budget amendment for FY 2004 is recommended as specified below, to recognize the revenues and expenses for the Hazard Mitigation Grant Program for the period of May 1, 2002 through November 1, 2004 as follows:

FUND 276

Revenue

1-11-276-100902-70001-0113 Grants – Federal	<u>\$161,600</u>
	<u>\$161,600</u>

Expense

2-11-276-200902-70001-2572 Contracted Svs.	<u>\$161,600</u>
	<u>\$161,600</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*REPORT MISC. #04157**

BY: Personnel Committee, Gregory Jamian, Chairperson

**IN RE: PUBLIC SERVICES/ANIMAL CONTROL DIVISION – ELIMINATION OF VETERINARIAN PROFESSIONAL SERVICE CONTRACT AND CREATION OF ONE (1) PTNE VETERINARIAN POSITION**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Personnel Committee having reviewed Miscellaneous Resolution #04157 on July 14, 2004 reports with the recommendation the Resolution be adopted.

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

PERSONNEL COMMITTEE

**MISCELLANEOUS RESOLUTION #04157**

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

**IN RE: PUBLIC SERVICES/ANIMAL CONTROL DIVISION – ELIMINATION OF VETERINARIAN PROFESSIONAL SERVICE CONTRACT AND CREATION OF ONE (1) PTNE VETERINARIAN POSITION**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Animal Control Division proposes the implementation of a six-month trial working schedule in order to provide better office coverage, clerical support, and more efficient clinical services for the care and wellbeing of the animals; and

WHEREAS the trial working schedule will include the underfill of one (1) FTE Office Assistant II position (17801-09183) with three (3) part-time, non-eligible 1,000 hr/yr. General Clerical positions; and

WHEREAS the trial working schedule will include the creation of one (1) part-time, non-eligible 1,000 hr/yr. Veterinarian position; and

WHEREAS the Animal Control Division will eliminate the Veterinarian Professional Service Contract to help offset the costs associated with this trial working schedule; and

WHEREAS the new part-time, non-eligible Veterinarian position will be assigned to work five days a week, four hours per day to perform duties, including spaying and neutering, regular veterinarian check-ups, monitor kennels for airborne diseases, routine blood work, and euthanasia; and

WHEREAS the trial working schedule will be re-evaluated in six months to make a determination whether to keep the FTE Office Assistant II position or create three (3) PTNE 1,000 hr/yr. General Clerical positions.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the deletion of the Veterinarian Professional Service Contract in the amount of \$20,000 annually.

BE IT FURTHER RESOLVED to create a new classification titled Veterinarian at the base rate of \$35.00/hr., and the one-year step at \$37.50/hr.

BE IT FURTHER RESOLVED to create one (1) 1,000 hr/yr. PTNE Veterinarian position in the Animal Control Division of the Public Services Department.

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

PUBLIC SERVICES COMMITTEE

**FISCAL NOTE (MISC. #04157)**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: PUBLIC SERVICES / ANIMAL CONTROL DIVISION - ELIMINATION OF VETERINARIAN PROFESSIONAL SERVICE CONTRACT AND CREATION OF ONE (1) PTNE VETERINARIAN POSITION**

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 reference resolution and finds:

- 1) Animal Control has requested to implement a six-month working schedule in order to provide better office coverage, clerical support, and more efficient clinical services.

- 2) The six-month trial working schedule would include the creation of one (1) PTNE Veterinarian position (1,000 hrs./yr.) and the underfilling of one (1) FTE Office Assistant II position with three (3) PTNE General Clerical positions.
- 3) The current Veterinarian Professional Services contract in the amount of \$20,000 would be cancelled to partially offset costs associated with the new Veterinarian position.
- 4) For Fiscal Year 2004, sufficient funding is available to cover costs associated with implementing the trial-working schedule.
- 5) The resolution approves freezing the Office Assistant position and underfilling it for six months, after which the Office Assistant position would be once again require funding to cover possible costs for Fiscal Year 2005 and Fiscal Year 2006.
- 6) At the end of six-months the program will be reviewed and a resolution will be presented to approve any permanent position changes and budget amendments.
- 7) The Fiscal Year 2004 is amended and the Fiscal Year 2005 and Fiscal Year 2006 County Executive Recommended budget be amended as follows:

<u>GENERAL FUND EXPENDITURE BUDGET</u>	<u>FY 2004</u>	<u>FY 2005/2006</u>
90-290000-25000-2564 Contingency	\$ 522	(\$13,872)
17-802200-80001-2001 Salaries	3,190	35,468
17-802200-80001-2075 Fringe Benefits	288	( 1,596)
17-802200-80340-3348 Professional Svs	<u>(4,000)</u>	<u>( 20,000)</u>
Total Expenditures	<u>\$ -0-</u>	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04154**

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

**IN RE: COUNTY EXECUTIVE, EMERGENCY RESPONSE AND PREPAREDNESS - TORNADO WARNING SYSTEM EXPANSION – SPRINGFIELD TOWNSHIP**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners by Miscellaneous Resolution #'s 7865, 7971, and 8664 accepted federal grants to defray a portion of the costs in purchasing sirens to be utilized within the Oakland County Tornado Warning System; and

WHEREAS the County share of the costs will remain at twenty-five percent as has been the policy previously established by the Board of Commissioners by various Miscellaneous Resolutions, whereby local units pay seventy-five percent with the County being responsible for the maintenance and electrical costs for the sirens purchased; and

WHEREAS Springfield Township, has executed the attached purchase agreement; and

WHEREAS Springfield Township has agreed to pay seventy-five percent of the total estimated cost of one siren; and

WHEREAS consistent with the attached standard agreement, Springfield Township agrees that Oakland County will retain ownership of the siren and will be responsible for the maintenance and the electrical costs for said siren purchased under this agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the contract with Springfield Township for the purchase of one (1) tornado siren.

BE IT FURTHER RESOLVED that the expenditure of this appropriation is contingent upon the execution of the attached written agreement between the County and the Township of Springfield.

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

PUBLIC SERVICES COMMITTEE

Copy of Springfield Township Tornado Siren Budget Summary and Severe Weather Warning System Interlocal Agreement between Oakland County and Charter Township of Springfield on file in County Clerk's office.

Commissioners Minutes Continued. July 22, 2004

FISCAL NOTE (MISC. #04154)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: COUNTY EXECUTIVE, EMERGENCY RESPONSE AND PREPAREDNESS – TORNADO WARNING SYSTEM EXPANSION –SPRINGFIELD TOWNSHIP

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The resolution recognizes that Springfield Township has issued a purchase agreement for the purchase of one (1) warning siren.
2. The total cost of the sirens is \$21,000.
3. The Township of Springfield has agreed to pay \$15,750, seventy-five percent (75%) of the estimated cost of the sirens.
4. The County of Oakland will pay twenty-five percent (25%) of the estimated cost, \$5,250.
5. Consistent with past agreements, the County will retain ownership and be responsible for the maintenance and electrical costs for the sirens.
6. Funds are available in the FY 2004
7. Emergency Response and Preparedness budget to cover cost.
8. No additional budget amendments are necessary.

FINANCE COMMITTEE

(The vote for this motion appears on page 360.)

**\*MISCELLANEOUS RESOLUTION #04155**

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

IN RE: **SHERIFF'S OFFICE-CONTRACT FOR LAW ENFORCEMENT SERVICES AT THE MICHIGAN RENAISSANCE FESTIVAL - 2004 SEASON**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Michigan Renaissance Festival, the operator of a summer theatre facility by the same name in Groveland Township, has requested the Oakland County Sheriff's Office to supply Patrol Officers for Law Enforcement Services for the upcoming 2004 season; and

WHEREAS the Sheriff's Office has agreed to supply such Patrol Officers on an availability overtime, hourly basis, the number of man hours to be determined by the Sheriff's Office; and

WHEREAS the County of Oakland shall be reimbursed for such services by the Michigan Renaissance Festival at the hourly overtime rates for the 2004 season, as was established by Miscellaneous Resolution #03265.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the execution of the attached contract consistent with provisions contained therein.

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

PUBLIC SERVICES COMMITTEE

Copy of Contract for Police Protection Michigan Renaissance Festival, Attachment A, B, C, and D on file in County Clerk's office.

FISCAL NOTE (MISC. #04155)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: SHERIFF'S OFFICE-CONTRACT FOR LAW ENFORCEMENT SERVICES AT THE MICHIGAN RENAISSANCE FESTIVAL-2004 SEASON

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. Michigan Renaissance Festival has requested the Oakland County Sheriff's Department to supply Patrol Officers for Law Enforcement Services for the upcoming 2004 season.

2. Previously, the Oakland County Sheriff's Office contracted with the Michigan Renaissance Festival for the FY 2003 season per Miscellaneous Resolution #03095.
3. Miscellaneous Resolution #03265 established the standard overtime rates for the period 2004-2008.
4. The contract will take effect August 14, 2004.
5. Revenues and expenditures equal \$53,330 for calendar year 2004 compared with \$51,600 for calendar year 2003, a difference of \$1,730. A budget amendment for FY 2004 is recommended as detailed below.

<u>GENERAL FUND</u>	<u>FY 2004</u>
<u>Revenue</u>	
43-13601-30000-0907 Reimbursement of Salaries	\$1,730
<u>Expenditures</u>	
43-23601-31330-2002 Overtime	<u>\$1,730</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

Vote on resolutions on the Consent Agenda:

AYES: Coleman, Coulter, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard. (24)

NAYS: None. (0)

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

**MISCELLANEOUS RESOLUTION #04170**

BY: Finance Committee, Chuck Moss, Chairperson

**IN RE: DEPARTMENT OF MANAGEMENT AND BUDGET – TRANSFER A PORTION OF GENERAL FUND BALANCE TO THE OAKLAND COUNTY RETIREES' HEALTH CARE TRUST**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Retirees' Health Care Trust fund, reported an Unfunded Accrued Liability (UAL) of \$335.4 million as of September 30, 2003, with the current budget based on the assumption that the UAL will be eliminated over 26 years; and

WHEREAS the Oakland County Retirement Board has been informed by their contracted actuary firm, *Gabriel, Roeder, Smith & Company*, that the Actuarial Standards of Practice have changed; and

WHEREAS in June 2004, the Government Accounting Standards Board (GASB) issued statement 43, *Financial Reporting for Post employment Benefit Plans Other Than Pension Plans*, which will require new reporting of UAL for retiree health care and other post employment benefits by the end of Fiscal Year 2007; and

WHEREAS *Gabriel, Roeder, Smith & Company* has further informed the Oakland County Retirement Board that the current method of calculating the County's retiree health care contribution "... no longer comply with Actuarial Standards of Practice and should not be used to comply with new Government Accounting Standards Board financial reporting requirement"; and

WHEREAS the Retirement Board voted on June 24, 2004 to change their actuarial assumptions used in the calculation of retiree hospitalization to come into compliance with the new standards; and

WHEREAS specifically the Retirement Board approved changing the assumed rates of medical inflation, increasing the amortization period for elimination of the UAL to 40 years, and changing the method of premium rate development to adjust for age grade premiums and claims analysis; and

WHEREAS the change in actuarial assumptions will increase the County's contribution to retiree health care by approximately \$8 million per year; and

WHEREAS as one option to fund this increased contribution, the County could increase the fringe benefit rate charged to all County funds for retirees' health care from 15.04% currently to 19.34%, an increase of 28.6%; and

WHEREAS this action would increase the financial pressure on all County funds, possibly affecting service delivery; and

WHEREAS Oakland County reported an unreserved fund balance of \$109.8 million for the fiscal year ending September 30, 2003; and

WHEREAS of that unreserved fund balance, \$50,890,224.17 reflects a designation of property taxes collected during FY 2003 for use in the first quarter of FY 2004, as required by GASB statement 33 *Accounting and Financial Reporting of Nonexchange Transactions*; and

WHEREAS this implementation of GASB 33 artificially increases the County's General Fund balance; and WHEREAS the removal of the \$50.9 million designation from the General Fund would provide a more realistic view of the County's financial position, yet leave sufficient General Fund balance to maintain the AAA bond rating; and

WHEREAS the County's previously contracted independent auditing firm confirmed that the \$50.9 million designated General Fund balance could be used to fund a long-term obligation, such as retirees' health care; and

WHEREAS in addition to those reasons discussed above, transferring the \$50.9 million from unreserved General Fund balance to the Retirees' Health Care Trust Fund, the County will receive a number of benefits including:

- becoming compliant with the required standards;
- reducing the amount of unfunded actuarial liability so that no major increase in fringe benefit rates would be required in order to be in compliance with the new standards;
- generating approximately \$225 million in additional investment income, above the General Fund experience, over the 40 year period, due to the ability to obtain a higher rate of return from longer term investments (7.5% annually per the actuarial assumptions), and this increased investment income could be used to accelerate the funding of the actuarial accrued liability;
- the FY 2005 and FY 2006 County Executive Recommended Budget assumes the transfer of these funds, allowing the County additional budget flexibility in order to meet the continued fiscal uncertainty from the state.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the transfer of \$50,890,224.17 from the unreserved General Fund balance to the Retirees' Health Care Trust Fund and the budget be amended as follows:

<u>General Fund Revenue</u>	
90-150000-14000-1582 Prior Years Balance	\$50,890,224
<u>Expenditures</u>	
90-310000-98732-8001 Transfer to VEBA	<u>50,890,224</u>
	\$ -0-

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

FINANCE COMMITTEE

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

**MISCELLANEOUS RESOLUTION #04171**

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

**IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY – PAY LOCAL TAXES.COM AGREEMENT WITH THE IDENTIFIED CITIES, TOWNSHIPS AND VILLAGES**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS as provided by Public Act 462 of 1996, the Enhanced Access to Public Records Act, the Board of Commissioners in Miscellaneous Resolution #97165 dated August 14, 1997 adopted the Oakland County Enhanced Access to Public Records Policy; and

WHEREAS the Oakland County Board of Commissioners approved a revised @ccess Oakland Master Fee Structure in Miscellaneous Resolution #03279 dated October 16, 2003 which included a pricing schedule for both delinquent property taxes and current property taxes as part of the strategic rollout of a comprehensive eGovernment program; and

WHEREAS the Oakland County Department of Information Technology has implemented a procedure that affords County taxpayers the convenience of using credit cards for the payment of delinquent property taxes to the County Treasurer; and

WHEREAS each city, village and township in Oakland County (hereafter, "Municipality") pursuant to the General Property Tax Act (MCL 211.1, et seq.) receives and collects current property tax payments on taxable property located within its geographic boundaries; and

WHEREAS by utilizing similar technology, the Department of Information Technology has developed a model program called "PayLocalTaxes.Com" which the Department could make available to all County Municipalities to afford taxpayers the convenience of utilizing an internet-based, credit card payment option to pay their current property taxes; and

WHEREAS the state law allows the County to provide such services in conjunction with a Municipality pursuant to an agreement between the County and the Municipality; and

WHEREAS the Municipalities listed below, to date, have expressed an interest in entering such an agreement with the County to use the County's "PayLocalTaxes.Com" services.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves entering into the attached PAY LOCAL TAXES.COM AGREEMENT (the "Agreement," copy attached and incorporated herein) with each of the following Municipalities upon the terms and conditions stated in this Agreement:

City of Ferndale	Village of Beverly Hills	Charter Township of Highland
City of Hazel Park	Village of Franklin	Charter Township of Milford
City of Keego Harbor	Village of Oxford	Charter Township of Oakland
City of Orchard Lake Village	Village of Milford	Township of Southfield
City of Pleasant Ridge	Village of Wolverine Lake	
City of Royal Oak		
City of Sylvan Lake		
City of Walled Lake		

BE IT FURTHER RESOLVED that upon receipt of a executed PAY LOCAL TAXES.COM AGREEMENT and all other required assurances and documentation from any of the above Municipalities, the Board of Commissioner's Chairperson is authorized to sign and finalize this Agreement with the Municipality on behalf of the County.

BE IT FURTHER RESOLVED that upon receipt of an executed Agreement from any of the above listed Municipalities, along with the appropriate certified resolution from the Municipality's governing body, and any other Municipality assurances and documentation required in the Agreement, the Oakland County Clerk shall obtain the Board of Commissioner's Chairperson signature on the Agreement, shall file a copy of this fully executed Agreement in the official Oakland County Board of Commissioner records maintained in his Office, and shall also forward a copy of this fully executed Agreement to the Secretary of State as required by law.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Local Taxes.Com Agreement on file in County Clerk's office.

FISCAL NOTE (MISC. #04171)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY – PAY LOCAL TAXES .COM AGREEMENT WITH THE IDENTIFIED CITIES, TOWNSHIPS AND VILLAGES

To the Oakland County Board of Commissioners

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

1. The Department of Information Technology has requested the approval of the model program "PayLocalTaxes.Com" to enable approximately 18 municipalities to utilize and assist in the collection of current unpaid local taxes via credit card processing over the internet.
2. Each Municipality has requested the County's Information Technology Department to assist in performing the "Information Technology Department Assistant Services" and has agreed to reimburse the County as provided in the Pay Local Taxes.com Agreement.

3. Financial arrangements to reimburse the County for use of this service have been established in the Pay Local Taxed.com Agreement. An additional "Convenience Fee", a percentage of the total credit card transaction amount, will be imposed upon the Taxpayer remitting payment for current unpaid local taxes and are to be paid to the County by each Municipality. Resolution #03279 recognizes and amends the Information Technology Budget for the anticipated revenues.
4. Costs associated with startup licensing fees will be paid for by the County in the Information Technology Fund in the amount of \$15,320. Funding for these costs are available in the Information Technology Fund for Fiscal year 2004. A budget amendment is required.

<u>INFORMATION TECHNOLOGY FUND 636</u>	<u>FY2004</u>
<u>Expense</u>	
18-636172-24000-3596 Software Rental/Lease Purch	\$15,320
18-636172-24000-8005 Change in Fund Equity	<u>15,320</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

Moved by Patterson supported by Bullard the resolution be adopted.

AYES: Coulter, Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman. (24)  
NAYS: None. (0)

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

**REPORT**

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

**IN RE: BOARD OF COMMISSIONERS – APPOINTMENTS TO THE ACT 641 SOLID WASTE PLANNING COMMITTEE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed the expirations of all of the appointments on the Act 641 Solid Waste Planning Committee, recommends the appointments of the following people:

ACT 641 SOLID WASTE PLANNING COMMITTEE – (terms ending 10/11/05)

SOLID WASTE INDUSTRY (4 seats)

Richard A. Padlo, PMDS

Mike Csapo, RRRASOC

COUNTY GOVERNMENT (1 seat)

Sue Ann Douglas, Commissioner

TOWNSHIP GOVERNMENT (1 seat)

Jill Bastian

GENERAL PUBLIC (3 seats)

Mary Ann Ryan

Nat Pernick

Steven Balagna

ENVIRONMENTAL INTEREST GROUPS (2 seats)

L. Dawn Furlong, VOCAL

CITY GOVERNMENT (1 seat)

Claire M. Galed

INDUSTRIAL WASTE GENERATORS (1 seat)

Mike Czuprenski

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

GENERAL GOVERNMENT COMMITTEE

Copy of Application Form for Appointment to Boards, Committees and Commissions on file in County Clerk's office.

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

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

Commissioners Minutes Continued. July 22, 2004

Chairperson Thomas Law made the following statement: "Are there any further nominations to the Solid Waste Planning Committee?" There were no additional nominations and nominations were declared closed.

Moved by Patterson supported by Wilson the appointment of Richard A. Padlo, PMDS; Mike Csapo, RRRASOC; Sue Ann Douglas, Commissioner; Jill Bastian, Township Clerk; Mary Ann Ryan, Nat Pernick, and Steven Balagna, General Public; L. Dawn Furlong, VOCAL; Claire M. Galed, City Government; Mike Czuprenski, Industrial Waste Generators.

Discussion followed.

Vote on resolution:

AYES: Douglas, Gregory, Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter. (24)

NAYS: None. (0)

A sufficient majority having voted therefore, the appointment of the following people to the Solid Waste Planning Committee for a term ending October 11, 2005 were confirmed.

**REPORT MISC #04151**

BY: Planning and Building Committee, Charles Palmer, Chairperson

**IN RE: PARKS AND RECREATION COMMISSION – RED OAKS GOLF COURSE LEASE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building Committee having reviewed Miscellaneous Resolution #04151 on July 13, 2004 reports 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 #04151

BY: General Government Committee, William Patterson, Chairperson

**IN RE: PARKS AND RECREATION COMMISSION – RED OAKS GOLF COURSE LEASE**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentleman:

WHEREAS the Oakland County Parks and Recreation Commission, at its regular meeting of May 5, 2004, authorized the department to enter into a lease for the property at the Red Oaks Golf Course to allow for the renovation of the golf course; and

WHEREAS the Oakland County Parks and Recreation Commission committed \$3 million in funds for this endeavor; and

WHEREAS the residents of Oakland County are the benefactors; and

WHEREAS the funding for this project was allocated from the Oakland County Parks and Recreation Commission Capital Improvement Projects Budget; and

WHEREAS the construction, operational, and maintenance costs of this facility will be paid for by fees and charges and Parks millage revenues; and

WHEREAS said lease, which was developed by Oakland County Drain Commission staff and counsel, Park staff, and Oakland County Corporation Counsel, is for a period of 50 years; and

WHEREAS said lease, which will be between the County of Oakland and the George W. Kuhn Drainage District, is for the amount of \$1 annually.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approve the lease agreement between the County of Oakland and the George W. Kuhn Drainage District for the property at the Red Oaks Golf Course to allow for the renovation of the golf course.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the lease on behalf of the County of Oakland.

Commissioners Minutes Continued. July 22, 2004

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

GENERAL GOVERNMENT COMMITTEE

Copy of Oakland County Red Oaks Golf Course Lease Agreement, and Right-of-Way Survey Sketch on file in County Clerk's office.

FISCAL NOTE (MISC. #04151)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: PARKS AND RECREATION COMMISSION - RED OAKS GOLF COURSE LEASE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The resolution approves Oakland County Parks and Recreation (OCPR) to enter into a lease with the George W. Kuhn Drainage District for an annual amount of \$1 for the property at the Red Oaks Golf Course to allow for the renovation of the golf course.
2. \$3,000,000 from the Parks and Recreation Capital Improvement Projects Budget has been committed for the project.
3. The construction, operational and maintenance costs for this facility will be paid for by fees and charges and Parks millage revenues.
4. The lease of the Red Oaks Golf Course property shall commence on May 1, 2004 and extend for 50 years, termination on May 1, 2054. This lease may be renewed or extended by written agreement between the parties.
5. No budget amendment is required.

FINANCE COMMITTEE

Moved by Patterson supported by Suarez the resolution be adopted.

Moved by Patterson supported by Palmer the Planning and Building Report be accepted.

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

Discussion followed.

Vote on resolution:

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

NAYS: McMillin. (1)

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

**REPORT (MISC. #04160)**

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

**IN RE: BOARD OF COMMISSIONERS – SUPPORT FOR OAKLAND COUNTY'S PERSPECTIVE ON COBO CONVENTION FACILITY**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed Miscellaneous Resolution #04160 on July 12, 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 #04160

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

IN RE: BOARD OF COMMISSIONERS - SUPPORT FOR OAKLAND COUNTY'S PERSPECTIVE ON COBO CONVENTION FACILITY

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Tourism Action Group (TAG) was established approximately 18 months ago to study the feasibility and business needs of the Cobo Convention Center; and

WHEREAS the Oakland County Executive established a work group - Oakland Cobo II - to identify Oakland County's concerns and to present alternative proposals for action that are fair to Oakland County taxpayers and effectively support improvements in the region's tourism and convention economy; and

WHEREAS Oakland County Executive L. Brooks Patterson presented the report, "Cobo II: An Oakland County Perspective," which contained the primary recommendation that the City of Detroit should seek financing from the private sector to construct, operate and maintain a new convention facility - Cobo II - which has an estimated cost of \$1 billion; and

WHEREAS the alternative proposals for expansion ranged from \$465 million for an additional 100,000 sq. ft. of exhibit space to \$665 million for an additional 225,000 sq. ft. of exhibit space; and

WHEREAS presently, Oakland, Wayne and Macomb County hotels are assessed a hotel accommodation tax to cover the annual debt service of approximately \$16 million on the existing Cobo Hall; and

WHEREAS there is also a 4% tax on all liquor sold for consumption in the state that is placed in the State Convention Facility Development Fund to cover any portion of the Cobo Hall debt that is not covered by the hotel tax. During the life of the liquor tax, Oakland County businesses have been required to collect \$55.1 million to help pay Cobo Hall debt. Since Fiscal Year 2000, the Hotel Tax proceeds have been sufficient to cover the entire annual Cobo debt service. The liquor tax has thus become a windfall for the 80 counties outside of the metropolitan area; and

WHEREAS the region, however, has no input into the bonding decisions of Cobo Hall facilities. As of June 30, 2003, the outstanding Cobo Hall debt of \$123 million was funded through 2011. The City of Detroit refinanced the Cobo Hall bonds for an additional \$36.9 million in debt, extending the debt maturity schedule to 2015; and

WHEREAS the Oakland Cobo II report further recommends that should a Cobo Hall Authority be established, the participating counties should include: Wayne, Oakland, Macomb, Washtenaw, St. Clair, Livingston and Monroe; and

WHEREAS the Oakland Cobo II report further stipulates conditions precedent for support of a new revenue stream for a new convention center or the expansion of Cobo Hall - that reflect Oakland County's desire to participate in positive regional development, in a manner that is fair to Oakland County's residents and taxpayers; and

WHEREAS the conditions include: (1) equitable amendment of the State Convention Facility Development Act; (2) return of liquor tax revenues to the county in which they were raised; (3) there must be compulsory financial support from the entire SEMCOG region; (4) governance role; (5) Oakland County will not support a property tax approach to fund an expanded Cobo Hall; (6) if regional financing is required to support construction or expansion of Cobo Hall, then all businesses and individuals living, operating and/or paying taxes in the region must be placed on equal footing with Detroit-based suppliers and contractors, when bidding for work at the Cobo Hall facility; (7) the State of Michigan must commit to a substantial financial contribution - similar to the financial support provided to regional convention facilities located outside of southeast Michigan; (8) labor must be a partner and commit to adopting competitive labor rules and rates; (9) Oakland County government must be provided all studies, reports, plans and estimates relative to the operation and conditions of the existing Cobo facility and/or regarding the development of a new or expanded Cobo Hall, and allowed an opportunity to review all estimated project costs; (10) recognizing that the private sector is best suited to provide conference centers in a market driven environment - Oakland County will not support expansion of taxpayer involvement in funding for any suburban conference center; and (11) the State Convention Facility Development Act must be amended to require the approval of all county governments whose businesses and citizens are taxed to support Cobo Hall before any new debt can be issued.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby supports the position presented by Oakland County Executive L. Brooks Patterson and the Oakland Cobo II work group as reflected in the document, "Cobo II: An Oakland County Perspective."

Commissioners Minutes Continued. July 22, 2004

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 Oakland County Delegation to the State Legislature, the Michigan Association of Counties, the Counties of Wayne, Macomb, Washtenaw, St. Clair, Livingston and Monroe, the Mayor and City Council of the City of Detroit, the Detroit Metro Convention and Visitors Bureau, the Detroit Regional Chamber and Oakland County's Legislative Lobbyists.

Chairperson, we move the adoption of the foregoing Resolution.

BILL BULLARD, HUGH CRAWFORD, THOMAS LAW, MIKE ROGERS, CHUCK MOSS, CHARLES PALMER, MARTIN KNOLLENBERG, JOHN SCOTT, ERIC WILSON, SUE ANN DOUGLAS, CHRISTINE LONG, JEFF POTTER, THOMAS MIDDLETON, EILEEN KOWALL, WILLIAM PATTERSON

Moved by Patterson supported by Middleton the resolution be adopted.

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

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

Discussion followed.

Vote on resolution:

AYES: Jamian, Knollenberg, Kowall, Law, Long, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Webster, Wilson, Bullard, Douglas. (17)

NAYS: Hatchett, McMillin, Suarez, Zack, Coleman, Coulter, Gregory. (7)

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

#### **MISCELLANEOUS RESOLUTION #04172**

BY: Personnel Committee, Gregory C. Jamian, Chairperson

#### **IN RE: HUMAN RESOURCES DEPARTMENT – FISCAL YEAR 2004-2006 LABOR AGREEMENT FOR EMPLOYEES REPRESENTED BY THE COMMAND OFFICER'S ASSOCIATION OF MICHIGAN**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland and the Command Officer's Association of Michigan (COA), have been negotiating a contract covering approximately 100 Sheriff's Department employees; and

WHEREAS a 3-Year agreement has been reached for the period October 1, 2003, through September 30, 2006, and said agreement has been reduced to writing; and

WHEREAS this agreement provides for a 2% increase for Fiscal Year 2004, with the salary differential between the 5 year salary step of a Deputy II with the MCOLES bonus and the 2 year salary step of a Sergeant increasing to 13%, after assuming a 2% salary increase for the Deputy II classification; a 3% increase for Fiscal Year 2005; and a 3% increase for Fiscal Year 2006; and

WHEREAS effective with the execution of this agreement the members of this bargaining unit shall be covered by the health insurance contributions and prescription co-pays as described in Miscellaneous Resolution #03114. If the Oakland County Deputy Sheriff's Association negotiate health care contributions and/or prescription co-pays that are less than those provided for in Miscellaneous Resolution #03114, the employees covered by this bargaining unit will be charged the same, lesser amount. Any such decrease in contributions and/or prescription co-pays shall not be retroactive; 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 the Command Officer's Association of Michigan, covering the period of October 1, 2003, through September 30, 2006, and that the Board Chairperson on behalf of the County of Oakland, is authorized to execute said agreement as attached.

Commissioners Minutes Continued. July 22, 2004

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

Copy of Tentative Agreement Between Oakland County and the Employees Represented by the  
Command Officer's Association on file in the County Clerk's office.

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

**MISCELLANEOUS RESOLUTION #04173**

BY: Personnel Committee, Gregory C. Jamian, Chairperson

**IN RE: HUMAN RESOURCES DEPARTMENT – FISCAL YEAR 2004-2007 LABOR AGREEMENT  
FOR EMPLOYEES REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES (AFSCME), COUNCIL 25, LOCAL 2437**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland and the American Federation of State, County and Municipal  
Employees have been negotiating a contract covering approximately 114 Family Court employees; and  
WHEREAS a 4-Year agreement has been reached for the period October 1, 2003, through September  
30, 2007, and said agreement has been reduced to writing; and

WHEREAS this agreement provides for a 2% increase for Fiscal Year 2004 and an additional 2%  
increase, effective with the execution of this agreement, shall be provided to employees classified as  
Youth and Family Caseworker II and Youth Assistant Caseworker II; and

WHEREAS employees represented by this bargaining unit shall receive the same general increase as  
approved by the Board of Commissioners to take effective during Fiscal Year 2005, 2006, and 2007, with  
the employees in the Youth and Family Caseworker II and Youth Assistance Caseworker II classifications  
receiving an additional 1% increase during Fiscal Year 2005, 2006 and 2007; and

WHEREAS the employees represented by this bargaining unit shall receive any benefit modifications  
implemented on a County-wide basis to the general, non-represented employees during Fiscal Years  
2004, 2005, 2006, and 2007, to be applied at the same time and in the same manner; 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 2437, covering the period of  
October 1, 2003, through September 30, 2007, 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 Summary of Tentative Agreement between Oakland County and the Employees Represented by  
the American Federation of State, County and Municipal Employees (AFSCME) Local 2437 and  
Appendices 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 #04174**

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

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

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

WHEREAS the Oakland County Board of Commissioners, pursuant to MCL 484.1401 and Miscellaneous  
Resolution #99279, authorized the levy of a four (4%) percent emergency telephone operational charge

to pay for a new County-wide radio system that will have the ability to encompass all public safety agencies and create interoperability between public safety agencies; and  
WHEREAS to properly implement and operate the new County-wide radio system, the County will need to build towers, lease land, and/or lease space on towers at sites throughout the County; and  
WHEREAS it is the recommendation of the Departments of Facilities Management and Information Technology that the Oakland County Board of Commissioners accept and approve the terms and conditions of the attached Construction License and Lease Agreement; and  
WHEREAS under the terms and conditions of the attached Construction License and Lease Agreement, the County will construct the tower at 520 Ada Street, South Lyon, Michigan. Upon completion of construction of the tower the County will sell the tower to the City for one (\$1) dollar, and the City will lease the County space on the tower for one (\$1) dollar per year; and  
WHEREAS the Departments of Facilities Management, Information Technology, and Corporation Counsel have reviewed and/or prepared all necessary documents related to the attached construction license and lease agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached construction license and lease agreement for radio tower construction and lease purposes between the County of Oakland and the City of South Lyon.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached construction license and lease agreement and all other related documents between the County of Oakland and the City of South Lyon, which may be required. Chairperson, on behalf of the Planning and Building Committee, I move the adoption of the foregoing resolution.

PLANNING AND BUILDING COMMITTEE

Copy of Construction License and Lease Agreement, Exhibit A, Site Location Map, Survey, Site Layout, Compound Plan, and Tower Elevation on file in County Clerk's office.

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

**MISCELLANEOUS RESOLUTION #04175**

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

**IN RE: PARKS AND RECREATION COMMISSION - AUTHORIZATION TO NEGOTIATE THE PURCHASE OF ADDITIONAL ACREAGE AT LYON OAKS COUNTY PARK (Part of Tax Sidwell #22-06-400-023, 16.48 Acres)**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS upon recommendation of the Oakland County Parks and Recreation Commission, the Oakland County Board of Commissioners accepted the first grant from the Michigan Department of Natural Resources (DNR) for the acquisition of property in Lyon Township for the Development of Lyon Oaks County Park and Rookery through the adoption of Miscellaneous Resolution #90239; and

WHEREAS through the subsequent adoption of Miscellaneous Resolution #92147, Oakland County acquired 672 acres of property in Lyon Township, enabled by the grant from the Michigan Natural Resources Trust Fund, for the purpose of establishing a county park in a section of the county not previously serviced by the county park system; and through an additional DNR Grant and Parks and Recreation funds, the Oakland County Board of Commissioners approved Miscellaneous Resolution #94109, which allowed Oakland County to acquire an additional 101 acres in Lyon Township; and

WHEREAS through the subsequent adoption of Miscellaneous Resolutions #97040, #97041, and #99104, Oakland County acquired an additional 205.8 acres in Lyon Township; and

WHEREAS through the subsequent adoption of Miscellaneous Resolution #98287, Oakland County acquired an additional 39.4 acres in the city of Wixom adjacent to Lyon Oaks County Park; and

WHEREAS the Parks and Recreation Commission has budgeted \$100,000 in additional funds for the purchase of 16.48 acres in the township of Lyon adjacent to Lyon Oaks County Park; and

WHEREAS the Parks and Recreation Commission has acted to pursue the purchase of this additional property; and

WHEREAS the Departments of Facilities Management and Corporation Counsel have reviewed and approved the Offer to Purchase Agreement.

Commissioners Minutes Continued. July 22, 2004

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the Oakland County Parks and Recreation Commission to proceed with the acquisition of 16.48 acres, part of Tax Sidwell #22-06-400-023.

BE IT FURTHER RESOLVED the Oakland County Board of Commissioners authorizes its Chairperson to execute the appropriate and necessary documents to conclude formal negotiations for the acquisition of this property.

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

PLANNING AND BUILDING COMMITTEE

Copy of Purchase Agreement, County Location map on file in County Clerks office.

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

**REPORT (MISC #04127)**

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

**IN RE: LAKE IMPROVEMENT BOARD FOR LAKE NEVA – REQUEST FOR \$80,000 LOAN FROM LONG TERM REVOLVING FUND FOR AUGMENTATION WELL PROJECT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Planning and Building Committee having reconsidered Miscellaneous Resolution #04127 on June 8, 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 #04127**

BY: Commissioner Eileen T. Kowall, District #6

**IN RE: LAKE IMPROVEMENT BOARD FOR LAKE NEVA - REQUEST FOR \$80,000 LOAN FROM LONG TERM REVOLVING FUND FOR AUGMENTATION WELL PROJECT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Lake Neva, is an inland lake located in the Township of White Lake, Oakland County, Michigan; and

WHEREAS the Lake Neva Improvement Board following a Public Hearing held on February 24, 2004, approved and confirmed a Special Assessment roll for Lake Neva Augmentation Well for a total cost of \$203,840; and

WHEREAS the Drain Commissioner, is the county delegated authority under Part 307 of the Michigan Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended, MCL 324.30701 et seq.; and

WHEREAS the Lake Improvement Board for Lake Neva, a public agency established pursuant to Part 309 of the Michigan Natural Resources and Environmental Protection Act, 1994 P.A. 451 ("Part 309"), as amended, MCL 324.30901 et seq., has determined that construction of an augmentation well is necessary in order to properly attain and maintain the legal level for Lake Neva; and

WHEREAS Oakland County Board of Commissioners adopted Miscellaneous Resolution #02019 on February 21, 2002, establishing a Long Term Revolving Fund to assist local units of government to finance water and sewer projects that do not require the issuance of bonds; and

WHEREAS Miscellaneous Resolution #02019 provides that each project loan shall not exceed \$150,000; and

WHEREAS pursuant to Section 30922 of Part 309, the Lake Improvement Board is authorized to borrow money and collect special assessments to defray the costs of any improvement made under Part 309; and

WHEREAS Lake Neva Improvement Board, has requested a \$80,000 loan from the County's Long Term Revolving Fund to pay for the design and construction of an augmentation well to attain and maintain the legal and normal level of Lake Neva.

Commissioners Minutes Continued. July 22, 2004

NOW THEREFORE BE IT RESOLVED that this Board of Commissioners does hereby authorize the advance of a sum not to exceed \$80,000 to the Lake Neva Improvement Board and Special Assessment District from the County Long Term Revolving Fund for the design and construction of an augmentation well for Lake Neva, consistent with prior established policy covering the loan of County funds, with the actual amount of the loan, including applicable interest rate and repayment schedule to be determined and set forth in a contract to be approved at some time in the future by action of this Board of Commissioners.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners authorizes its Chairperson to execute a contract, prepared by Corporation Counsel and consistent with Miscellaneous Resolution #02019, for the repayment of this loan.

Chairperson, I move adoption of the foregoing resolution.

EILEEN KOWALL, ERIC WILSON

FISCAL NOTE (MISC. #04127)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: LAKE IMPROVEMENT BOARD FOR LAKE NEVA-REQUEST FOR \$80,000 LOAN FROM LONG TERM REVOLVING FUND FOR AUGMENTATION WELL PROJECT

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The Neva Lake Improvement Board is requesting a \$80,000 loan from the Long-Term Revolving to be used for the design and construction of an augmentation well in order to properly attain and maintain the legal level for Neva Lake.
2. Miscellaneous Resolution #02019 authorized that monies be made available for loans to local units for amounts up to \$150,000 for each project requested.
3. A contract between Oakland County and the Neva Lake Improvement Board is yet to be completed. The contract is to be reviewed by Corporation Counsel and is to contain the applicable interest rate and repayment schedule consistent with the County's loan policy.
4. The interest rate to be included in the contract is to be based on the prevailing six-month Treasury Bill rate at the time the contract is executed.
5. The augmentation well project will be managed by the Neva Lake Improvement Board and full repayment of the loan, with applicable interest, will come from the 5 year special assessment roll confirmed 2/24/2004 for this project.
6. Funding is currently available in the Long-Term Revolving Fund to issue a loan in the amount of \$80,000 to the Neva Lake Improvement Board.
7. Management and Budget will not disburse funds until the contract is reviewed by Corporation Counsel and fully executed by the Chairperson of the Board of Commissioners.
8. No budget amendment is required.

FINANCE COMMITTEE

Moved by Palmer supported by Kowall the resolution be adopted.

Moved by Palmer supported by Wilson the Planning and Building Committee Report be accepted.

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

Moved by Kowall supported by Bullard the resolution be amended in the NOW THEREFORE BE IT RESOLVED paragraph to put a period after the word schedule and strike the language "to be determined and set forth in a contract to be approved at some time in the future by action of this Board of Commissioners".

A sufficient majority having voted therefore, the amendment carried.

Commissioners Minutes Continued. July 22, 2004

Vote on resolution, as amended:

AYES: Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Douglas, Gregory, Hatchett. (24)

NAYS: None. (0)

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

Commissioner Charles Palmer requested a Public Hearing be scheduled for the purpose of allowing public comment on the PLANNING AND ECONOMIC DEVELOPMENT SERVICES DIVISION RESOLUTION APPROVING PROJECT PLAN (MICHIGAN SEAMLESS TUBE PROJECT) – CITY OF SOUTH LYON. The Chairperson scheduled the Public Hearing for August 5, 2004 at 9:45 a.m. in the Board of Commissioners Auditorium.

**MISCELLANEOUS RESOLUTION #04176**

BY: Public Services, Hugh D. Crawford, Chairperson

**IN RE: PUBLIC SERVICES\ANIMAL CONTROL – ESTABLISH FISCAL YEAR 2005 – FISCAL YEAR 2007 MUNICIPALITIES ANIMAL CARE CENTER RATES FOR BOARDING AND DISPOSAL**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Animal Control Division administers the provisions of P.A. 339 of 1919 as amended (the Dog Law); and

WHEREAS the Animal Control Division renders services to local jurisdictions through Purchase Contracts; and

WHEREAS the Oakland County Board of Commissioners, per Miscellaneous Resolution #01245, established the following rates for a three-year period (FY 2002 – FY 2004) based on an inflation rate of three (3%) percent for FY 2003 and FY 2004:

	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
Care of Boarded Animals	18.96	19.53	20.12
Disposal of Live (non boarded) small animals	16.47	16.97	17.48
Disposal of live (boarded) small animals	2.50	2.58	2.66
Disposal of small dead animals	4.77	15.22	15.68

; and

WHEREAS the Oakland County Animal Control Division and the Department of Management and Budget, through a cost analysis, recommend a revision in the rates be established effective October 1, 2005 through September 30, 2007; and

WHEREAS the new rates will include a three (3%) percent inflation factor for FY 2006 and FY 2007, as follows: (ROUNDED)

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
Care of Boarded Animals	25.00	26.00	26.00
Disposal of Live (non boarded) small animals	22.00	23.00	23.00
Disposal of live (boarded) small animals	4.00	4.00	4.00
Disposal of small dead animals	20.00	20.00	21.00

; and

WHEREAS the government of Oakland County would recover 100% of its costs based on the revised rates.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby establish the following Animal Care Center Rates for boarding and disposal to be charged to municipalities purchasing service contracts with the Oakland County Animal Control Division.

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
Care of Boarded Animals	25.00	26.00	26.00
Disposal of Live (non boarded) small animals	22.00	23.00	23.00
Disposal of live (boarded) small animals	4.00	4.00	4.00
Disposal of small dead animals	20.00	20.00	21.00

BE IT FURTHER RESOLVED that the County Executive is authorized to execute purchase of service contracts with local jurisdictions at the aforementioned rates.

Commissioners Minutes Continued. July 22, 2004

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

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

**MISCELLANEOUS RESOLUTION #04177**

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

**IN RE: 52ND DISTRICT COURT/SHERIFF'S OFFICE - REQUEST FOR ADDITIONAL SECURITY AT 52ND DISTRICT COURT**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Security for the County Courthouse was instituted in late 1992 under the direction of the Sheriff; and

WHEREAS since 1992 this program has expanded to include security for the 52nd District Courts in Novi, Clarkston, Rochester Hills and Troy; and

WHEREAS in 2002 the Michigan State Court Administrative Office (SCAO) conducted a security study of the 52nd Dist

RICT COURT and recommended the implementation of certain actions; and

WHEREAS Miscellaneous Resolution #02062 addressed security concerns in the court public areas and entrances, as well as in the courtrooms; and

WHEREAS since that time, Division II- Clarkston has experienced a significant increase in activity due to an additional judgeship and Division III - Rochester Hills has moved to a new facility; and

WHEREAS the 52nd District Court and Sheriff's Department have reviewed and evaluated existing security measures to ensure continuation of the same levels of security and compliance with SCAO regulations; and

WHEREAS additional uniformed law enforcement presence is needed to minimize the risk to the public, District Court staff, and prisoners; and

WHEREAS one (1) Deputy I and one (1) 1,640 hours Court Deputy II position at Division II - Clarkston, and two (2) Deputy I positions at Division III - Rochester Hills are requested to provide adequate security coverage.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the creation of three (3) GF/GP full-time eligible Deputy I positions and one (1) GF/GP part-time non-eligible Court Deputy II position at 1,640 hours in the Sheriff/Corrective Services-Satellite Facilities/Courthouse Security Unit, to provide one (1) Deputy I and one (1) 1,640 hours Court Deputy II position at Division II - Clarkston, and two (2) Deputy I positions at Division III - Rochester Hills of the 52nd District Court.

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

PUBLIC SERVICES COMMITTEE

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

**MISCELLANEOUS RESOLUTION #04178**

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

**IN RE: SHERIFF'S OFFICE - CONTRACT FOR AUXILIARY DEPUTY SERVICES IN THE CHARTER TOWNSHIP OF BLOOMFIELD 2004**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS it is policy of the Oakland County Board of Commissioners to permit the Sheriff's Office to enter into contracts with local units of government for the purpose of providing Sheriff patrol services; and

WHEREAS Miscellaneous Resolution #03265 adopted October 2, 2003, established the standard law enforcement services overtime rates for the period 2004-2008; and

WHEREAS the Charter Township of Bloomfield has requested that the Oakland County Sheriff provide patrol services to the citizens of the Township for special events within the Township; and

WHEREAS the Charter Township of Bloomfield has requested that a contract for special events on an overtime basis be authorized; and

WHEREAS the Sheriff has agreed to contract for this service with the Charter Township of Bloomfield.

Commissioners Minutes Continued. July 22, 2004

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the attached contract with the Charter Township of Bloomfield for special events on an overtime basis at rates established by this Board.

BE IT FURTHER RESOLVED that this contract would take effect upon execution of both parties.  
Chairperson, on behalf of the Public Services Committee, I move the adoption of the foregoing resolution.  
PUBLIC SERVICES COMMITTEE

Copy of Contract for Auxillary Sheriff's Deputy Services for the Charter Township of Bloomfield, and Attachments A and B on file in County Clerk's office.

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

**REPORT (MISC. #04156)**

BY: Personnel Committee, Gregory Jamian, Chairperson

**IN RE: SHERIFF'S OFFICE-CONTRACT AMENDMENT #1 FOR LAW ENFORCEMENT SERVICES IN THE CHARTER TOWNSHIP OF ROYAL OAK 2004-2008**

Chairperson, Ladies and Gentlemen:

The Personnel Committee having reviewed Miscellaneous Resolution #04156 on July 14, 2004 reports with the recommendation the Resolution be adopted.

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

**MISCELLANEOUS RESOLUTION #04156**

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

**IN RE: SHERIFF'S OFFICE-CONTRACT AMENDMENT #1 FOR LAW ENFORCEMENT SERVICES IN THE CHARTER TOWNSHIP OF ROYAL OAK 2004-2008**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Royal Oak Township has contracted with the Oakland County Sheriff's Department to provide law enforcement services for the Township (Miscellaneous Resolution #04119); and

WHEREAS schedule A of this contract provides that if the Michigan State Police provide a State Trooper for forty hours per week the Sheriff will reduce one contracted Deputy II; and

WHEREAS the Michigan State Police have agreed to provide two (2) State Troopers for patrol in the Charter Township of Royal Oak; and

WHEREAS the two (2) State Troopers started on May 17, 2004 and the Sheriff reduced the number of Deputy II's for the Charter Township of Royal Oak by two (2) therefore, the invoice to the Charter Township of Royal Oak will be adjusted accordingly; and

WHEREAS the Sheriff has agreed to delete two (2) Deputy II (with fill-in) for the Charter Township of Royal Oak under the terms of this contract.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the deletion of two (2) Deputy II positions (Pos. #43618-09304 and 09872) in accordance with the Oakland County Sheriff's Department 2004-2008 Law Enforcement Services Agreement with the Charter Township of Royal Oak.

BE IT FURTHER RESOLVED that these deletions will take effect on July 22, 2004.

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

Copy of Oakland County Sheriff's Department 2004 – 2008 Law Enforcement Services Agreement with the Charter Township of Royal Oak, and Schedules A, B, and C on file in County Clerk's office.

FISCAL NOTE (MISC. #04156)

BY: Finance Committee, Chuck Moss, Chairperson

IN RE: SHERIFF'S OFFICE - CONTRACT AMENDMENT #1 FOR LAW ENFORCEMENT SERVICES IN THE CHARTER TOWNSHIP OF ROYAL OAK 2004-2008

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 the Oakland County Sheriff have contracted with the Charter Township of Royal Oak to provide law enforcement services to this township per Miscellaneous Resolution #04119.
2. The current Law Enforcement Service Agreement provides that if the Michigan State Police provide a State Trooper for forty (40) hours a week, the Sheriff will reduce one (1) contracted Deputy II.
3. The Michigan State Police have agreed to provide two (2) State Troopers to patrol the Charter Township of Royal Oak.
4. Effective May 17, 2004, two (2) State Troopers were provided to replace two (2) Sheriff Deputy II positions for the Charter Township of Royal Oak.
5. The Sheriff has agreed to delete two (2) GF/GP Deputy II positions from Sheriff Patrol Services Division.
6. As a result of the deletion of these positions, revenues and expenditures are reduced \$88,068 for FY 2004. The invoice to the Charter Township of Royal Oak will be adjusted accordingly.
7. Revenues and expenditures are reduced \$235,791 for FY 2005 and \$244,647 for FY 2006. A budget amendment to the County Executive Recommended Budget for FY 2005 and FY 2006 will be required.
8. A budget amendment is recommended for FY 2004 as follows:

<u>FUND</u>	<u>DEPT</u>	<u>OCA</u>	<u>PCA</u>	<u>OBJECT</u>		<u>FY2004</u>
<u>Revenue</u>						
101	43	13601	30000	985	Contract Revenue	(\$88,068)
<u>Expend</u>						
101	43	23601	31200	2001	Salaries	(\$53,189)
101	43	23601	31200	2074	Fringes	( 26,610)
101	43	23601	30000	6660	Radio Rental	(1 38)
101	43	23601	30000	6661	Transportation	( 3,397)
101	43	23901	40000	4044	Deputy Supplies	( 252)
101	43	23201	10000	3784	Uniform Cost	( 356)
101	43	23301	21400	6636	Info Tech Operations	( 138)
101	43	23101	10000	6677	Liability Ins	( 661)
101	43	23601	30000	6024	CLEMIS	( 112)
101	43	23901	41000	2002	Dispatch	( 3,215)
					Expenditures	(\$88,068)
						<u>\$ -0-</u>

FINANCE COMMITTEE

Moved by Potter supported by Zack the resolution be adopted.

Moved by Potter supported by Coleman the Personnel Committee Report be accepted.

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

Commissioners Minutes Continued. July 22, 2004

Vote on resolution:

AYES: Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Palmer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Douglas, Gregory, Hatchett, Jamian. (24)

NAYS: None. (0)

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

**MISCELLANEOUS RESOLUTION #04179**

BY: Commissioner Peter H. Webster, District #18

**IN RE: BOARD OF COMMISSIONERS - CREATION OF JAIL POPULATION MANAGEMENT TASK FORCE**

To the Oakland County Board of Commissioners

WHEREAS public safety is one of the paramount concerns in Oakland County. The proper management of the County jail population is a complex issue, made more difficult by federal court mandates and insufficient State funding. Over the past years, Oakland County has done an excellent and efficient job of protecting the public and providing sufficient jail space; and

WHEREAS unfortunately, as Oakland County's population increases, the jail population increases. Jail overcrowding is an important issue confronting Oakland County, including two jail overcrowding events in 2003; and

WHEREAS the State of Michigan and its prison system continues to propose plans that do not meet its responsibility to house convicted criminals, shifts that responsibility to Counties without proper financial support; and forces additional inmates to county jails as opposed to the State prison system where those inmates should have been incarcerated; and

WHEREAS Oakland County needs a unified, cooperative and comprehensive approach to developing a jail population management plan and the associated policies to enforce the plan. All County stakeholders should participate to insure reasonable efforts are made to optimize the management of the jail population; and

WHEREAS a Jail Population Management Task Force should be convened to develop a Jail Population Management Plan to reduce dependencies upon the local corrections system, expedite the processing of criminal cases, and recommend jail population management policies.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners establishes a Jail Population Management Task Force consisting of the following persons:

- Chief Judge of the 6<sup>th</sup> Judicial Circuit Court (or designee)
- Chief Judge of the 52<sup>nd</sup> District Court (or designee)
- Representative of the Oakland County District Judges' Association of Non-52<sup>nd</sup> District Courts in Oakland County (or designee)
- Oakland County Executive (or designee)
- Oakland County Sheriff (or designee)
- Oakland County Prosecutor (or designee)
- Corporation Counsel
- Adult Probation Area Manager
- Community Corrections Manager
- Three Commissioners appointed by the Board of Commissioners

BE IT FURTHER RESOLVED that the Task Force develop a Jail Population Management Plan containing long-term solutions to reduce dependencies upon the local corrections system, expedite the processing of criminal cases, and recommend jail population management policies - such recommendations to be consistent with Michigan law.

BE IT FURTHER RESOLVED that the Task Force establish priorities of the classes of offenses that should be housed in the Jail, and consider an apportionment system whereby the Circuit and District Courts in Oakland County would delegate a fixed number of jail beds (predisposition plus sentenced inmates) for offenders under their jurisdiction.

BE IT FURTHER RESOLVED that the Task Force also recommends jail population management policies.

Commissioners Minutes Continued. July 22, 2004

BE IT FURTHER RESOLVED that the Jail Population Management Plan be submitted to the Board of Commissioners no later than December 1, 2004.

Chairperson, I move adoption of the foregoing resolution.

PETER H. WEBSTER, ERIC WILSON,  
MICHAEL ROGERS, WILLIAM PATTERSON,  
EILEEN KOWALL, BILL BULLARD, TOM  
McMILLIN, SUE ANN DOUGLAS, CHUCK  
MOSS, HUGH CRAWFORD, TOM  
MIDDLETON, CHRISTINE LONG, GREG  
JAMIAN, JOHN SCOTT, CHARLES PALMER

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

**MISCELLANEOUS RESOLUTION #04180**

BY : Thomas A. Law, District #17

**IN RE: ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT FOR PROJECT IN THE CHARTER TOWNSHIP OF SOUTHFIELD – FISCAL YEAR 1999, 2000, 2001, 2002 AND 2003 ALLOCATIONS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

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

WHEREAS the Charter Township of Southfield is requesting reimbursement for expenses directly related to controlling sediment runoff from Fourteen Mile Road into the Franklin Branch of the Rouge River; and WHEREAS the FY 1999, FY 2000, FY 2001, FY 2002 and FY 2003 authorized amount of funding for the Charter Township of Southfield is \$380.05 annually from the Environmental Infrastructure Fund as repayment to the Charter Township of Southfield for expenses incurred in connection with environmental remediation or improvement projects.

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

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the FY 1999, FY 2000, FY 2001, FY 2002 and FY 2003 appropriations in the amount of \$380.05 annually from the Environmental Infrastructure Fund (Account #90-263224-41000-3985) to repay the Charter Township of Southfield for expenses incurred in connection with the Franklin Branch of the Rouge River project, once proper invoices are presented.

Chairperson, I move the adoption of the foregoing resolution.

THOMAS LAW

Copy of Environmental Infrastructure Fund Reimbursement Request, Attachment A, B, C, and C-1 on file in County Clerk's office.

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

The Board adjourned at 10:51 a.m. to the call of the Chair on August 5, 2004, at 9:30 a.m.

G. WILLIAM CADDELL  
Clerk

THOMAS A. LAW  
Chairperson