

OAKLAND COUNTY
BOARD OF COMMISSIONERS
MINUTES

August 21, 2008

Meeting called to order by Chairperson Bill Bullard, Jr. at 9:49 a.m. in the Courthouse Auditorium, 1200 N. Telegraph Road, Pontiac, Michigan.

Roll called.

PRESENT: Bullard, Burns, Coleman, Coulter, Crawford, Douglas, Gershenson, Gingell, Gosselin, Gregory, Greimel, Hatchett, Jacobsen, Kowall, Long, Middleton, Nash, Potter, Potts, Rogers, Scott, Spector, Woodward, Zack. (24)
EXCUSED ABSENCE WITH NOTICE: None. (0)

Quorum present.

Invocation given by Mattie Hatchett.

Pledge of Allegiance to the Flag.

Chairperson Bill Bullard, Jr. called for a moment of silence to honor the memory of Commissioner George W. Suarez, who passed away last week. Chairperson Bullard stated that a formal memorial is being planned for the September 4, 2008 Board meeting, when the family of Commissioner Suarez is able to attend. Chairperson Bullard then opened the floor for anyone who wanted to say a few words, or share a memory of Commissioner Suarez.

Moved by Middleton supported by Nash the minutes of the July 31, 2008, Board Meeting be approved.

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

Moved by Kowall supported by Coulter the agenda be amended to remove Finance Committee, item b. – Payment of MAC Dues from the Regular Agenda.

Vote on Agenda, as amended:

AYES: Bullard, Burns, Coleman, Coulter, Douglas, Gershenson, Gingell, Gosselin, Gregory, Greimel, Hatchett, Jacobsen, Kowall, Long, Middleton, Nash, Potter, Potts, Rogers, Scott, Spector, Woodward, Zack. (23)
NAYS: None. (0)

A sufficient majority having voted in favor, the agenda, as amended, was approved.

Chairperson Bill Bullard, Jr. presented a proclamation to Reggie McKenzie honoring him and the Reggie McKenzie Foundation on the 35th anniversary of its football camp clinic and ongoing community service since 1974. Reggie McKenzie addressed the Board and introduced members of the foundation who were in attendance.

Commissioners Minutes Continued. August 21, 2008

Chairperson Bill Bullard, Jr., together with the entire Oakland County Board of Commissioners, presented a proclamation to the members of the Reggie McKenzie Foundation for its outstanding years of service and for its role in contributing to the improvement in the quality of life in our region.

Commissioner Marcia Gershenson, along with Chairperson Bill Bullard, Jr. and the entire Oakland County Board of Commissioners, presented a proclamation to Dave Ross honoring him on the special occasion of his retirement from the Oakland County Department of Facilities Management. Dave Ross addressed the Board.

Gary McGillivray addressed the Board during Public Comment.

Moved by Long supported by Burns the resolutions (with fiscal notes attached) on the Consent Agenda be adopted (with accompanying reports being accepted). The vote for this motion appears on page 692. The resolutions on the Consent Agenda follow (annotated by an asterisk {*}):

***MISCELLANEOUS RESOLUTION #08156**

BY: Planning and Building Committee, Sue Ann Douglas, Chairperson

IN RE: DRAIN COMMISSIONER – GEORGE W. KUHN DRAINAGE DISTRICT DRAIN BONDS – FULL FAITH AND CREDIT RESOLUTION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Drainage Board for the George W. Kuhn Drain, by resolution adopted on July 15, 2008, authorized and provided for the issuance by the George W. Kuhn Drainage District of its Drain Bonds, Series 2008H in the aggregate principal amount of not to exceed \$9,100,000 to defray part of the cost of the George W. Kuhn Drain; and

WHEREAS the Drain Bonds, Series 2008H will not exceed in the aggregate \$9,100,000, will be dated as of such date, will bear interest at such rates not to exceed 8% per annum, will be in the aggregate principal amount, will mature in such years and principal amounts, and will be subject to redemption prior to maturity as shall be determined by the Oakland County Drain Commissioner as Chairperson of the Drainage Board for the George W. Kuhn Drainage District; and

WHEREAS the Drainage Board deems it advisable and necessary to obtain from this Board a resolution pledging the full faith and credit of the County of Oakland (the "County") for the payment of the principal of and interest on the Drain Bonds, Series 2008H (the "Bonds"); and

WHEREAS the George W. Kuhn Drain is necessary to protect and preserve the public health and, therefore, it is in the best interest of the County that the Bonds be sold.

NOW THEREFORE BE IT RESOLVED that:

1. Pursuant to the authorization provided in Section 474 of the Drain Code of 1956, as amended, the Board of Commissioners of the County hereby pledges irrevocably the full faith and credit of the County for the prompt payment of the principal of and interest on the Drain Bonds, Series 2008H not to exceed in the aggregate \$9,100,000, and agrees that, in the event the public corporations assessed for the cost of the George W. Kuhn Drain shall fail or neglect to account to the County Treasurer of the County for the amount of any special assessment installment and interest when due, the amount thereof shall be advanced immediately from County funds, and the County Treasurer is directed to make such advancement to the extent necessary.
2. In the event that, pursuant to the pledge of full faith and credit, the County advances out of County funds all or any part of an installment and interest, it shall be the duty of the County Treasurer, for and on behalf of the County, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.
3. The County Treasurer or the financial consultant, Municipal Financial Consultants, is authorized to file with the Department of Treasury of the State of Michigan on behalf of the County an Application for the State Treasurer's Approval to Issue Bonds with respect to the Bonds.
4. The County Treasurer is authorized, if necessary, to approve the circulation of a preliminary and final official statement for the Bonds, to cause the preparation of those portions of the preliminary and final official statement that pertain to the County, and to do all other things necessary for compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended

(the "Rule"). The County Treasurer is authorized to execute and deliver such certificates and to do all other things that are necessary to effectuate the sale and delivery of the Bonds.

5. The County Treasurer is hereby authorized, if necessary, to execute and deliver in the name and on behalf of the County (i) a certificate of the County to comply with the requirements for a continuing disclosure undertaking of the County pursuant to subsection (b)(5) of the Rule and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). To the extent a Continuing Disclosure Certificate is executed and delivered, the County hereby covenants and agrees that it will comply with and carry out all of the provisions of such Continuing Disclosure Certificate. The remedies for any failure of the County to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

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

PLANNING AND BUILDING COMMITTEE

FISCAL NOTE (MISC. #08156)

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: DRAIN COMMISSIONER - GEORGE W. KUHN DRAINAGE DISTRICT DRAIN BONDS - FULL FAITH AND CREDIT RESOLUTION

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 Drainage Board for the George W. Kuhn Drain is requesting that the Board of Commissioners pledge the full faith and credit of the County of Oakland for the payment of principal and interest on the George W. Kuhn Drainage District Drain Bonds, Series 2008H.
2. The bond issue is not to exceed \$9,100,000 and is to be used for constructing the George W. Kuhn Drain, Flushing System Rehabilitation - Contract 6B.
3. The Bonds shall bear an interest rate not to exceed 8% per annum, will be in aggregate principal amounts, will mature in such years and principal amounts and will be callable prior to maturity as determined necessary by the Drainage Board at the time of issue.
4. The bonds are to be sold in a private negotiated sale to the Michigan Municipal Bond Authority, as part of their Michigan Water Pollution Control Revolving Loan Program at 2.500% interest in September 2008.
5. The statutory limit for County debt is \$7,449,108,156 (10% of State Equalized Value). As of June 30, 2008, the total pledged debt is \$313,116,668 or approximately 0.42034% of the S.E.V.
6. The estimated project cost of \$9,100,000 will be apportioned to the following Public Corporations as follows with \$560,532.70 or 6.1597% to the City of Berkley, \$421,821.40 or 4.6354% to City of Birmingham, \$511,865.90 or 5.6249% to City of Clawson, \$888,660.50 or 9.7655% to City of Ferndale, \$194,803.70 or 2.1407% to City of Hazel Park, \$278,760.30 or 3.0633% to City of Huntington Woods, \$936,572.00 or 10.2920% to City of Madison Heights, \$1,166,265.10 or 12.8161% to City of Oak Park, \$115,661.00 or 1.2710% to City of Pleasant Ridge, \$2,576,728.70 or 28.3157% to City of Royal Oak, \$666,429.40 or 7.3234% to City of Southfield, \$227,672.90 or 2.5019% to City of Troy, \$143,425.10 or 1.5761% to Township of Royal Oak, \$72,290.40 or .7944% to Village of Beverly Hills, \$138,911.50 or 1.5265% to Oakland County for County Roads and \$199,599.40 or 2.1934% to State of Michigan for drainage of state highways.
7. The Public Corporations will pay for the bonds through a Special Assessment Roll for the George W. Kuhn Drain.
8. The State of Michigan and Oakland County will pay their cost up front to opt out of the bond sale and avoid annual bond interest payments.
9. Funding is available in the Non-Departmental Current Drain Assessment account to cover Oakland County's apportionment cost of the project.
10. No budget amendment is required.

FINANCE COMMITTEE

(The vote for this motion appears on page 692.)

***MISCELLANEOUS RESOLUTION #08157**

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: DEPARTMENT OF PUBLIC SERVICES/COMMUNITY CORRECTIONS - DEVELOPMENT OF AN OBJECTIVE PRETRIAL ASSESSMENT TOOL

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the purpose of setting bail is to ensure a defendants appearance in court and to mitigate any risk of rearrest or dangerousness; and

WHEREAS Pretrial Services gathers and verifies information for the judicial officer regarding factors that must be taken into consideration under MCR 6.106 when setting bail; and

WHEREAS MCR 6.106 lists these factors, but does not indicate how these factors identify defendants who are at most and least risk of pretrial failure; and

WHEREAS the assessment of risk should be determined through a standardized, objective tool; and

WHEREAS an objective pretrial assessment tool gives predictive value in identifying those defendants whom are at most and least risk of pretrial failure; and

WHEREAS research shows that agencies who use only a subjective method of assessing risk are more than twice as likely to have a jail population that exceeds its capacity; and

WHEREAS Oakland County Pretrial Services has never used an objective tool; and

WHEREAS the pretrial population at the Oakland County Jail is generally about 40%; and

WHEREAS an objective pretrial assessment tool could assist the criminal justice system in identifying defendants within our jail that may be able to be safely released into the community thereby freeing jail beds for convicted and dangerous offenders; and

WHEREAS the Capital and Cooperative Initiatives Revolving Fund (CCIRF) was established pursuant to Miscellaneous Resolution # 07216; and

WHEREAS the CCIRF is designed to be used for projects that "support the initiatives that impact the services provided to Oakland County residents through the County government and the various cities, villages, and townships within the County"; and

WHEREAS Pretrial Services is a service provided by county government which is offered to all the cities, villages and townships of Oakland County through the respective District Courts; and

WHEREAS the creation of an objective pretrial risk assessment would significantly affect the service provided to residents that have need of our service; and

WHEREAS the proposal for the development of an assessment was approved by the Oakland County District Court Judges Association, with a majority of non-fifty second courts supporting the proposal; and

WHEREAS this project meets all the requirements for use of CCIRF funding.

NOW THEREFORE BE IT RESOLVED that \$75,000 is allocated from the Capital Cooperatives and Initiatives Revolving Fund (CCIRF) for the purpose of contracting with a qualified vendor to develop an objective pretrial assessment tool.

BE IT FURTHER RESOLVED that the development of this tool may also include recommendations regarding the streamlining of case processing.

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

PUBLIC SERVICES COMMITTEE

FISCAL NOTE (MISC. #08157)

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: DEPARTMENT OF PUBLIC SERVICES/COMMUNITY CORRECTIONS – DEVELOPMENT OF AN OBJECTIVE PRETRIAL ASSESSMENT TOOL

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 proposal for the development of an assessment was approved by the Oakland County District Court Judges Association, with a majority of non-fifty second courts supporting the proposal.

2. This project meets all the requirements for use of CCIRF funding.
3. Funding of \$75,000 for this proposal will be transferred from the Capital Cooperative Initiatives Revolving Fund (CCIRF) to the Public Services Community Corrections division for the purpose of contracting with a qualified vendor to develop an objective pretrial assessment tool.
4. A budget amendment for Fiscal Year 2008 and Fiscal Year 2009 is recommended as follows:

<u>CAP COOP INIT REV FUND (CCIRF) (#21150)</u>	<u>FY 2008</u>
<u>Expenditures</u>	
9010101-112700-731458 Professional Svcs	(\$75,000)
9010101-112700-788001-10100 Transfer to General Fund	<u>75,000</u>
Total Expenditures	<u>\$ -0-</u>
 <u>GENERAL FUND (#10100)</u>	
<u>Revenue</u>	
1070401-113000-695500-21150 Transfer in from CCIRF	<u>\$75,000</u>
<u>Expenditure</u>	
1070401-113000-731458 Professional Svcs	<u>\$75,000</u>
	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 692.)

***MISCELLANEOUS RESOLUTION #08158**

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: SHERIFF'S OFFICE – NARCOTICS ENFORCEMENT TEAM (NET) INTERLOCAL AGREEMENT WITH THE VILLAGE OF BEVERLY HILLS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners adopted Miscellaneous Resolution #00307 on December 14, 2000 authorizing the Narcotics Enforcement Team (NET) to operate under the direction of the Sheriff; and

WHEREAS as part of the policy and operational control on NET, the County and the local units have agreed upon the attached Interlocal Agreement (Miscellaneous Resolution #01024); and

WHEREAS the Village of Beverly Hills is requesting to join the Oakland County Narcotics Enforcement Team; and

WHEREAS the Village of Beverly Hills has agreed to the attached Interlocal Agreement between the Village and the County; and

WHEREAS the Sheriff and the NET Advisory Board have agreed to allow the Village of Beverly Hills to participate in NET and have agreed to the attached Interlocal Agreement; and

WHEREAS Corporation Counsel has approved the attached agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the attached Interlocal Agreement with The Village of Beverly Hills and authorizes the Chairperson of the Board to sign the agreement.

BE IT FURTHER RESOLVED that one unmarked vehicle with radio and prep be added to the County fleet.

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

PUBLIC SERVICES COMMITTEE

Oakland County Narcotic Enforcement Team

BETWEEN OAKLAND COUNTY AND VILLAGE OF BEVERLY HILLS

This Interlocal Agreement ("the Agreement") is made between Oakland County, a Constitutional and Municipal Corporation, 1200 North Telegraph, Pontiac, Michigan 48341 ("County"), and Village of Beverly Hills, a municipal corporation located in the County of Oakland, 18500 West Thirteen Mile Road, Beverly Hills, Michigan 48025 ("Participating Agency"). In this Agreement, the County and the Participating Agency may also be referred to individually as "Party" or jointly as "Parties."

PURPOSE OF AGREEMENT. Pursuant to the Urban Cooperation Act of 1967, 1967 PA 7, MCL 124.501, *et seq.*, the County and the Participating Agency enter into this Agreement for the purpose of creating the Oakland County Narcotic Enforcement Team under the direction and supervision of the

Oakland County Sheriff's Department ("OCSD") and creating the Oakland County Narcotic Enforcement Team Advisory Board to provide recommendations and counsel regarding the direction and operation of the Oakland County Narcotic Enforcement Team.

The mission of the Oakland County Narcotic Enforcement Team is to encourage interagency cooperation between law enforcement agencies within Oakland County and other federal agencies in an effort to apprehend and convict those involved in the use, sale, and distribution of illegal drugs and narcotics.

The goals of the Oakland County Narcotic Enforcement Team are:

1. To investigate drug trafficking within Oakland County with the purpose of detecting and apprehending persons who violate narcotic and drug laws within Oakland County.
2. To provide a means of training officers of these agencies in the techniques of narcotic and drug law enforcement.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

1. ENTITIES PERFORMING UNDER THIS AGREEMENT. All County services and obligations set forth in this Agreement shall be provided through the Oakland County Sheriff's Department. All Participating Agency's services and obligations set forth in this Agreement shall be performed by the Village of Beverly Hills. The Oakland County Narcotic Enforcement Advisory Board will provide recommendations and counsel regarding the direction and operation of the Oakland County Narcotic Enforcement Team.
2. DEFINITIONS. The following words and expressions used throughout this Agreement, whether used in the singular or plural, within or without quotation marks, or possessive or nonpossessive, shall be defined, read, and interpreted as follows.
 - 2.1. County means Oakland County, a Municipal and Constitutional Corporation, including, but not limited to, any and all of its departments, divisions, the County Board of Commissioners, elected and appointed officials, directors, board members, council members, commissioners, authorities, committees, employees, agents, subcontractors, volunteers, and/or any such person's successors.
 - 2.2. Day means any calendar day beginning at 12:00:01 a.m. and ending at 11:59:59 p.m.
 - 2.3. Fiscal Year means October 1 to September 30.
 - 2.4. Participating Agency means Village of Beverly Hills, including, but not limited to, its Council, any and all of its departments, divisions, committees, authorities, elected and appointed officials, directors, board members, council members, commissioners, employees, agents, subcontractors, volunteers, and/or any such person's successors.
 - 2.5. Oakland County Narcotic Enforcement Team "NET" means a multi-jurisdictional task force under the direction and supervision of the Oakland County Sheriff's Department, operating pursuant to the mission and goals set forth in the Agreement
 - 2.6. Oakland County Narcotic Enforcement Team Advisory Board ("NET Advisory Board") means the body made up of the Participating Agency's Police Chief or their designee who supply personnel to NET on a full-time basis and a representative of the Oakland County Prosecutor's Office.
3. AGREEMENT EXHIBITS. The Exhibits listed below and their properly promulgated amendments are incorporated and are part of this Agreement.
 - 3.1. Exhibit A. NET Bylaws.
4. COUNTY RESPONSIBILITIES. Subject to the terms and conditions contained in this Agreement and applicable changes in law, the County shall provide the following:
 - 4.1. A building for use by NET, including repair and maintenance of the building;
 - 4.2. Utilities for the building, including, but not limited to, electricity, heating, cooling and water;
 - 4.3. Janitorial Services;
 - 4.4. Office furniture and equipment, including, but not limited to, telephones, copier, fax, office supplies, and computer hardware and software, and repair and maintenance of such furniture and equipment;
 - 4.5. Security equipment for the building;
 - 4.6. Fire alarm and detection equipment;
 - 4.7. Coordination of training of NET personnel;
 - 4.8. Except for a duty weapon, equipment related to the operation of NET, including, but not limited to, radios, cellular phones, pagers, bullet proof vests, travel related to NET operations, and investigative expenses related to NET operations;

- 4.9. Vehicles needed for the operation of NET;
- 4.10. Deputation of all NET personnel; and
- 4.11. Liability Protection for the employees assigned to NET by the Participating Agency as set forth in Section 8.2.
- 5. PARTICIPATING AGENCY'S RESPONSIBILITIES. Subject to the terms and conditions contained in this Agreement and applicable changes in law, the Participating Agency shall provide the following:
 - 5.1. One or more full-time employees with a duty weapon for participation in NET. All costs associated with employment, including, but not limited to, wages, salary, overtime, benefits, local, state and federal taxes associated with employment, and worker's compensation, which costs shall be the sole responsibility of the Participating Agency.
- 6. NET ADVISORY BOARD RESPONSIBILITIES. Subject to the terms and conditions contained in the Agreement and applicable changes in law, the NET Advisory Board shall perform the following:
 - 6.1. Provide recommendations and counsel regarding the direction and operation of NET; and
 - 6.2. Create and regularly review the NET Bylaws and amend them if necessary.
 - 6.3. The Advisory Board shall meet at least quarterly. Proper notice of the meetings shall be sent to all Participating Agencies at least seven (7) calendar days before the meeting is scheduled.
- 7. DURATION OF INTERLOCAL AGREEMENT.
 - 7.1. The Agreement and any amendments hereto shall be effective when executed by both Parties with concurrent resolutions passed by the governing bodies of each Party, and when the Agreement is filed according to MCL 124.510. The approval and terms of this Agreement and any amendments hereto shall be entered in the official minutes of the governing bodies of each Party.
 - 7.2. This Agreement shall remain in effect until cancelled or terminated by either Party pursuant to Section 9.
- 8. ASSURANCES.
 - 8.1. Except as provided in Section 8.2, each Party shall be responsible for its own acts and the acts of its employees, agents, and subcontractors, the costs associated with those acts, and the defense of those acts.
 - 8.2. Because the employees specifically assigned and supplied by the Participating Agency to the Task Force are under the control and supervision of the County, i.e., the Task Force Sergeant, such employees of the Participating Agency will be covered under the County Indemnification Policy (specifically, County Miscellaneous Resolutions 85339 and 86124 and any amendments thereto) for law enforcement professional liability while acting within the scope of their authority under the Task Force. Consistent with County Miscellaneous Resolutions 85339 and 86124, and as further described in such Resolutions, the County shall select the attorney to represent individuals on the Task Force and shall remain in control and supervision over any claims or lawsuits involving the individuals on the Task Force including, but not limited to, settlement of any claims or lawsuits. The County liability protection pursuant to this Section shall be primary and the Participating Agency's liability protection shall be excess.
- 9. TERMINATION OR CANCELLATION OF AGREEMENT.
 - 9.1. Either Party may terminate or cancel this Agreement for any reason upon 30 days notice before the effective date of termination or cancellation. The effective date for termination or cancellation shall be clearly stated in the notice.
 - 9.2. The Parties shall not be obligated to pay a cancellation or termination fee if this Agreement is cancelled or terminated as provided herein.
- 10. SUSPENSION OF SERVICES. Upon notice to the Participating Agency and recommendation from the NET Advisory Board, the County may immediately suspend this Agreement or the Participating Agency's participation in NET if the Participating Agency has failed to comply, within the County's discretion, with federal, state, or local law, or any requirements contained in this Agreement. The right to suspend services is in addition to the right to terminate or cancel this Agreement contained in Section 9. The County shall incur no penalty, expense, or liability if services are suspended under this Section.
- 11. NO THIRD PARTY BENEFICIARIES. Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right in favor of any other person or entity.

12. COMPLIANCE WITH LAWS. Each Party shall comply with all federal, state, and local statutes, ordinances, regulations, administrative rules, and requirements applicable to its activities performed under this Agreement, including, but not limited to, the policies, procedures, rules and regulations attached as Exhibits to this Agreement, and properly promulgated amendments to those Exhibits.
13. DISCRIMINATION. The Parties shall not discriminate against their employees, agents, applicants for employment, or another persons or entities with respect to hire, tenure, terms, conditions, and privileges of employment, or any matter directly or indirectly related to employment in violation of any federal, state or local law.
14. PERMITS AND LICENSES. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations for its employees and/or agents necessary to perform all its obligations under this Agreement. Upon request, a Party shall furnish copies of any permit, license, certificate or governmental authorization to the requesting Party.
15. RESERVATION OF RIGHTS. This Agreement does not and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties.
16. FORCE MAJEURE. Each Party shall be excused from any obligations under this Agreement during the time and to the extent that a Party is prevented from performing due to causes beyond such Party's control, including, but not limited to, an act of God, war, acts of government (other than the Parties'), fire, strike, labor disputes, civil disturbances, reduction of power source, or any other circumstances beyond the reasonable control of the affected Party. Reasonable notice shall be given to the affected Party of any such event.
17. DELEGATION/SUBCONTRACT/ASSIGNMENT. A Party shall not delegate, subcontract, and/or assign any obligations or rights under this Agreement without the prior written consent of the other Party. A delegation, subcontract and/or assignment made without the prior written consent of the other Party is void.
18. NO IMPLIED WAIVER. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
19. SEVERABILITY. If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.
20. CAPTIONS. The section and subsection numbers, captions, and any index to such sections and subsections contained in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers, captions, and indexes shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or nonpossessive use in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.
21. NOTICES. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (1) the date of actual receipt; (2) the next business day when notice is sent express delivery service or personal delivery; or (3) three days after mailing by first class or certified U.S. mail.
 - 21.1. If Notice is set to the County, it shall be addressed and sent to: Oakland County Sheriff Office, 1200 N. Telegraph, Building 38 East, Pontiac, MI 48341 and Chairperson of the Oakland County Board of Commissioners, 1200 North Telegraph, Building 12 East, Pontiac, Michigan 48341-0470.
 - 21.2. If Notice is sent to the Participating Agency, it shall be addressed to: Director of Public Safety, Village of Beverly Hills, 18500 West Thirteen Mile Road, Beverly Hills, Michigan 48025.

21.3. Either Party may change the address and/or individual to which Notice is sent by notifying the other Party in writing of the change.

22. GOVERNING LAW/CONSENT TO JURISDICTION AND VENUE. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any Claim arising under or related to this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan, the 50th District Court of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above.

23. AGREEMENT MODIFICATIONS OR AMENDMENTS. Any modifications, amendments, rescissions, waivers, or releases to this Agreement must be in writing and agreed to by both Parties. Unless otherwise agreed, the modification, amendment, rescission, waiver, or release shall be signed by the same persons who signed the Agreement or other persons as authorized by the Party's governing body.

24. ENTIRE AGREEMENT. This Agreement represents the entire Agreement and understanding between the Parties. This Agreement supersedes all other oral or written Agreements between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any Party.

The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.

IN WITNESS WHEREOF, _____, hereby acknowledges that he has been authorized by a resolution of the Village of Beverly Hills Council, a certified copy of which is attached, to execute this Agreement on behalf of the Village of Beverly Hills:

EXECUTED: _____ DATE: _____

Name:
Title:

WITNESSED: _____ DATE: _____

Name
Title

IN WITNESS WHEREOF, Bill Bullard, Jr., Chairperson, Oakland County Board of Commissioners, hereby acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners, a certified copy of which is attached, to execute this Agreement on behalf of the Oakland County.

EXECUTED: _____ DATE: _____

Bill Bullard, Jr. Chairperson
Oakland County Board of Commissioners

WITNESSED: _____ DATE: _____

Ruth Johnson, Clerk, Register of Deeds
County of Oakland

FISCAL NOTE (MISC. #08158)

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: SHERIFF'S OFFICE – NARCOTICS ENFORCEMENT TEAM (NET) INTERLOCAL AGREEMENT WITH THE VILLAGE OF BEVERLY HILLS

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 Village of Beverly Hills has requested to join the Oakland County Narcotics Enforcement Team (NET).
2. This agreement authorizes one unmarked vehicle with a radio and prep be added to the County Fleet.
3. Capital acquisition funding of \$17,000 for a used car, preparation labor, and parts is available in Law Enforcement Enhancement (4030101-222430), which has a current balance of \$81,195 as of August 5, 2008.

4. Annual operating expenses for the leased vehicle (including gasoline surcharge) is \$9,430 and radio cost is \$788 for a total operating cost of \$10,218.
5. Remaining operating expenses for Fiscal Year 2008 is \$786 for the leased vehicle and \$66 for the radio, for a total operating cost of \$852.
6. Funding is available in the General Fund Non-departmental Contingency account to cover the operating expense for Fiscal Year 2008.
7. A budget amendment is recommended for Fiscal Year 2008 as well as the Fiscal Year 2009 and Fiscal Year 2010 County Executive Recommended Budget as follows:

GENERAL FUND #10100

<u>FY 2008</u>	<u>FY 2009</u>		<u>FY 2010</u>
<u>Expenditures</u>			
9090101-196030-730359 Non-Dept Contingency	(\$ 852)	(\$10,218)	(\$10,218)
4030601-110000-776661 Motor Pool	786	9,430	9,430
4030601-110000-777560 Radio Comm.	66	788	788
	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>
 <u>Capital Costs</u>			
4030101-112580-670285 Enhancement Funds	\$ 17,000		
4030601-116180-788001-66100 Trfrs to Motorpool	17,000		
	<u>\$ -0-</u>		
Total General Fund Expenditures	<u>\$ -0-</u>		

MOTOR POOL FUND #66100

<u>Revenues</u>			
1030811-184010-631071 Leased Equipment	\$ 786	\$ 9,430	\$ 9,430
1030811-184010-695500-10100 Trfrs from General	17,000	-0-	-0-
Total Motorpool Revenue	<u>\$ 17,786</u>	<u>\$ 9,430</u>	<u>\$ 9,430</u>
 <u>Expenditures</u>			
1030811-184010-761156 Depreciation	\$ 786	\$ 9,430	\$ 9,430
Total Motorpool Expenses	<u>\$ 786</u>	<u>\$ 9,430</u>	<u>\$ 9,430</u>
Motorpool-Estimated Change in Fund Equity	<u>\$ 17,000</u>	<u>\$ 0</u>	<u>\$ -0-</u>
 <u>RADIO COMMUNICATIONS FUND #53600</u>			
<u>Revenue</u>			
1080310-115150-631071 Leased Equipment	\$ 66	\$ 788	\$ 788
Total Radio Comm. Revenue	<u>\$ 66</u>	<u>\$ 788</u>	<u>\$ 788</u>
 <u>Expenditures</u>			
1080310-116170-750170 Expendable Equip.	\$ 66	\$ 788	\$ 788
Total Radio Communications Expenses	<u>\$ 66</u>	<u>\$ 788</u>	<u>\$ 788</u>
Radio Comm.-Estimated Change in Fund Equity	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>

FINANCE COMMITTEE

(The vote for this motion appears on page 692.)

***MISCELLANEOUS RESOLUTION #08159**

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: CIRCUIT COURT AND PROBATE COURT – FISCAL YEAR 2008 CIRCUIT AND PROBATE COURT’S REPLACEMENT OF COURT REPORTERS WITH AUDIO VIDEO DIGITAL COURT RECORDING SYSTEMS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Circuit and Probate Courts are committed to administering justice while working to improve the quality and efficiency of their operations; and

WHEREAS the Circuit and Probate Courts currently have sixteen (16) fully operational Digital Court Recording Systems in judicial courtrooms and five (5) in referee hearing rooms within the Courthouse; and

WHEREAS the Circuit Court has decided to eliminate one (1) Court Reporting Position (Position #2079, Effective 10/1/08) and replace it with one (1) Digital Recording System; and

WHEREAS the Circuit Court has decided to eliminate two (2) Court Reporting Positions (Position #2287 and 3641, Effective 10/1/09) and replace them with two (2) Digital Recording Systems; and
WHEREAS the Probate Court has decided to eliminate one (1) Court Reporting Position (Position #1274, Effective 1/1/09) and replace it with one (1) Digital Recording System; and
WHEREAS the Equipment Fund will begin charging replacement costs to the Circuit and Probate Courts to ensure funds will be available upon retiring the equipment; and
WHEREAS the total amount charged to the Circuit and Probate Courts will include replacement cost, maintenance contract and an anticipated replacement cost increase; and
WHEREAS the Equipment Fund is responsible for all incidental replacements and the support contract; and
WHEREAS the estimated cost of the equipment and installation is \$200,000; and
WHEREAS a support contract will be needed to maintain the systems with an approximate cost per system is \$3,000 per year; and
WHEREAS the useful life of a system is five (5) to ten (10) years; and
WHEREAS no additional expertise will be required to maintain the operations of the four (4) new systems and there will be no disruption in court operations during the installation; and
WHEREAS the Courts plan to have all four (4) systems installed and operational by no later than January 1, 2009.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the one time appropriation from the Designated Fund Balance for the purchase of four (4) Audio Video Digital Court Recording Systems.

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

PUBLIC SERVICES COMMITTEE

FISCAL NOTE (MISC. #08159)

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: CIRCUIT COURT AND PROBATE COURT – FISCAL YEAR 2008 CIRCUIT AND PROBATE COURT'S REPLACEMENT OF COURT REPORTERS WITH AUDIO VIDEO DIGITAL COURT RECORDING SYSTEMS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The Circuit and Probate courts are deleting (4) four Court Reporter positions effective January 1, 2009, and replacing them with (4) four Digital Court Reporting Systems.
2. The estimated cost for installation and equipment is \$200,000.
3. The estimated Fiscal Year 2009 maintenance contract expense for all four new systems is \$12,000. The actual cost will be determined at the time of the contract acceptance. The Equipment Fund will pay for the maintenance contract and then be reimbursed by the departments for actual expenditures.
4. The Equipment Fund will charge a future replacement cost for Fiscal Year 2009 of \$11,880 to the Probate and Circuit Court's general fund budget. The future replacement charge will start January 1, 2009 and end January 1, 2014. The total estimated future replacement cost for all (4) four systems is \$79,200 (\$19,800 per system).
5. The Equipment Fund will charge rental \$31,840/yr. Due to the effective date of January 1, 2009, the Fiscal Year 2009 charge will represent 75% of the estimated annual cost; totaling \$23,880.
6. The Fiscal Year 2009 cost savings for all (4) four court reporter positions is \$303,785. The Fiscal Year 2009 and Fiscal Year 2010 County Executive Recommended Budget reflects savings of \$158,175, and a budget amendment will be introduced to recognize the additional savings of \$145,610 during the Fiscal Year 2009 budget process.
7. The total estimated net savings for Fiscal Year 2009 is \$79,905.
8. The total estimated annual net savings after Fiscal Year 2009 is \$342,586.
9. The initial cost of the (4) new Digital Court Reporting Systems will be paid from the Designated Fund Balance (Operational Improvements 10100-9010101-196030-371350).
10. A budget amendment for Fiscal Years 2008, 2009 and 2010 is recommended as follows:

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<u>FUND 10100 GENERAL FUND:</u>	<u>FY2008</u>	<u>FY2009</u>	<u>FY2010</u>
<u>Revenue:</u>			
9010101-196030-665882 Planned Use of Fund Balance	\$200,000	\$ -	\$ -
Total Revenue Fund 10100	\$200,000	\$ -	\$ -
<u>Expenditure:</u>			
3010301-182060-788001-66400 Transfer Out	\$150,000	\$ -	\$ -
3040101-124015-788001-66400 Transfer Out	50,000	-	-
3040403-124015-772618 Equipment Rental	-	5,970	7,960
3010101-121130-702010 Salaries	-	(23,880)	(31,840)
3010301-121130-772618 Equipment Rental	-	17,910	23,880
Total Expenditure Fund 10100	\$200,000	\$ -	\$ -
<u>FUND 66400 – OFFICE EQUIPMENT FUND:</u>			
	<u>FY2008</u>	<u>FY2009</u>	<u>FY2010</u>
<u>Revenue:</u>			
1020640-182060-695500-10100 Transfer In	\$200,000	\$ -	\$ -
1020640-182060-630658 Equipment Rental	-	23,880	31,840
1020640-182060-665882 Planned Use of Fund Balance	-	18,120	24,160
Total Revenue Fund 66400	\$200,000	\$42,000	\$56,000
<u>Expenditure:</u>			
1020640-182060-750170 Expendable Equipment	\$200,000	\$ -	\$ -
1020640-182060-761121 Depreciation Equipment	-	30,000	40,000
1020640-182060-731150 Maintenance Contract	-	12,000	16,000
Total Expenditure Fund 66400	\$200,000	\$42,000	\$56,000
Total	\$ -0-	\$ -0-	\$ -0-

FINANCE COMMITTEE

(The vote for this motion appears on page 692.)

***REPORT (MISC. #08160)**

BY: Personnel Committee, Thomas F. Middleton, Chairperson

IN RE: CIRCUIT COURT/CIVIL/CRIMINAL AND FAMILY 2008 ADULT AND JUVENILE DRUG COURT REORGANIZATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Personnel Committee having reviewed Miscellaneous Resolution #08160 on August 13, 2008 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 #08160

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: CIRCUIT COURT/CIVIL/CRIMINAL AND FAMILY 2008 ADULT AND JUVENILE DRUG COURT REORGANIZATION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Circuit Court has reviewed their current business practices and identified several changes that could be made to increase efficiency and lower the operational costs without impacting the services currently provided to clients of the Adult and Juvenile Drug Court programs; and

WHEREAS with diminishing Federal and State funding and two impending Community Service Coordinator vacancies in the Adult and Juvenile Drug Courts; and

WHEREAS the Circuit Court proposes to combine the Adult and Juvenile Drug Program Courts by combining the duties of both the Adult Drug Court Community Service Coordinator and the Juvenile Drug Court Community Coordinator into one position by upwardly reclassifying a Community Service Coordinator position to a Youth and Family Casework Supervisor position; and

WHEREAS due to the implementation of the DCCMIS system through SCAO and to meet reporting requirements, the Circuit Court requests to delete the SR part-time non-eligible Technical Aide position and replace it by creating a SR full-time eligible Technical Assistant position; and

WHEREAS to offset the cost of the upgrades, the Circuit Court requests to delete one (1) SR Community Service Coordinator position in the Circuit Court Civil/Criminal Division.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the reorganization of the Circuit Court as follows:

1. To upwardly reclassify SR position #3010402-09712 from Community Service Coordinator (salary grade 11) to Youth and Family Casework Supervisor (salary grade 14); and
2. To create a SR full-time eligible Technical Assistant (salary grade 8) position in the Family Court Services unit (3010402) of the Circuit Court Family Division (30104); and
3. To delete a SR part-time non-eligible Technical Aide (excepted from salary plan) position #3010402-09836 in the Circuit Court Family division; and
4. To delete a SR full-time eligible Community Service Coordinator (salary grade 11) position #3010301-09837 in the Circuit Court Civil/Criminal division.

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

PUBLIC SERVICES COMMITTEE

FISCAL NOTE (MISC. #08160)

BY: Finance Committee, Sue Ann Douglas, Chairperson

IN RE: CIRCUIT COURT/CIVIL/CRIMINAL AND FAMILY 2008 ADULT AND JUVENILE DRUG COURT REORGANIZATION

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. Effective October 1, 2008 the Circuit Court will reorganize the Juvenile and Adult Drug court personnel to combine the responsibilities and operations into one Drug Court.
2. Total estimated grant cost savings is \$47,734. The total savings are comprised of the following: \$94,696 in cost savings from deleting one (1) Special Revenue Community Service Coordinator position #3010402-09837, \$17,283 in cost savings from deleting one (1) Special Revenue PTNE 1,000/hr Technical Aide position #3010402-09836, (\$6,208) in additional cost from upwardly reclassifying one Special Revenue Community Services Coordinator position #3010402-09712 (Grade 11) to a Special Revenue Youth and Family Casework Supervisor (grade 14), and (\$58,037) in additional cost from the creation of one Special Revenue FTE Technical Assistant (grade 8).
3. The Drug Court reorganization is dependent upon the following: SCAO approval, Fiscal Year 2009 SCAO Drug Court grants awards, and Fiscal Year 2009 Child Care Fund approval.
4. No budget amendment is recommended at this time. The budget savings will be recognized at the time of the grants' acceptances and approval of the reorganization by the State Court's Administrative Office.

FINANCE COMMITTEE

(The vote for this motion appears on page 692.)

***MISCELLANEOUS RESOLUTION #08162**

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: CIRCUIT COURT/FAMILY DIVISION 2008 JUVENILE DRUG COURT – JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT – GRANT ACCEPTANCE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Michigan Department of Human Services (DHS), Bureau of Juvenile Justice (BJJ) – Juvenile Justice and Delinquency Prevention Act – Juvenile Justice Grant Unit (JJGU) has awarded grant funding to the Circuit Court Family Division in the amount of \$125,000 with a grant period of March 1, 2008 through February 08, 2009, with a two year renewable option; and

WHEREAS this award represents continuation of program funding that targets youth with co-occurring disorders (substance abuse and mental health) that are non-violent repeat offenders charged with alcohol and/or controlled substance related offenses or charged with minor delinquency where substance abuse is a contributing factor; and

WHEREAS one of the barriers that has prevented identified youth from participating in the Oakland County Juvenile Drug Court program has been lack of transportation, childcare and wraparound support; and

WHEREAS participation in this program will increase skill building and help to improve family relationships, reduce dropout rate, and increase likelihood of success after completion of the program; and

WHEREAS this program is to insure that the Circuit Court Family Division Juvenile Drug Court is utilized to maximum capacity throughout the year; and

WHEREAS the Circuit Court Family Division – Juvenile Drug Court, is awarded \$125,000 in State funds with general purpose Child Care Fund match support of \$125,000, for a total program budget of \$250,000; and

WHEREAS the grant award also funds contractual substance abuse and mental health treatment and consultation services; training, training supplies, incentives, promotional supplies; also provide travel and transportation in support of this grant; and

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

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

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the Michigan Department of Human Services Bureau of Juvenile Justice (BJJ) – Juvenile Justice Grant Unit (JJGU) grant, in the amount of \$250,000 with \$125,000 matching funds from the Child Care Fund.

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

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

BE IT FURTHER RESOLVED that this grant will fund contractual substance abuse, wraparound, child care services, mental health treatment, and consultation services; training, training supplies, incentives, and promotional supplies; travel; and transportation.

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

PUBLIC SERVICES COMMITTEE

Copy of Grant Sign Off: Circuit Court – Family Division – 2008 Juvenile Justice and Delinquency Prevention Act – Grant Acceptance and Agreement between Michigan Department of Human Services and Oakland County Circuit Court – Family Division on file in County Clerk's office.

FISCAL NOTE (MISC. #08162)

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: CIRCUIT COURT/FAMILY DIVISION 2008 JUVENILE DRUG COURT – JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT – GRANT ACCEPTANCE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

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

1. The Circuit Court Family Division has received a grant from the Michigan Family Independence Agency Bureau of Juvenile Justice (BJJ) – Juvenile Justice Grant Unit (JJGU) in the amount of \$125,000, providing funding for a grant period of March 1, 2008 through February 8, 2009.
2. The total program cost is \$250,000 representing State grant funding of \$125,000, funding from the Child Care State funds in the amount of \$62,500 and Child Care County match funds of \$62,500.
3. The program funds contractual substance abuse and mental health treatment and consultation services, training, training supplies, incentives, and promotional supplies, travel and transportation in support of this grant.

4. The County is expected to incur administrative and support costs of \$1,280 over the grant funding period, which this grant does not allow for recovery of these costs.
5. The Fiscal Year 2008 Special Revenue Budget for Bureau of Juvenile Justice and Delinquency reflects total BJJ grant funding of \$152,794, of which \$125,000 is from the March 1, 2008 to February 8, 2009 BJJ grant award and the carried over amount of \$27,794 from the previous award.
6. Fiscal Year 2009 and Fiscal Year 2010 estimated grant budgets are reduced by 50% from \$125,000 to \$62,500 to reflect a decline in future year funding.
7. The following budget amendments are recommended to adjust the Fiscal Year 2008, Fiscal Year 2009 and Fiscal Year 2010 Special Revenue Budgets to the current Fiscal Year 2009 BJJ Grant Award less any future funding estimations:

<u>SPECIAL REVENUE FUND (#27195)</u>	<u>FY2008</u>	<u>FY2009</u>	<u>FY2010</u>
<u>Revenue</u>			
3010402-121200-615571 Grants-State	(\$97,206)	\$ 62,500	\$ 62,500
Total Revenue	(\$97,206)	\$ 62,500	\$ 62,500
<u>Expenditures</u>			
3010402-121200-702010 Salaries Regular	(\$15,198)	-	-
3010402-121200-722750 Workers Comp.	(690)	-	-
3010402-121200-722760 Group Life	(40)	-	-
3010402-121200-722790 Social Security	(1,163)	-	-
3010402-121200-722820 Unemployment Ins.	(30)	-	-
3010402-121200-730373 Contracted Services	(63,533)	51,400	51,400
3010402-121200-731458 Professional Services	25,213	-	-
3010402-121200-732018 Travel & Conference	(234)	4,883	4,883
3010402-121200-732165 Workshops & Meetings	384	-	-
3010402-121200-750154 Expendable Equip.	(44,810)	-	-
3010402-121200-750245 Incentives	658	-	-
3010402-121200-750280 Laboratory Supplies	7,434	6,217	6,217
3010402-121200-776661 Motor Pool	(5,197)	-	-
Total Expenditures	(\$97,206)	\$ 62,500	62,500

FINANCE COMMITTEE

(The vote for this motion appears on page 692.)

***MISCELLANEOUS RESOLUTION #08163**

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: CIRCUIT COURT/FRIEND OF THE COURT - 2008 ACCESS AND VISITATION GRANT AMENDMENT ACCEPTANCE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Friend of the Court received a grant award for Fiscal Year 2008 for the Federal Access and Visitation Grant administered through the State Court Administrative Office (SCAO); and

WHEREAS subsequent application and award has been made by SCAO increasing the contract award amount from \$24,000 to \$39,242; and

WHEREAS this grant amendment increase of \$15,242 is for services to be performed in conjunction with HAVEN, which facilitates parenting time (visitation) for certain cases as determined by the Court; and

WHEREAS the Friend of the Court has been awarded this grant amendment for services performed through such agencies not to exceed \$39,242 effective June 15, 2008 and coinciding with the original grant contract period of October 1, 2007 through September 30, 2008; and

WHEREAS there are no required in-kind matching funds provided by the HAVEN, and no County funds required.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the 2008 Access and Visitation Grant contract amendment in an amount not to exceed \$15,242.

BE IT FURTHER RESOLVED that the Oakland County Friend of the Court has contracted with the HAVEN to provide the services as detailed in the original grant award.

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BE IT FURTHER RESOLVED that the Oakland County Friend of the Court is able to reimburse Haven at a rate of \$38 per hour for supervised parenting time services.

BE IT FURTHER RESOLVED that the HAVEN is not required to provide 10% in-kind matching funds as stated in the grant.

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 Grant Review Sign Off – Friend of the Court, Fiscal Year 2008 Access and Visitation – Grant Amendment and Communication from Michigan Supreme Court on file in County Clerk's office.

FISCAL NOTE (MISC. #08163)

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: CIRCUIT COURT/FRIEND OF THE COURT – 2008 ACCESS AND VISITATION GRANT AMENDMENT 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 Oakland County Friend of the Court (FOC) submitted an amendment application for the Federal Access and Visitation Grant through the State Court Administrative Office (SCAO).
2. The grant amendment was awarded increasing the original grant award from \$24,000 to \$39,242, which is a \$15,242 increase (63.5%).
3. This grant amendment increase of \$15,242 is for services to be performed in conjunction with agencies that facilitate parenting time (visitation) for certain cases as determined by the court.
4. The period of performance for this amendment is effective as of June 15, 2008 and coincides with the original grant contract period of October 1, 2007 through September 30, 2008.
5. The FOC has contracted with HAVEN to provide the supervised parenting time; HAVEN is not required to provide 10% In-kind matching services as stated in previous years grant awards.
6. The County will incur no additional costs in the acceptance of this amendment.
7. A budget amendment to the Fiscal Year 2008 Special Revenue Budget is recommended as follows to recognize the additional funding:

FUND 27120 – FOC ACCESS VISITATION:

<u>Revenue</u>		<u>FY 2008</u>
3010401-126030-615571	Grants-State	\$15,242
<u>Expenditure</u>		
3010401-126030-731458	Professional Services	\$15,242
		\$ -0-

FINANCE COMMITTEE

Vote on Consent Agenda:

AYES: Burns, Coleman, Coulter, Crawford, Douglas, Gershenson, Gingell, Gosselin, Gregory, Greimel, Hatchett, Jacobsen, Kowall, Long, Middleton, Nash, Potter, Potts, Rogers, Scott, Spector, Woodward, Zack, Bullard. (24)

NAYS: None. (0)

A sufficient majority having voted in favor, the resolutions (with fiscal notes attached) on the Consent Agenda were adopted (with accompanying reports being accepted).

MISCELLANEOUS RESOLUTION #08164

BY: Finance Committee, Mike Rogers, Chairperson

IN RE: DEPARTMENT OF MANAGEMENT AND BUDGET – PURCHASING DIVISION - INMATE BILLING AND COLLECTIONS - AUTHORIZATION FOR SETTLEMENT AUTHORITY FOR PRIVATE VENDOR

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS by Miscellaneous Resolution #94329, enacted pursuant to 1984 P.A. 118, being MCL 801.81 *et. seq.*, the Oakland County Board of Commissioners authorized the maximum charge of \$60.00 per day for sentenced inmates housed in the Oakland County Jail and in accordance with the General Appropriations Act authorized the Reimbursement Unit of the Department of Management and Budget to collect these charges; and

WHEREAS in Miscellaneous Resolution #07276 the Oakland County Board of Commissioners endorsed and supported the efforts of the County Executive to evaluate alternative cost-effective methods of delivering County Services; and

WHEREAS such alternative service delivery methods typically include leveraging the expertise of the private sector which can often specialize in a given service area and thereby bring to the table economies of scale and efficiencies that the public sector cannot easily achieve; and

WHEREAS Miscellaneous Resolution #08097 reorganized the Reimbursement Division and merged it into the Fiscal Services Division and eliminated and reclassified several positions in anticipation of the possibility of handling Inmate Billing and Collections through the private sector; and

WHEREAS through the Oakland County Purchasing Division a Request for Proposal (RFP) was sent out on behalf of the Sheriff's Office and Reimbursement Unit to obtain sealed bid proposals for Inmate Billing and Collection Professional Services; and

WHEREAS proposals were received, evaluated and a prospective Vendor (RDK Collection Services, Inc., "RDK") was selected and a Professional Services Contract (PSC) is currently being negotiated; and

WHEREAS the PSC provides that the Vendor immediately assume all aspects of the operation and management of the Inmate Billing and Collection processes, including all legal compliance, regulatory, and personnel necessary to perform any and all Inmate Billing and Collection responsibilities; and

WHEREAS this proposal provides that the Vendor will receive no additional payments from the County for any Vendor services, but shall only receive a percentage of the moneys the Vendor deposits into County held accounts as payment in full for all RDK collection efforts; and

WHEREAS the County Executive and the Sheriff believe the RDK proposal is most advantageous to Oakland County and its taxpayers; and

WHEREAS within the anticipated scope of work, it will be necessary for the Vendor to be able to settle certain Inmate Claims for lesser amounts than the calculated Inmate "ability to pay" amount; and

WHEREAS the Department of Management and Budget, and the Sheriff's Office concur and recommend the following settlement authority for the prospective Vendor:

Pre-Contract (historical) Accounts:

0-2 years old, as calculated from the date the Inmate is released, shall be 80% of original calculated Inmate "ability to pay" amount; and

2-4 years old, as calculated from the date the Inmate is released, shall be 70% of original calculated Inmate "ability to pay" amount; and

Over 4 years old, as calculated from the date the Inmate is released, shall be 50% of original calculated Inmate "ability to pay" amount; and

Post Contract (day-forward) Accounts:

0-2 years old, as calculated from the date the Inmate is released, shall be 90% of original calculated Inmate "ability to pay" amount; and

2-4 years old, as calculated from the date the Inmate is released, shall be 70% of original calculated Inmate "ability to pay" amount; and

Over 4 years old, as calculated from the date the Inmate is released, shall be 50% of original calculated Inmate "ability to pay" amount; and

WHEREAS the Vendor's proposal obligates RDK to immediately assume all aspects of the Inmate Billing and Collection processes, to be fully responsible for compliance with state and federal statutory and regulatory codes, cost reports, contracts, insurances, employment, training, and any and all other aspects of Inmate Billing and Collection processes for a term of up to three years.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the County Executive to negotiate and execute a Professional Services Contract with RDK that requires RDK to be fully responsible for day-to-day operation, compliance with state and federal statutory and regulatory codes, contracts, insurances, employment, collection activities, training, and retention of all staff necessary to perform all Inmate Billing and Collection services.

BE IT FURTHER RESOLVED that the Vendor shall be authorized to settle claimed amounts due and owing from Inmates according to the following schedule:

Pre-Contract (historical) Accounts:

0-2 years old, as calculated from the date the Inmate is released, shall be 80% of original calculated Inmate "ability to pay" amount; and

2-4 years old, as calculated from the date the Inmate is released, shall be 70% of original calculated Inmate "ability to pay" amount; and

Over 4 years old, as calculated from the date the Inmate is released, shall be 50% of original calculated Inmate "ability to pay" amount; and

Post Contract (day-forward) Accounts:

0-2 years old, as calculated from the date the Inmate is released, shall be 90% of original calculated Inmate "ability to pay" amount; and

2-4 years old, as calculated from the date the Inmate is released, shall be 70% of original calculated Inmate "ability to pay" amount; and

Over 4 years old, as calculated from the date the Inmate is released, shall be 50% of original calculated Inmate "ability to pay" amount.

NOW THEREFORE BE IT RESOLVED that pursuant to Board of Commissioner Rules this resolution be referred to both the Personnel and Public Services Committees.

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

FINANCE COMMITTEE

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

MISCELLANEOUS RESOLUTION #08165

BY: General Government Committee, Christine Long, Chairperson

IN RE: OAKLAND COUNTY PARKS AND RECREATION COMMISSION/DEPARTMENT OF FACILITIES MANAGEMENT – APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENT - PARCEL NO. 13-13-152-004 (PART), VACANT ALLIANCE DRIVE FOR EXPANSION OF WATERFORD OAKS COUNTY PARK

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to the authorization of the Oakland County Planning and Building Committee the Oakland County Parks and Recreation Commission and the Department of Facilities Management, with the assistance of Oakland County Corporation Counsel, have negotiated the terms and conditions of the attached Purchase Agreement with Mr. and Mrs. Homer Tolliver, for the purchase of 6.14 acres of vacant land located at the easterly terminus of Alliance Drive, Waterford Township; and

WHEREAS pursuant to the terms and conditions of said Purchase Agreement the County of Oakland shall pay Homer and Cynthia Tolliver, husband and wife, the sum of \$270,000 via a cash sale for the purchase of said property subject to the County performing its required due diligence investigation of the subject property and obtaining parcel split approval from the Township of Waterford; and

WHEREAS sufficient funding for said purchase is available in the Oakland County Parks and Recreation Land Acquisition Fund; and

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

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and accepts the terms and conditions of the attached Purchase Agreement between the County of Oakland, as purchaser, and Homer and Cynthia Tolliver, husband and wife, sellers, via a cash sale purchase.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Purchase Agreement, Resolution, Map, and Communication regarding the Tolliver Purchase Agreements on file in County Clerk's office.

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

MISCELLANEOUS RESOLUTION #08166

BY: General Government Committee, Christine Long, Chairperson

IN RE: OAKLAND COUNTY PARKS AND RECREATION COMMISSION/DEPARTMENT OF FACILITIES MANAGEMENT – APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENT - PARCEL NO. 13-13-152-006, VACANT ALLIANCE DRIVE FOR EXPANSION OF WATERFORD OAKS COUNTY PARK

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to the authorization of the Oakland County Planning and Building Committee, the Oakland County Parks and Recreation Commission and the Department of Facilities Management, with the assistance of Oakland County Corporation Counsel, have negotiated the terms and conditions of the attached Purchase Agreement with Mr. and Mrs. Homer Tolliver for the purchase of 16.11 acres of vacant land located at the east terminus of Alliance Drive, Waterford Township; and

WHEREAS pursuant to the terms and conditions of said Purchase Agreement the County of Oakland shall pay Homer and Cynthia Tolliver, husband and wife, the sum of \$950,000 via a cash sale for the purchase of said property subject to the County performing its required due diligence investigation of the subject property; and

WHEREAS sufficient funding for said purchase is available in the Oakland County Parks and Recreation Land Acquisition Fund; and

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

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and accepts the terms and conditions of the attached Purchase Agreement between the County of Oakland, as purchaser, and Homer and Cynthia Tolliver, husband and wife, sellers, via a cash sale purchase.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Purchase Agreement and Resolution on file in County Clerk's office.

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

MISCELLANEOUS RESOLUTION #08167

BY: General Government Committee, Christine Long, Chairperson

IN RE: DEPARTMENT OF INFORMATION TECHNOLOGY – THIRD QUARTER 2008 DEVELOPMENT APPROPRIATION TRANSFER

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS all development cost is incorporated as a single appropriation within the non-departmental budget, and then an amount equal to the actual expense is transferred to the user department with a summary report to the Finance Committee; and

WHEREAS the Department of Information Technology has determined the Third Quarter 2008 development charges to be \$1,630,573.35 and the imaging development charge to be \$10,290.12 for the General Fund/General Purpose County departments; and

WHEREAS direct charges to Special Revenue and Proprietary Fund departments are \$749,648.02, non-governmental imaging development are \$4,648.80, and non-county agencies are \$3885.00 for the Third Quarter 2008; and

WHEREAS an appropriation transfer to General Fund/General Purpose County departments is needed to fund these development charges.

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NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners has reviewed the Third Quarter 2008 Development Report and approves the Third Quarter appropriation transfer as specified on the attached schedule.

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

GENERAL GOVERNMENT COMMITTEE

Copy of Information Technology Development Summary 3rd Quarter 2008 and Information Technology – Reserve Fund Development/Support Detail – Third Quarter 2008 on file in County Clerk’s office.

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

Commissioner Middleton stated there were no items to report from the Personnel Committee on the Regular Agenda.

MISCELLANEOUS RESOLUTION #08168

BY: Planning and Building Committee, Sue Ann Douglas, Chairperson

IN RE: DEPARTMENTS OF FACILITIES MANAGEMENT AND ECONOMIC DEVELOPMENT AND COMMUNITY AFFAIRS – REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH ART OF PONTIAC, LLC FOR USE OF OFFICE SPACE AT 17 SOUTH PERRY STREET, PONTIAC, MICHIGAN

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Main Street Oakland County Program (MSOC) was established in 2000 to provide assistance to Oakland County Communities in their efforts to redevelop downtown districts; and

WHEREAS Grant funding totaling \$10,000 has been pledged by the Pontiac Downtown Development Authority and by the Arts Beats and Eats Foundation and an additional grant sponsorship of \$2,750 will be obtained; therefore, no County funding is required; and

WHEREAS it is the recommendation of the Departments of Facilities Management and Economic Development and Community Affairs that the Oakland County Board of Commissioners accepts and approves the terms and conditions of the attached Lease Agreement; and

WHEREAS under the terms and conditions of the attached Lease Agreement, the Main Street Oakland County Program-Downtown Design Studio will occupy approximately 850-sf of office space at 17 S. Perry Street in the City of Pontiac for a period of one year. Rent will be \$1,062.50 per month or \$12,750 per year and is inclusive of all building and site maintenance, utilities, snow and ice removal and property taxes. The lease may be terminated by the Oakland County Board of Commissioners in the event that grant funding for the project is not obtained; and

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

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves and authorizes the attached Lease Agreement for office space at 17 S. Perry Street, Pontiac, Michigan between the County of Oakland and Art of Pontiac, LLC.

BE IT FURTHER RESOLVED that the County of Oakland Board of Commissioners hereby directs its Chairperson or his designee to execute the attached Lease Agreement and all other related documents between the County of Oakland and Art of Pontiac, LLC, which may be required.

BE IT FURTHER RESOLVED that if grants and sponsorships fail to provide sufficient funding to completely cover the costs associated with the Lease, the County shall have the right to cancel this Lease with no penalty whatsoever.

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

PLANNING AND BUILDING COMMITTEE

Copy of Approval of Lease for the Downtown Design Studio – Main Street Oakland County Program on file in County Clerk’s office.

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

MISCELLANEOUS RESOLUTION #08169

BY: Planning and Building Committee – Sue Ann Douglas, Chairperson

IN RE: ECONOMIC DEVELOPMENT AND COMMUNITY AFFAIRS/PLANNING AND ECONOMIC DEVELOPMENT SERVICES – CREATION OF ONE (1) SR-FUNDED LOAN COORDINATOR POSITION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Business Finance Corporation (OCBFC) is certified under the Small Business Administration's (SBA) Certified Development Company program; and

WHEREAS the Financial Services Unit also administers the Oakland County Economic Development Corporation (OCEDC), issuing Industrial Revenue and 501(c)(3) bonds; and

WHEREAS the OCBFC acts as an agent to analyze, package and submit loan requests under the SBA 504 program; and

WHEREAS recent changes in federal regulations have increased the responsibilities of the Certified Development Corporations (CDC); and

WHEREAS the OCBFC continues to aggressively market the SBA 504 Loan program which has resulted in a substantial increase in lending activities; and

WHEREAS in the first half of 2008 the OCBFC portfolio has realized a 26.9% growth since 2006; and

WHEREAS the addition of a second Loan Coordinator position would ensure that the OCBFC continue to provide expedient service to local businesses; and

WHEREAS the position will be fully funded through the Business Finance Corporation.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the creation of one (1) SR funded Loan Coordinator position in the Financial Services Unit of the Planning and Economic Development Services Division.

BE IT FURTHER RESOLVED that the continuation of the position is contingent upon continuation of OCBFC funding.

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

PLANNING AND BUILDING COMMITTEE

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

MISCELLANEOUS RESOLUTION #08170

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: CIRCUIT COURT - FAMILY DIVISION - OAKLAND COUNTY CHILD CARE FUND BUDGET 2008 - 2009

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to provisions of Act 280 of the Public Acts of 1975, Oakland County is required to develop and submit a plan and budget for the provision of funding of foster care services to the Bureau of Juvenile Justice, Department of Human Services, annually; and

WHEREAS the Oakland County Circuit Court - Family Division, County of Oakland, and the Oakland County Department of Human Services have developed the attached foster care services budget for the State's fiscal year, October, 1, 2008 through September 30, 2009; and

WHEREAS the Public Services Committee has reviewed this budget and recommends its submission to the State Office.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes submission of the 2008-2009 Oakland County Child Care Fund Budget to the Bureau of Juvenile Justice's Child Care Fund Unit, Department of Human Services.

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

PUBLIC SERVICES COMMITTEE

Copy of County Child Care Budget Summary on file in County Clerk's office.

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

MISCELLANEOUS RESOLUTION #08171

BY: Public Services Committee, Jeff Potter, Chairperson

IN RE: COUNTY EXECUTIVE, EMERGENCY RESPONSE AND PREPAREDNESS - OUTDOOR WARNING SYSTEM EXPANSION – TOWNSHIPS OF ORION AND OAKLAND

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 Outdoor 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 the Townships of Orion and Oakland, have executed the attached Interlocal Agreement; and

WHEREAS the Townships of Orion and Oakland have agreed to pay seventy-five percent of the total estimated cost of one siren; and

WHEREAS consistent with the attached standard agreement, the Townships of Orion and Oakland 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 authorize the contract with the Townships of Orion and Oakland for the purchase of one outdoor warning 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 Townships of Orion and Oakland.

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

PUBLIC SERVICES COMMITTEE

Copy of Townships of Orion and Oakland Outdoor Warning Siren Budget Summary and Severe Weather Warning System Interlocal Agreement between Oakland County and the Townships of Orion and Oakland on file in County Clerk's office.

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

MISCELLANEOUS RESOLUTION #08172

BY: Commissioner Robert Gosselin, District #13

IN RE: DESIGNATING JOHN R ROAD IN HONOR OF GEORGE W. SUAREZ

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS George W. Suarez, the late Oakland County Commissioner from District #24 and our colleague and friend was a man who spent his life in the service of his neighbors, community and Oakland County as a whole; and

WHEREAS George W. Suarez served his beloved Madison Heights for almost half the time the city has been in existence – first as a Council Member and later as Madison Heights Mayor for more than twenty years; and

WHEREAS George W. Suarez served his community so admirably that former Madison Heights City Council member Margene Scott is quoted as saying of George, "He's probably the one person who shaped our history more than any other person. He brought us through a very crucial time in our history"; and

WHEREAS after George W. Suarez was elected to the Oakland County Board of Commissioners in 1998, he continued to serve the Madison Heights area as a member of the Knights of Columbus Father Heary Council; the VFW North End Post 140; was on the Board of Directors of the Boys and Girls Club of South Oakland County; and was deeply involved at his beloved St. Vincent Ferrer Catholic Church. There he served as a Eucharistic Minister, especially helping out the handicapped to make sure all parishioners could get communion, while also serving with the usher board; and

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WHEREAS during his entire time in public service, George W. Suarez was highly regarded as a man who made very good decisions for his constituents, was even-handed in running meetings, and listened to all points of view – even those with which he strongly disagreed; and

WHEREAS throughout all the ups and downs that surrounded him in his public life, during good times and bad, during calm discussions and heated ones, George W. Suarez always remained a gentleman, a man who had good rapport with colleagues of both political parties, was extremely well liked by all he met, and in the words of Madison Heights Mayor Edward Swanson was “a class act”; and

WHEREAS one of the legacies of George W. Suarez was his success in improving the roads in District 24 – not just in Madison Heights, but in the portions of Troy and Royal Oak which he also served.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby designates John R Road, from Ten Mile Road to Big Beaver Road, as GEORGE W. SUAREZ GENTLEMAN’S HIGHWAY. This new designation will last until December 31, 2008, at which time the street signs with the name “George W. Suarez Gentleman’s Highway” will be presented to Mr. Suarez’ family.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners urges the City of Madison Heights and the City of Troy to join with us in designating John R Road in honor of Mr. Suarez.

Chairperson, I move the adoption of the foregoing resolution.

ROBERT GOSSELIN, EILEEN KOWALL ERIC
COLEMAN, HUGH CRAWFORD, TIM BURNS,
DAVID WOODWARD, BRADFORD
JACOBSEN, HELAINE ZACK, JOHN SCOTT,
DAVID COULTER, TOM MIDDLETON, JIM
NASH, MICHAEL GINGELL, KAREN
SPECTOR, DAVID POTTS, MARCIA
GERSHENSON, CHRIS LONG, MATTIE
HATCHETT, SUE ANN DOUGLAS, TIM
GREIMEL, JEFF POTTER, MIKE ROGERS,
VINCENT GREGORY, BILL BULLARD

Moved by Gosselin supported by Nash to suspend the rules and vote on MISCELLANEOUS RESOLUTION #08172 – DESIGNATING JOHN R ROAD IN HONOR OF GEORGE W. SUAREZ.

Vote on motion to suspend the rules:

AYES: Coleman, Coulter, Crawford, Douglas, Gershenson, Gingell, Gosselin, Gregory, Greimel, Hatchett, Jacobsen, Kowall, Long, Middleton, Nash, Potter, Potts, Rogers, Scott, Spector, Woodward, Zack, Bullard, Burns. (24)

NAYS: None. (0)

A sufficient majority having voted in favor, the motion to suspend the rules and vote on MISCELLANEOUS RESOLUTION #08172 – DESIGNATING JOHN R ROAD IN HONOR OF GEORGE W. SUAREZ carried.

Moved by Gosselin supported by Nash the resolution be adopted.

AYES: Coulter, Crawford, Douglas, Gershenson, Gingell, Gosselin, Gregory, Greimel, Hatchett, Jacobsen, Kowall, Long, Middleton, Nash, Potter, Potts, Rogers, Scott, Spector, Woodward, Zack, Bullard, Burns, Coleman. (24)

NAYS: None. (0)

A sufficient majority having voted in favor, the resolution was adopted.

MISCELLANEOUS RESOLUTION #08173

BY: Commissioner Michael J. Gingell, District #3

IN RE: BOARD OF COMMISSIONERS – RESOLUTION URGING A SWIFT AND CONCLUSIVE END TO THE ISSUES SURROUNDING THE OFFICE OF THE MAYOR OF THE CITY OF DETROIT

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the State of Michigan is suffering severe economic difficulties that are adversely impacting its residents; and

WHEREAS the Southeast Region of Michigan is experiencing significant job loss, increasing foreclosure rates and declining home values; and

WHEREAS the governmental bodies within the Southeast Region of Michigan are facing difficult decisions that require significant study in order to address the continuation of services amidst shrinking tax revenues and declining budgets; and

WHEREAS the issues facing the Southeast Region of Michigan require an uncompromising focus, an ability to work in a collaborative manner and a transparency that is not biased by external variables and scandal; and

WHEREAS Oakland County recognizes the need to seek collaborative solutions to the State and Regional issues without diversions; and

WHEREAS the Mayor of Detroit is facing 10 felony charges, forfeiture hearings initiated by Detroit City Council and removal hearings that will be presided over by Governor Granholm; and

WHEREAS various elected officials and community leaders have become distracted by the issues and controversies that have surrounded the Mayor's Office; and

WHEREAS many leaders in the community, including U.S. Congressman John Dingell, State House Majority Leader Andy Dillon, Oakland County Executive L. Brooks Patterson, the Detroit Council of Baptist Ministers as well as members of the Detroit City Council have asked the Mayor to consider resigning; and

WHEREAS it is incumbent all of us elected officials to set aside personal relationships and political affiliations and make the decisions that are in the best interest of our constituents and to lead in times of adversity.

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners calls on the Honorable Jennifer Granholm, the Honorable Mike Cox, the Honorable Kwame Kilpatrick, the Honorable Kym Worthy and the Honorable members of the Detroit City Council to derive a swift and conclusive end to the issues surrounding the Mayor's office.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners urges State, County and Local officials to move forward together in addressing the pressing issues of our State and our Region and lead in the manner in which we were elected to serve.

BE IT FURTHER RESOLVED that the Oakland County Clerk forward a copy of this adopted resolution to the Honorable Jennifer Granholm, the Honorable Mike Cox, the Honorable Kwame Kilpatrick, the Honorable Kym Worthy and the Honorable members of the Detroit City Council.

Chairperson, we move the adoption of the foregoing resolution.

MICHAEL GINGELL, HUGH CRAWFORD,
DAVID POTTS, EILEEN KOWALL, ROBERT
GOSSELIN, BRADFORD JACOBSEN, SUE
ANN DOUGLAS, JOHN SCOTT, JEFF
POTTER, CHRISTINE LONG, BILL BULLARD,
THOMAS MIDDLETON

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

MISCELLANEOUS RESOLUTION #08174

BY: Commissioners Tim Greimel, District #11 and Mattie Hatchett, District #10

IN RE: BOARD OF COMMISSIONERS – SUPPORT FOR PURCHASE AND CONTINUED OPERATION OF NORTH OAKLAND MEDICAL CENTERS AND SUPPORT FOR THE ESTABLISHMENT OF AN OAKLAND UNIVERSITY NURSING SCHOOL AT THE SITE OF POH REGIONAL MEDICAL CENTER

To the Oakland County Board of Commissioners

Chairperson, Ladies, and Gentlemen:

WHEREAS this Board supports continued access to quality healthcare for Oakland County residents; and
WHEREAS this Board supports the saving and creating of jobs in the difficult economic climate facing Oakland County; and

WHEREAS the North Oakland Medical Centers hospital is experiencing severe financial hardship and will likely be forced to close unless it is purchased in the near future; and

WHEREAS a group of physicians has formed Oakland Physicians Medical Center, L.L.C. with the intent of purchasing North Oakland Medical Centers and to continue operating it as a hospital; and

WHEREAS North Oakland Medical Centers and Oakland Physicians Medical Center, L.L.C. must reach an agreement providing for the sale of North Oakland Medical Centers to Oakland Physicians Medical Center, L.L.C. in order to ensure that the hospital continues operating and that hundreds of jobs are saved; and

WHEREAS there is an acute shortage of nurses throughout the State of Michigan, including Oakland County; and

WHEREAS the shortage of nurses threatens to curtail growth in the healthcare sector, which is potentially one of the fastest growing economic sectors in Oakland County; and

WHEREAS Oakland University is interested in establishing a nursing school at the site of POH Regional Medical Center; and

WHEREAS the establishment of such a nursing school would train students to fill high-paying jobs in Oakland County; and

WHEREAS the establishment of such a nursing school would help to alleviate the shortage of nurses in Oakland County and the State of Michigan, thereby facilitating continued economic growth in the healthcare sector.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby urges North Oakland Medical Centers and Oakland Physicians Medical Center, L.L.C. to reach a timely agreement for the sale of North Oakland Medical Centers to Oakland Physicians Medical Center, L.L.C. in order to facilitate the continued operation of the hospital.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby endorses the establishment of a nursing school by Oakland University on the site of POH Regional Medical Center and encourages all relevant parties to work cooperatively toward that end.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby requests the Oakland County Clerk to forward copies of this adopted resolution to Governor Jennifer Granholm, to members of the Oakland County delegation to the Michigan legislature, to Oakland County's legislative lobbyists, to the President and Chief Executive Officer and to the board of directors of North Oakland Medical Centers, to the managing member of Oakland Physicians Medical Center, L.L.C., to the Mayor of the City of Pontiac, to the members of the City Council of the City of Pontiac, to the President and Chief Executive Officer and to the board of directors of POH Regional Medical Center, and to the President and to the members of the Board of Trustees of Oakland University.

Chairperson, we move the adoption of the foregoing resolution.

TIM GREIMEL, MATTIE HATCHETT, TIM BURNS, MARCIA GERSHENSON, ERIC COLEMAN, KAREN SPECTOR, JIM NASH, DAVID COULTER, HELAINE ZACK, VINCENT GREGORY, DAVID WOODWARD

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

Moved by Gosselin supported by Gingell to suspend the rules and vote on the appointment of Glenn M. Clark to County Commission District 24 until December 31, 2008.

Discussion followed.

Vote on motion to suspend the rules:

AYES: Crawford, Douglas, Gingell, Gosselin, Jacobsen, Kowall, Long, Middleton, Potter, Potts, Rogers, Scott, Bullard. (13)

NAYS: Gershenson, Gregory, Greimel, Hatchett, Nash, Spector, Woodward, Zack, Burns, Coleman, Coulter. (11)

Commissioners Minutes Continued. August 21, 2008

A sufficient majority having voted in favor, the motion to suspend the rules and vote on the appointment of Glenn M. Clark carried.

As a point of order Commissioner Burns requested the matter be postponed until the September 4, 2008 Board meeting.

Moved by Burns supported by Zack the appointment be postponed until the September 4, 2008 Board meeting.

Vote on motion to postpone:

AYES: Gershenson, Gregory, Greimel, Hatchett, Nash, Spector, Woodward, Zack, Burns, Coleman, Coulter. (11)

NAYS: Douglas, Gingell, Gosselin, Jacobsen, Kowall, Long, Middleton, Potter, Potts, Rogers, Scott, Bullard, Crawford. (13)

A sufficient majority not having voted in favor, the motion failed.

Discussion followed.

Moved by Gosselin supported by Gingell the appointment of Glenn M. Clark to County Commission District 24 until December 31, 2008 be confirmed.

Vote on appointment:

AYES: Gingell, Gosselin, Jacobsen, Kowall, Long, Middleton, Potter, Potts, Rogers, Scott, Bullard, Crawford, Douglas. (13)

NAYS: Gershenson, Gregory, Greimel, Hatchett, Nash, Spector, Woodward, Zack, Burns, Coleman, Coulter. (11)

A sufficient majority having voted in favor, the appointment of Glenn M. Clark to County Commission District 24 until December 31, 2008 was confirmed.

The Board adjourned at 11:00 a.m. to the call of the Chair on September 4, 2008, at 9:30 a.m.

RUTH JOHNSON
Clerk

BILL BULLARD, JR.
Chairperson