

CHAIRPERSON  
BRYAN CRENSHAW

VICE-CHAIRPERSON  
DERRELL SLAUGHTER

VICE-CHAIRPERSON PRO-TEM  
RANDY MAIVILLE

LAW & COURTS COMMITTEE  
MARK POLSDOFER, CHAIR  
CHRIS TRUBAC  
VICTOR CELENTINO  
BRYAN CRENSHAW  
ERIN GRAHAM  
ROBERT PEÑA  
RANDY SCHAFER

**INGHAM COUNTY BOARD OF COMMISSIONERS**  
*P.O. Box 319, Mason, Michigan 48854 Telephone (517) 676-7200 Fax (517) 676-7264*

THE LAW & COURTS COMMITTEE WILL MEET ON THURSDAY, AUGUST 12, 2021 AT 6:00 P.M., IN CONFERENCE ROOM A, HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING AND VIRTUALLY AT <https://ingham.zoom.us/j/87892762487>.

Agenda

Call to Order

Approval of the [July 15, 2021](#) Minutes

Additions to the Agenda

Limited Public Comment

1. Probate Court – Resolution to Authorize Use of Contingency Funds for Temporary Wages and [Visiting Judge Fees](#)
2. Prosecuting Attorney's Office – Resolution to Authorize an Agreement between the Michigan Department of Health and Human Services and the Ingham County Prosecutors Office Under the 2022 FY [Stop Violence Against Women](#) Grant
3. Public Defenders Office
  - a. Resolution to Authorize a Grant between the State of Michigan, Michigan Indigent Defense Commission (MIDC), Department of Licensing and Regulatory Affairs (LARA) and Ingham County to Provide Funding to Assist the County in Complying with the Compliance Plan and Cost Analysis Approved by MIDC and Creating [Two New Grant Funded Positions](#)
  - b. Resolution to Authorize the Office of the Public Defender to Accept Donations of [Clothing for Their Clients](#)
4. Animal Control and Shelter
  - a. Resolution to Approve the Creation of the Ingham County Animal Control [Enforcement Division](#) Within Ingham County Animal Control and Shelter
  - b. Resolution to Modify the [Public Hours](#) of Operation for Ingham County Animal Control and Shelter
  - c. Resolution to [Adopt an Ordinance](#) Amending the Ingham County Animal Control Ordinance to Add Definitions in Article II, to Revise Provisions in Articles V and IX, and to Repeal Article VIII

5. Health Department
  - a. Resolution to Authorize an [Agreement with MPHI](#)
  - b. Resolution to Authorize [Agreement with Safe Passages](#), dba Advance Peace
  - c. Resolution to Authorize an Agreement with [Lansing Housing Commission](#)
  - d. Resolution to Authorize Acceptance of [Project Safe Neighborhoods](#) Grant Funds from Battle Creek Community Foundation
  - e. Resolution to Authorize an Agreement with City of Lansing for Financial Support for [Lansing/Ingham Peacemaker Fellowship®](#) Implementation
6. 9-1-1 Dispatch Center – [Dispatch Center](#) Update
7. Health Department/Sheriff's Office – Jail Medical Update (*Discussion*)

Announcements  
Public Comment  
Adjournment

**PLEASE TURN OFF CELL PHONES OR OTHER ELECTRONIC DEVICES  
OR SET TO MUTE OR VIBRATE TO AVOID DISRUPTION DURING THE MEETING**

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854 Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting. Meeting information is also available on line at [www.ingham.org](http://www.ingham.org).

## LAW & COURTS COMMITTEE

July 15, 2021

Draft Minutes

Members Present: Polsdofer, Celentino, Crenshaw, Graham, Peña, Schafer, and Trubac.

Members Absent: None.

Others Present: Heidi Williams, Teri Morton, Russel Church, Jessica Yorko, Samuel Klahn, Barb Davidson, Mary Konieczny, Ryan Buck, and others.

The meeting was called to order by Chairperson Polsdofer at 6:00 p.m. in Conference Room A of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan. Virtual Public participation was offered via Zoom at <https://ingham.zoom.us/j/89920905203>.

### Approval of the June 10, 2021 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE MINUTES OF THE JUNE 10, 2021 LAW & COURTS COMMITTEE MEETING.

THE MOTION CARRIED UNANIMOUSLY.

### Additions to the Agenda

None.

### Limited Public Comment

Barb Davidson, Ingham County 911 Director, introduced herself to the Committee.

MOVED BY COMM. SCHAFFER, SUPPORTED BY COMM. CELENTINO, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS

3. Sheriff's Office – Resolution to Create Four Part-Time Deputy Sheriff Positions to Supplement Court Security Staffing
5. Prosecuting Attorney's Office – Resolution to Authorize a Memorandum of Understanding between the Tri-County Metro Narcotics Squad and the Ingham County Prosecutor's Office under the 2021 Byrne JAG Grant
6. Facilities Department
  - a. Resolution to Authorize an Agreement with Matrix Consulting Engineers, Inc. for the Renovations at the Ingham County 9-1-1 Center
  - b. Resolution to Authorize an Agreement with Roger Donaldson AIA P.L.C. for the Architectural and Engineering Services for Security Enhancements and

Assessments of the Sanctuary and Fire Alarm System at the Ingham County Family Center

7. 9-1-1 Dispatch Center
  - a. Resolution to Authorize Renewal of Services with National Testing Network (NTN) for Remainder of 2021
  - b. Resolution to Honor 9-1-1 Supervisor Ruth Rasdale of the Ingham County 9-1-1 Central Dispatch Center
8. Controller's Office
  - a. Resolution to Provide Emergency Support as Needed in Order to Ensure Timely Implementation of Peacemaker Fellowship® Partnership with Advance Peace to Help Build and Sustain Local Community Capacity to Interrupt Gun Violence in Ingham County, MI

Commissioner Peña stated that he wanted to disclose he had a family friend that is associated with the Michigan Public Health Institute (MPHI) that is involved with Agenda Item 8a.

THE MOTION CARRIED UNANIMOUSLY.

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY.

4. Homeland Security and Emergency Management – Resolution to Authorize a Sub Agreement with the City of Lansing for the United States Geological Survey Sycamore Creek Streamgage Joint Funding Agreement

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE RESOLUTION.

Commissioner Schaffer stated his praise for the organization.

THE MOTION CARRIED UNANIMOUSLY.

8. Controller's Office
  - b. Resolution to Utilize American Rescue Plan Funds to Implement Community-Designed Rapid Response Gun Violence Interruption Plan and Authorize Agreements with Coat of Many Colors Counseling Services and the Village Lansing through October 1, 2021

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTION.

Commissioner Crenshaw stated he was supportive of the concept of the resolution. He further stated he wanted additional information on the background of the organizations.

Jessica Yorko, Health Department Health Promotion & Prevention Division Manager, introduced the process of deciding upon the requirements for partnerships and RFP. She further stated the Lansing/Ingham Advance Peace Planning Team committee chose to partner with Coat of Many Colors due to one of the required standards partnerships to consist of a staff that was trauma informed and racially diverse.

Discussion ensued regarding the background of Coat of Many Colors contrasted with the disparity of local organizations and infrastructure to support trauma and emergency response.

Commissioner Crenshaw asked Teri Morton, Deputy Controller, if this resolution was required to go through a traditional bidding process.

Ms. Morton stated the bidding approval process was not required due to the amount of the request. She further stated the emergency approval provided additional approval guidance.

Commissioner Crenshaw asked if anyone had asked if the funds could be split with Lansing City due to the majority of the recent gun violence occurring within city limits.

Ms. Morton stated that this was a small emergency funding request and was not eligible to be split.

Commissioner Peña stated he was in contact with the Lansing City Mayor in regards to the increase of gun violence and would update the Committee once a meeting was scheduled.

Discussion ensued regarding the staff of the organization.

Ms. Yorko stated there was not another organization that was willing to provide services in the Lansing area.

Commissioner Celentino stated his agreement with Ms. Yorko. He further stated that if there was an established organization willing and able to assist, the County should get resources to them quickly.

Commissioner Crenshaw stated that he supported the passage of the resolution. He further stated he wanted to make sure the Committee did their required due diligence and before approving the funds.

Discussion ensued regarding employee confidentiality.

Commissioner Graham thanked Commissioner Peña and Ms. Yorko. She further stated one young life lost was too many.

THE MOTION CARRIED UNANIMOUSLY.

9. Law & Courts Committee –Resolution to Adopt the 2022 Juvenile Justice Community Agency Process Calendar

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTION.

Ms. Morton stated the blank spot on the resolution was for the Committee to place the recommended funding amount.

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SCHAFER TO AMEND THE RESOLUTION TO INSERT THE \$175,000 AMOUNT.

Commissioner Crenshaw provided background on the need for a price increase.

THE MOTION CARRIED UNANIMOUSLY.

1. Animal Control and Shelter – Update on Animal Control (*Presentation*)

Heidi Williams, Animal Control Director, presented to the Committee regarding the large-scale animal seizure cases.

Chairperson Polsdofer stated that he had a request from a member of the equestrian community in regards to adopting some of the horses that were seized in the case.

Ms. Williams stated the horses were currently in possession of the courts due to the upcoming forfeiture hearing. She further stated that she would be happy to provide information regarding the adoption process if applicable.

Commissioner Celentino asked Ms. Williams if she was able to disclose if the property in discussion was a farm.

Ms. Williams stated that there were two properties.

Commissioner Celentino asked Ms. Williams when the United States Department of Agriculture (USDA) was involved.

Ms. Williams stated that Animal Control was responsible for cruelty and neglect. She further stated that the USDA could be involved in cases that involved large amounts of dairy-producing livestock.

Discussion ensued in regards to the budget for rescued animal food.

Ms. Morton stated that the department had a budget for instances like these. She further stated Animal Control was eligible to conduct an emergency purchase order when needed.

Commissioner Celentino asked if the department had a plan when they got the call in regards to the neglected animals.

Ms. Williams stated that the logistics had been settled before a search warrant was issued. She further stated the emergency call was placed on June 28, 2021 and the search warrant was not issued until July 1, 2021 due to the gravity of the logistical planning that was needed.

Commissioner Schafer asked where the animals were currently housed.

Ms. Williams stated that she was unable to disclose where the horses were kept. She further stated the chickens were stored at the Animal Control Shelter.

2. Public Defenders Office – Update on Public Defenders Office (*Presentation*)

Russel Church, Chief Public Defender, provided an update to the Committee to accompany supplemental information that was emailed to the Committee.

Announcements

None.

Public Comment

Samuel Klahn, Lansing Resident, thanked the Committee for approving Agenda Item 8b. He further stated violence permeated every aspect of the community that extended well beyond a price tag or line item in a budget.

Mr. Klahn stated many of his loved ones have been directly impacted by gun violence and stressed the importance of conceptually understanding how individuals and bodies are affected by various barriers to entry and stressed the importance of a continued conversation of mental health crisis as it correlated to community safety. He further stated it was important for individuals to continuously evaluate their ability to minimize child endangerment without worrying about political drama.

Adjournment

The meeting was adjourned at 6:54 p.m.

**AUGUST 12, 2021 LAW & COURTS AGENDA  
STAFF REVIEW SUMMARY**

**RESOLUTION ACTION ITEMS:**

**The Deputy Controller recommends approval of the following resolutions:**

1. *Probate Court – Resolution to Authorize Use of Contingency Funds for Temporary Wages and Visiting Judge Fees*

This resolution will transfer a total of \$5,000 from the 2021 contingency account to temporary wages (\$4,200) and Visiting Judge Fees (\$800). The Probate Court has an immediate need for this temporary staffing when staff are absent in order to operate and maintain the Probate Court docket, especially post COVID-19, and to meet its statutorily required duties. Visiting Judges are needed in the case of judicial absence and to address a backlog of cases. The current contingency amount is \$222,751.

See memo for details.

2. *Prosecuting Attorney's Office – Resolution to Authorize an Agreement between the Michigan Department of Health and Human Services and the Ingham County Prosecutor's Office Under the 2022 FY Stop Violence Against Women Grant*

This resolution will accept an award from the Services, Training, Officers, and Prosecutors (STOP) Grant program in the amount of \$138,953 for the time period of October 1, 2021 through September 30, 2022. This grant is awarded to county prosecutors to develop and strengthen the criminal justice system's response to violence against women. The STOP grant award is for a total of \$138,953. Funding in the amount of \$104,215 will be used for the salary and benefits for a full-time assistant prosecuting attorney for 2022 to work solely on domestic violence cases and intimate partner violence. The remaining \$34,738 is an in-kind contribution requirement of the Prosecutor's Office that will be achieved by matching salaries and fringes of supervising attorneys for the project.

See memo for details.

- 3a. *Public Defenders Office - Resolution to Authorize a Grant between the State of Michigan, Michigan Indigent Defense Commission (MIDC), Department of Licensing and Regulatory Affairs (LARA) and Ingham County to Provide Funding to Assist the County in Complying with the Compliance Plan and Cost Analysis Approved by MIDC and Creating Two New Grant Funded Positions*

This resolution will authorize a Grant between the State of Michigan, Michigan Indigent Defense Commission (MIDC), Department of Licensing and Regulatory Affairs (LARA), and Ingham County to provide indigent defense and related services at the 30<sup>th</sup> Circuit Court, 54A District Court, 54B District Court, and the 55<sup>th</sup> District Court for the time period October 1, 2021 through September 30, 2022. The total amount of the grant is \$6,479,621.17, which includes the local share of \$912,845.25. The local share will be split among Ingham County (\$874,787.25), the City of Lansing (\$21,771), and the City of East Lansing (\$16,287).



This will be the fourth year of grant funding from the State of Michigan for the compliance plan. The major changes in the year's grant over last year's is the addition of one Clerk – Public Defender position (UAW/D) and one part-time Senior Assistant Public Defender (PD03). Both positions were requested to address the adoption of Standard 5, “Independence from the Judiciary,” which went into effect October 1, 2020.

See memo for details.

*3b. Public Defenders Office - Resolution to Authorize the Office of the Public Defender to Accept Donations of Clothing for Their Clients*

This resolution will authorize the Ingham County Office of the Public Defender (PDO) to accept donations of clothing from individuals and businesses for the purpose of maintaining a clothing locker for court and for assistance of clients in their re-entry into society. It is the obligation of the defense attorney to make sure an incarcerated defendant is suitably dressed for court when they do not have resources or support people to ensure this happens. The PDO is developing a lending closet of clothing for clients to wear for court appearances. Incarcerated clients may also find when they are released from confinement that they have lost everything. The PDO would also like to accept more casual clothing to give to clients who find themselves in this situation.

See memo for details.

*4a. Animal Control and Shelter - Resolution to Approve the Creation of the Ingham County Animal Control Enforcement Division Within Ingham County Animal Control and Shelter*

This resolution will authorize the creation of the Ingham County Animal Control Enforcement Division as a division within the Ingham County Animal Control and Shelter (ICACS). This will allow ICACS to apply for access to criminal justice information (CJI) from the Federal Bureau of Investigation Criminal Justice Information Services (CJIS) Division. As part of their duties, Ingham County Animal Control officers often interact with subjects who have been convicted of violent felonies or are currently being investigated by other law enforcement agencies, but they do so without access to CJI that is available to other law enforcement agencies. This lack of access to information often places Animal Control officers in danger when they respond to calls for service.

In order for the CJIS Division to grant access to CJI the following two requirements must be met:

- The primary function of the requesting entity must be the administration of criminal justice
- Over 50 percent of the budget allocation for the requesting entity must be allocated to the administration of criminal justice

The creation of an Enforcement Division within ICACS will make it possible to meet these requirements in hopes of gaining access to CJI for the County's Animal Control officers.

See memo for details.

4b. *Animal Control and Shelter - Resolution to Modify the Public Hours of Operation for Ingham County Animal Control and Shelter*

This resolution will allow for the modification of open hours at the Ingham County Animal Control and Shelter (ICACS) on Wednesdays to change from 10:30 a.m. to 6:00 p.m. to 10:30 a.m. to 5:00 p.m. This change is being recommended in response to a decline in customers on Wednesdays between 5:00 p.m. and 6:00 p.m. since the “Whisker Wednesday” promotion was ended and “Caturday Saturday” was created. With this change, discounted cat adoptions were moved to Saturday to better allow the public to take advantage of the program.

This will also allow staff to answer adoption inquiries, plan rescue transfers, and complete processes from the prior business day between 9:30 a.m. and 10:30 a.m. on Wednesdays, as they do on other days, which is not possible under the current schedule.

This change was discussed and approved by the Ingham County Animal Shelter Advisory Committee at the July 19, 2021 meeting.

See memo for details.

4c. *Animal Control and Shelter - Resolution to Adopt an Ordinance Amending the Ingham County Animal Control Ordinance to Add Definitions in Article II, to Revise Provisions in Articles V and IX, and to Repeal Article VIII*

This resolution will approve several amendments to the Animal Control Ordinance, detailed below.

1. Amendments re Criminal Liability Standards

As a consequence of issues having arisen in the course of certain misdemeanor prosecutions, the Ingham County Prosecutor’s Office has requested that the Ordinance be further amended to clarify the standards for criminal liability, by adding certain definitions to Article II, and to revise provisions in Article V as to confinement procedures and in Article IX as to strict liability and costs. See attached redline version.

2. Repeal of Article VIII re Livestock and Poultry

As a consequence of the issuance of Attorney General Opinion No. 7314 (July 22, 2021) as requested by the County in Resolution #19-477, holding that the County lacks statutory authority to prohibit the keeping of livestock and poultry in the non-agricultural areas of the County or to permit the keeping of chickens, as currently provided in Article VIII of the Ordinance, Article VIII of the Ordinance should be repealed

Animal Control will continue to enforce laws regarding livestock and poultry found running at large.

The ordinance amendments will go into effect upon notice of their adoption is published in a newspaper of general circulation in the County, following passage of the resolution by the full Board of Commissioners.

5a. Health Department - Resolution to Authorize an Agreement with MPHI

This resolution will authorize entering into an agreement with Michigan Public Health Institute (MPHI) to provide a year 1 evaluation of the Lansing/Ingham Peace Maker Fellowship® and to provide year one fiduciary services for Peacemaker Fellowship® LifeMAP Allowances and Horizon Building Journeys, travel and conference registrations for the Local Operator and other local partners, and stipends for Community Co-Chairs not paid by other funding sources, effective October 1, 2021 through December 30, 2022 in an amount not to exceed \$132,240. This is part of the \$1,954,240 three-year budget that has been developed by the Advance Peace planning team.

See memo for details.

5b. Health Department - Resolution to Authorize Agreement with Safe Passages, dba Advance Peace

This resolution will authorize an agreement with Safe Passages dba Advance Peace in an amount not to exceed \$198,500, effective October 1, 2021 to July 30, 2024 for the purpose of providing training and technical assistance to local partners working to implement the first three-year cycle of the Lansing/Ingham Peacemaker Fellowship®. This is part of the \$1,954,240 three-year budget that has been developed by the Advance Peace planning team.

See memo for details.

5c. Health Department - Resolution to Authorize an Agreement with Lansing Housing Commission

This resolution will authorize an agreement with the Lansing Housing Commission to accept up to \$50,000 in grant funds for the Lansing/Ingham Peacemaker Fellowship®, effective October 1, 2021 through December 31, 2024. This is one of the revenue components of the \$1,954,240 three-year budget that has been developed by the Advance Peace planning team.

See memo for details.

5d. Health Department - Resolution to Authorize Acceptance of Project Safe Neighborhoods Grant Funds from Battle Creek Community Foundation

This resolution will authorize entering into an agreement with the Battle Creek Community Foundation (BCCF) to accept the Project Safe Neighborhoods grant in an amount not to exceed \$21,905, effective July 30, 2021 through July 30, 2022. These grant funds will support Ingham County's continued work on the Lansing/Ingham Peacemaker Fellowship® and is one of the revenue components of the \$1,954,240 three-year budget that has been developed by the Advance Peace planning team.

See memo for details.

5e. Health Department - Resolution to Authorize an Agreement with City of Lansing for Financial Support for Lansing/Ingham Peacemaker Fellowship® Implementation

This resolution will authorize an agreement with the City of Lansing to accept up to \$240,000 in funds to support year one of local implementation of the Advance Peace approach in Lansing/Ingham County effective July 1, 2021 through June 30, 2022. This is one of the revenue components of the \$1,954,240 three-year budget that has been developed by the Advance Peace planning team.

See memo for details.

**DISCUSSION ITEMS:**

6. 9-1-1 Dispatch Center – *Dispatch Center Update*
7. Health Department/Sheriff's Office – *Jail Medical Update*

## AGENDA ITEM 1

**TO:** Board of Commissioners - Law & Courts and Finance Committees  
**FROM:** *Morgan E. Cole, Probate Court Administrator/Register*  
**DATE:** *July 23, 2021*  
**SUBJECT:** *Request for Contingency Funds for Temporary Wages and Visiting Judge Fees*

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### **BACKGROUND**

For the 2021 budget allocation, the Ingham County Probate Court was not allocated any funding for controllable line-items #705000 – Temporary Wages, and #861020 – Visiting Judge Fees. The Probate Court is limited with judicial office support staff coverage as the Probate Court only has one Court Officer/Research Clerk (“Probate Law Clerk”) position, which is shared between two Probate Judges, whom is responsible to provide coverage for two judicial assistants. When a Probate Judge is on the bench, then the Probate Law Clerk is in the courtroom and unable to provide coverage to the either of the Probate Court judicial assistants. The Probate Court is also limited with judicial coverage as there are only two Probate Judges – who cover for each other and any judicial absence or backlog requires the need of a visiting judge. The Probate Court has demonstrated an immediate need for this temporary staffing when staff are absent in order to operate and maintain the Probate Court docket, especially post COVID-19, and to meet its statutorily required duties. The Probate Court seeks this funding increase to begin immediately, at a total cost of \$5,000 for the remainder of 2021 – with \$4,200 allocated to line-item #705000 – Temporary Wages as well as \$800 allocated to line-item #861020 – Visiting Judge Fees, with funding to come from the 2021 contingency account.

### **ALTERNATIVES**

Increase of comp time and over time compensation. Decrease in staff morale and potential employee turnover due to increased workload. Other options would be to pay mandatory over-time. Further, mandatory over-time on existing staff would create potential animosity and exhaustion as we are just digging out from the pandemic. The Probate Court could cancel or reschedule pending trials until full staffed.

### **FINANCIAL IMPACT**

The financial cost will be \$5,000 for the remainder of 2021, with the funding to come from 2021 contingency account. Granting this request, will reduce the number of hours to be paid for comp time/over time for our current full-time employees.

### **OTHER CONSIDERATIONS**

The Controller’s Office was consulted and supports using funds from the contingency account for this request. In addition, Human Services was notified.

### **RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to support that the Ingham County Board of Commissioners approve allocating \$5,000 from 2021 contingency fund for the reasons stated above.

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE USE OF CONTINGENCY FUNDS FOR  
TEMPORARY WAGES AND VISITING JUDGE FEES**

WHEREAS, for the 2021 budget allocation, the Ingham County Probate Court was not allocated any funding for controllable line-items #705000 – Temporary Wages and #861020 – Visiting Judge Fees; and

WHEREAS, the Probate Court is limited with judicial office support staff coverage as the Probate Court only has one Court Officer/Research Clerk (“Probate Law Clerk”) position which is shared between two Probate Judges, who is responsible to provide coverage for two judicial assistants; and

WHEREAS, when a Probate Judge is on the bench, then the Probate Law Clerk is in the courtroom and unable to provide coverage to either of the Probate Court judicial assistants; and

WHEREAS, the Probate Court is also limited with judicial coverage as there are only two Probate Judges who cover for each other and any judicial absence or backlog requires the need of a visiting judge; and

WHEREAS, the Probate Court has demonstrated an immediate need for this temporary staffing when staff are absent in order to operate and maintain the Probate Court docket, especially post COVID-19, and to meet its statutorily required duties; and

WHEREAS, the Probate Court wishes to request this funding increase to begin immediately, at a total cost of \$5,000 for the remainder of 2021 – with \$4,200 allocated to line-item #705000 – Temporary Wages, as well as \$800 allocated to line-item #861020 – Visiting Judge Fees, with funding to come from the 2021 contingency account; and

WHEREAS, the Controller’s Office was consulted and is in support of such request and Human Resources was also notified.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners approves increased funding in the amount of \$5,000 for the reasons stated above, to be funded from the 2021 contingency account.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make any necessary budget adjustments consistent with this resolution.

## AGENDA ITEM 2

**TO:** Board of Commissioners Law & Courts and Finance Committees

**FROM:** Mike Cheltenham, Chief Assistant Prosecuting Attorney

**DATE:** August 2, 2021

**SUBJECT:** Resolution to Authorize an Agreement between the Michigan Department of Health and Human Services and the Ingham County Prosecutor's Office under the 2022FY STOP Violence against Women Grant  
For the August 12<sup>th</sup> and August 18<sup>th</sup> Agendas

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### **BACKGROUND**

The Michigan Department of Health and Human Services (MDHHS) has awarded the Ingham County Prosecutor's Office (ICPO) a grant for up to \$104,215 under the Services, Training, Officers, and Prosecutors (STOP) Violence against Women Act of 1994. This is the third year that ICPO has received the grant. The STOP Grant is awarded to county prosecutors to develop and strengthen the criminal justice system's response to violence against women. This particular grant is for a focused, coordinated, and multidisciplinary approach to holding domestic violence offenders accountable. To that end, ICPO has collaborated with the Lansing Police Department (LPD) and the 54-A District Court to accomplish the goals of this grant. Under this grant, ICPO currently employs a full-time assistant prosecuting attorney assigned solely to the prosecution of domestic violence and intimate partner violence.

### **ALTERNATIVES**

None.

### **FINANCIAL IMPACT**

The STOP grant award is for a total of \$138,953. However, actual funding is \$104,215 for the salary and benefits of the full-time assistant prosecuting attorney assigned to the grant. There is an "in kind" contribution requirement of ICPO for \$34,738 that will be accomplished by matching salaries and fringes of supervising attorneys for the project. Hence, the total value of the agreement is \$138,953. There is no monetary contribution required of the county.

### **OTHER CONSIDERATIONS**

The grant requires meaningful coordination and collaboration with other criminal justice agencies. To accomplish this goal, the 54-A District Court, LPD, and ICPO have engaged in a "focused deterrence" approach for domestic violence offenders in the city of Lansing. Focused deterrence aims to deter acts of intimate partner violence by imposing specific sanctions for engaging in criminal acts and specific benefits for not offending.

### **RECOMMENDATION**

Based on the information provided, I respectfully request approval of the attached resolution.

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE AN AGREEMENT BETWEEN THE MICHIGAN  
DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE INGHAM  
COUNTY PROSECUTORS OFFICE UNDER THE 2022 FY STOP VIOLENCE  
AGAINST WOMEN GRANT**

WHEREAS, the Ingham County Prosecutor's Office (ICPO) has been approved to receive grant funds up to an amount of \$104,215 from the Services, Training, Officers, and Prosecutors (STOP) Violence Against Women Grant program administered by the Michigan Department of Health and Human Services (MDHHS) for the period of October 1, 2021 through September 30, 2022; and

WHEREAS, the primary goal of the STOP Grant is to develop and strengthen the criminal justice system's response to violence against women and to enhance victim services; and

WHEREAS, the total grant award of \$138,953 will be broken down as follows: \$104,215 of the grant award will fund the salary and fringe benefits for a full-time assistant prosecuting attorney dedicated to the prosecution of domestic violence and intimate partner violence; there is a \$34,738 in kind contribution requirement of ICPO which will be fulfilled by matching salary and fringe benefits from supervising attorneys for the grant; and

WHEREAS, in achieving the goals and objectives of the grant program the ICPO will work in collaboration with the 54-A District Court for the City of Lansing and the Lansing Police Department, both of whom also received grant awards under this program, to utilize a focused deterrence approach to the issue of domestic violence and intimate partner violence within the City of Lansing.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners has accepted \$138,953 awarded by the STOP Grant program which begins on October 1, 2021 and ends on September 30, 2022.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make any necessary adjustments to the 2022 budget and position allocation lists consistent with this resolution.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign any necessary contracts/subcontracts consistent with this resolution subject to approval as to form by the County Attorney.



## **AGENDA ITEM 3a**

**TO:** Law & Courts, County Services and Finance Committees

**FROM:** Teri Morton, Deputy Controller

**DATE:** August 1, 2021

**SUBJECT:** Resolution to Authorize a Grant between the State of Michigan, Michigan Indigent Defense Commission (MIDC), Department of Licensing and Regulatory Affairs (LARA) and Ingham County to Provide Funding to Assist the County in Complying with the Compliance Plan and Cost Analysis Approved by MIDC and Creating Two New Grant Funded Positions

For the meeting agendas of August 12, 17 and 18

### **BACKGROUND**

The Michigan Indigent Defense Commission (MIDC) has approved Ingham County's FY22 Compliance Plan Renewal for funding the Ingham County Public Defenders Office, which provides indigent defense and related services at the 30<sup>th</sup> Circuit Court, 54A District Court, 54B District Court, and the 55<sup>th</sup> District Court. This will be the fourth year of grant funding from the State of Michigan for the compliance plan, and will cover the time period October 1, 2021 through September 30, 2022.

The major changes in this year's grant over last year's is the addition of one Clerk - Public Defender position and a part-time Senior Assistant Public Defender position, both requested to address the adoption of Standard 5, "Independence from the Judiciary," which went into effect October 1, 2020.

### **FINANCIAL IMPACT**

The 2021-2022 grant budget is \$6,479,321.17 including a local share of \$912,845.25. The local share will be split among Ingham County (\$874,787.25), the City of Lansing (\$21,771), and the City of East Lansing (\$16,287).

### **STRATEGIC PLANNING IMPACT**

This resolution supports the overarching long-term objective of assuring fair and efficient judicial processing, specifically section A 2. (c) of the Action Plan – Develop an indigent defense services plan following guidelines issued by the State through the Michigan Indigent Defense Commission (MIDC).

### **OTHER CONSIDERATIONS**

The newly created positions will be effective October 1, 2021. The new part-time Senior Assistant Public Defender position is classified as a Teamster Public Defender Grade 3 (salary range \$80,315.59 - \$96,400.88) and the Clerk – Public Defender is classified as UAW/TOPS Grade D (salary range \$33,709.94 - \$40,130.88).

The Cities of Lansing and East Lansing will continue to contribute their local share to the grant. Memorandums of Understanding between the County and the Cities will be brought before the Board of Commissioners for approval at a future round of committee meetings.

**RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution.

Introduced by the Law & Courts, County Services, and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE A GRANT BETWEEN THE STATE OF  
MICHIGAN,  
MICHIGAN INDIGENT DEFENSE COMMISSION (MIDC), DEPARTMENT OF  
LICENSING AND REGULATORY AFFAIRS (LARA), AND INGHAM COUNTY  
TO PROVIDE FUNDING TO ASSIST THE COUNTY IN COMPLYING WITH THE  
COMPLIANCE PLAN AND COST ANALYSIS APPROVED BY MIDC AND  
CREATING TWO NEW GRANT FUNDED POSITIONS**

WHEREAS, the Michigan Indigent Defense Commission (MIDC) approved Ingham County's Compliance Plan and Cost Analysis, which creates a Public Defenders Office administered by Ingham County to provide indigent defense and related services at the 30<sup>th</sup> Circuit Court, 54A District Court, 54B District Court, and the 55<sup>th</sup> District Court; and

WHEREAS, this plan was accepted and approved by Ingham County Board Resolution #17-445; and

WHEREAS, the Ingham County Public Defenders Office submitted a FY22 grant request which was accepted and approved by the State of Michigan, the Michigan Indigent Defense Commission (MIDC), and the Department of Licensing and Regulatory Affairs (LARA); and

WHEREAS, this grant includes the creation of a new Clerk - Public Defender position and a new part-time Senior Assistant Public Defender position.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners accepts the Grant between the State of Michigan, Michigan Indigent Defense Commission (MIDC), Department of Licensing and Regulatory Affairs (LARA), and Ingham County to provide indigent defense and related services at the 30<sup>th</sup> Circuit Court, 54A District Court, 54B District Court, and the 55<sup>th</sup> District Court.

BE IT FURTHER RESOLVED, that the grant period is October 1, 2021 through September 30, 2022, and the budget is approved for an amount of up to \$6,479,621.17, including a local share of \$912,845.25.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the creation of one Clerk – Public Defender position (UAW/D) and one part-time Senior Assistant Public Defender (PD03) effective October 1, 2021.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make any necessary budget adjustments and changes to the Position Allocation List consistent with this resolution.

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners is hereby authorized to sign any necessary grant and contract documents on behalf of the County, after approved as to form by the County Attorney.

## **AGENDA ITEM 3b**

TO: Board of Commissioners Laws and Courts and Finance Committees

FROM: Russel Church, Chief Public Defender

DATE: August 3, 2021

SUBJECT: Authorization for the Office of the Public Defender to accept clothing donations  
For the meeting agendas of August 12, 17, 18

### **BACKGROUND**

Case law requires an incarcerated defendant should be dressed for trial in clothing that tries to avoid telegraphing to the jury they are in custody. Some defendants do not have resources or support people to ensure this happens. When that is the case, it is the obligation of the defense attorney to make sure the client is suitably dressed. Historically, the private attorneys have purchased clothing (from places like thrift stores and consignment stores) and they included the cost to the invoice they submitted for their services. The Office of the Public Defender is developing a lending closet of clothing for clients to wear for court appearances. In the long run, by re-using clothing we have collected we will save the county money. In addition to resolving this issue, it is not uncommon for incarcerated clients to find when they are released from confinement that they have lost everything. Since we are retaining clothes for court, we would like to also accept more casual clothing to give to clients who find themselves in this situation.

### **ALTERNATIVES**

The office has an obligation to provide clothes for trial. The alternative is to purchase specific clothing for the client for each trial. This costs the county extra money both in making the purchase and having an employee shop for clothing during work time. The alternative to accepting casual clothes is to refer them to other community resources who may or may not be in a position to help.

### **FINANCIAL IMPACT**

By keeping this lending closet, the County saves money. The Office of the Public Defender will rely on donations from private parties in order to support and supply this lending closet.

### **STRATEGIC PLANNING IMPACT**

The two county strategic goals that are impacted would be quality services and creativity and innovation. Developing a trust relationship with the client is a paramount goal of the office in every case. The creativity and innovation stems from setting up a process that saves money while providing a needed service.

### **OTHER CONSIDERATIONS**

First impressions matter. To the extent that we clothe the client suitably, it can have an admittedly small favorable impression on the jury. Making clothing available as part of the re-entry process reduces, by a little, the stress a client feels in trying to rebuild their life.

### **RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution.

Introduced by the Law & Courts and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE THE OFFICE OF THE PUBLIC DEFENDER TO  
ACCEPT DONATIONS OF CLOTHING FOR THEIR CLIENTS**

WHEREAS, the Office of the Public Defender represents many clients charged with crimes who are incarcerated at the time of their trial; and

WHEREAS, these clients do not always have people in the Ingham County area willing and able to help them with matters concerning their incarceration; and

WHEREAS, the appellate courts of the state have ruled that a criminal defendant must be clothed in “street clothes” and not jail uniforms when they appear in front of a jury; and

WHEREAS, it is ultimately the responsibility of the defense attorney to ensure the defendant appears before the court appropriately dressed; and

WHEREAS, the past practice was to purchase clothing and be reimbursed from county funds; and

WHEREAS, the Office of the Public Defender has begun the development of a clothing locker for this purpose and is periodically contacted by businesses and individuals that want to help indigent defendants; and

WHEREAS, additionally many clients lose most of all of their personal belongings while incarcerated and leave the jail with nothing but the clothes they were wearing when booked into the jail; and

WHEREAS, the ability of the Office of the Public Defender to share clothing they have on hand will help the client make a more successful re-entry into society.

THEREFORE BE IT RESOLVED, that the Ingham County Office of the Public Defender is authorized to accept donations of clothing from individuals and businesses for the purpose of maintaining a clothing locker for court and for assistance of clients in their re-entry into society.

BE IT FURTHER RESOLVED, that the Office of the Public Defender may provide such businesses and individuals with receipts acknowledging the donation but may not opine for tax purposes as to a market value of the clothing donation.

## **AGENDA ITEM 4a**

**TO:** Board of Commissioners Law & Courts Committee  
**FROM:** Heidi Williams, Director, Ingham County Animal Control & Shelter  
**DATE:** August 3, 2021  
**SUBJECT:** Creation of the Ingham County Animal Control Enforcement Division sub-unit  
For the meeting agenda of August 12, 2021 and August 24, 2021

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### **BACKGROUND**

Ingham County Animal Control officers respond to felony and misdemeanor criminal complaints throughout the County. Officers perform criminal investigations, issue citations, and request charges on offenders. Often officers interact with subjects who have been convicted of violent felonies or are currently being investigated by other law enforcement agencies. Our officers perform these functions without access to criminal justice information (CJI) that is available to other law enforcement agencies. This lack of access to information places our officers in extreme danger when they respond to calls for service.

Access to criminal justice information is regulated by the Criminal Justice Information Services (CJIS) Division of the Federal Bureau of Investigation. In order for the CJIS Division to grant access to CJI the following two requirements must be met:

- The primary function of the requesting entity must be the administration of criminal justice
- Over 50 percent of the budget allocation for the requesting entity must be allocated to the administration of criminal justice

In October 2020, ICACS requested access to CJI from the FBI CJIS Division. In January 2021, we received a response stating the request had been denied. In the denial, it was stated that ICACS may explore creating a dedicated law enforcement sub-unit within the organization. Once a new sub-unit is created within ICACS, a new application could then be made to the CJIS Division that requests access specifically for the sub-unit.

### **ALTERNATIVES**

If we do not create this division, our officers will continue to respond to criminal complaints and calls for service without access to criminal justice information on suspects and victims. ICACS may begin exploring legislative alternatives to gain CJI access.

### **FINANCIAL IMPACT**

No additional funding would be needed to fund the creation of this sub-unit. The approval of this resolution would direct the allocation of existing funds to be used specifically for this sub-unit.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the Ingham County Strategic Plan by providing quality and efficient services, all while practicing fiscal responsibility.

**RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to create the Ingham County Animal Control Enforcement Division sub-unit within the Ingham County Animal Control and Shelter department.

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO APPROVE THE CREATION OF THE INGHAM COUNTY  
ANIMAL CONTROL ENFORCEMENT DIVISION WITHIN INGHAM COUNTY  
ANIMAL CONTROL AND SHELTER**

WHEREAS, the Ingham County Animal Control and Shelter (ICACS) requires access to criminal justice information to perform criminal investigations; and

WHEREAS, the dissemination of criminal justice information is restricted to organizations and individuals that are involved in the primary function of the administration of criminal justice; and

WHEREAS, ICACS seeks to create the Ingham County Animal Control Enforcement Division as a law enforcement sub-unit within ICACS; and

WHEREAS, the Ingham County Animal Control Enforcement Division would be responsible for investigating and enforcing the criminal laws contained within Chapter IX of the Michigan Penal Code Act 328 of 1931, Act 339 of 1919, Act 426 of 1988, and the Ingham County Animal Control Ordinance; and

WHEREAS, members of this sub-unit shall be comprised of the Animal Control Director, Deputy Director and Animal Control Officers; and

WHEREAS, all members of this sub-unit shall be certified by the Michigan Department of Rural Development as Animal Control Officers and swear an oath before the Ingham County Clerk to enforce the abovementioned laws and ordinances; and

WHEREAS, the budget for this sub-unit shall be apportioned from the ICACS budget and shall consist of the personnel expenses for sub-unit members, expenses related to ICACS department vehicles related to investigating and enforcing the criminal laws contained within Chapter IX of the Michigan Penal Code Act 328 of 1931, Act 339 of 1919, Act 426 of 1988, and the Ingham County Animal Control Ordinance, and officer uniforms and equipment.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the creation of the Ingham County Animal Control Enforcement Division.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary contract documents, which are consistent with this resolution and approved as to form by the County Attorney.



## AGENDA ITEM 4b

**TO:** Board of Commissioners Law & Courts Committee  
**FROM:** Heidi Williams, Director, Ingham County Animal Control & Shelter  
**DATE:** August 3, 2021  
**SUBJECT:** Modification of public Shelter hours on Wednesday  
For the meeting agenda of August 12, 2021 and August 24, 2021

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### **BACKGROUND**

In 2018, the Ingham County Animal Shelter hours were modified to the current hours:

Monday-Saturday	10:30 am to 5:00 pm
Wednesday	10:30 am to 6:00 pm
Sunday	Closed
County Holidays	Closed

The shelter switched from being open seven days per week to six, and Wednesday hours were shifted from noon to 7:00 PM to 10:30 to 6:00 PM (see Resolution #18-424). Additionally, a special adoption event called “Whisker Wednesday” took place on Wednesdays and initially drew many people to the shelter on that day.

Approximately 10 months ago, the “Whisker Wednesday” promotion was ended and “Saturday Saturday” was created. With this change, discounted cat adoptions were moved to Saturday to better allow the public to take advantage of the program. Since this change, the Shelter has seen an increase in inquiries, customer visits, and adoptions on Saturday. Conversely, there has been decline in customers on Wednesday between 5:00 PM and 6:00 PM.

Typically, our customer service staff is scheduled 9:30 AM to 5:30 PM. Between 9:30 AM to 10:30 AM the staff answers adoption inquiries, plans rescue transfers, and completes processes from the prior business day. On Wednesday’s, the office staff arrives at 10:30 AM and must immediately open the Shelter without the ability to perform these administrative tasks.

This change was discussed and approved by the Ingham County Animal Shelter Advisory Committee at the July 19, 2021 meeting.

### **ALTERNATIVES**

If the hours of operation are not modified, the Shelter will remain open until 6:00 PM to the public on Wednesday.

### **FINANCIAL IMPACT**

No additional funding would be required for this change.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the Ingham County Strategic Plan by providing quality and efficient services all while practicing fiscal responsibility.

**RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to modify the hours of operation for ICACS.

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO MODIFY THE PUBLIC HOURS OF OPERATION FOR INGHAM  
COUNTY ANIMAL CONTROL AND SHELTER**

WHEREAS, the Ingham County Animal Control and Shelter (ICACS) public hours of operation were modified in 2018 to shift open hours from seven days per week to six days per week, including open hours on Wednesdays from 10:30 am to 6:00 pm.; and

WHEREAS, the Wednesday adoption promotion event “Whisker Wednesday” was modified and moved to Saturday to provide greater access to the public; and

WHEREAS, ICACS has experienced a decline in customers on Wednesday afternoon/evening; and

WHEREAS, ICACS seeks to modify the public hours of operation to close at 5:00 PM on Wednesday; and

WHEREAS, this change would allow ICACS personnel to respond to public inquiries prior to opening to the public on Wednesday mornings.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes ICACS to modify their public hours of operation to: Monday-Saturday 10:30 am – 5:00 pm, effective Monday, September 13, 2021.

## **AGENDA ITEM 4c**

**TO:** Ingham County Board of Commissioners Law & Courts Committee  
**FROM:** Teri Morton, Deputy Controller  
**DATE:** August 3, 2021  
**SUBJECT:** Animal Control Ordinance Amendments

Several amendments to the Animal Control Ordinance have been requested.

1. Amendments re Criminal Liability Standards

As a consequence of issues having arisen in the course of certain misdemeanor prosecutions, the Ingham County Prosecutor's Office has requested that the Ordinance be further amended to clarify the standards for criminal liability, by adding certain definitions to Article II, and to revise provisions in Article V as to confinement procedures and in Article IX as to strict liability and costs. See attached redline version.

2. Repeal of Article VIII re Livestock and Poultry

As a consequence of the issuance of Attorney General Opinion No. 7314 (July 22, 2021) as requested by the County in Resolution #19-477, holding that the County lacks statutory authority to prohibit the keeping of livestock and poultry in the non-agricultural areas of the County or to permit the keeping of chickens, as currently provided in Article VIII of the Ordinance, Article VIII of the Ordinance should be repealed.

However, Animal Control will continue to enforce laws regarding livestock and poultry found running at large.

Attached is a redline version of the ordinance detailing the proposed amendments.

INGHAM COUNTY  
ANIMAL CONTROL ORDINANCE

AS ADOPTED BY THE INGHAM COUNTY BOARD OF COMMISSIONERS ON  
SEPTEMBER 18, 1972 AND AMENDED THROUGH ~~AUGUST OCTOBER 7,~~  
2019, 2021.

PASSAGE OF ORDINANCE

I, Helen B. Everitt, Deputy County Clerk for the County of Ingham, do hereby certify that the following Ordinance was adopted by the Ingham County Board of Commissioners on September 18, 1972.

HELEN B. EVERITT  
Deputy County Clerk

ANIMAL CONTROL ENFORCEMENT ORDINANCE

County of Ingham, Michigan

An Ordinance relating to and providing for animal control within the boundaries of Ingham County; purpose of Ordinance; definitions; County Animal Control Officer, his duties, authority, responsibilities and removal from office; licensing and vaccination of dogs; confinement of dogs and other animals under certain circumstances; County Animal Shelter and impoundment of dogs and other animals and redemption of dogs and other animals impounded; killing and seizing of dogs and other animals; prohibition of livestock and poultry in non-agricultural areas; enumeration of certain violations and procedure therefor; penalties; preservation of certain rights; County Treasurer's duties and records; fees and expenses; receipts and disbursements of funds; construction; repeal.

THE PEOPLE OF THE COUNTY OF INGHAM, MICHIGAN, DO ORDAIN:

ARTICLE I

PURPOSE

Deeming it advisable in the interest of protecting the public health, safety, convenience and welfare and to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan and in particular Act 339 of the Public Acts of 1919, as amended, being Sections 287.261-287.293 of the Compiled Laws of 1948, (MSA Sections 12.511-12.543), and to create the position of Animal Control Officer and define his duties, authority and responsibilities, and to regulate and control the conduct, keeping and care of dogs and certain other animals, livestock and poultry, the County of Ingham, Michigan, does hereby adopt the following Ordinance:

## ARTICLE II

### DEFINITIONS

For the purpose of this Ordinance, the following terms shall have the following meanings respectively designated for each:

(a) **ANIMALS** Unless otherwise stated, the word "Animal" as used in this Ordinance shall include birds, fish, mammals and reptiles.

(b) **LIVESTOCK** means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennies, burros, goats, kids, hogs, swine, and furbearing animals being raised in captivity.

(c) **POULTRY** means all domestic fowl, ornamental birds, and game birds possessed or being reared under authority of a breeder's license pursuant to Act 191 of the Public Acts of 1929, as amended, being Sections 317-71 to 317.85 of the Compiled Laws of 1948 (MSA Sections 13.1271-13.1285).

(d) **POLICE OFFICER** means any person employed or elected by the people of the State of Michigan, or by any city, village, county or township whose duty it is to preserve peace or to make arrest or to enforce the law, and includes game, fish and forest fire wardens and members of the State Police and Conservation Officers.

(e) **ANIMAL CONTROL OFFICER** means any person employed by the county for the purpose of enforcing this Ordinance or state statutes pertaining to dogs or other animals as well as persons or deputies employed by the county to act in the Animal Control Division.

(f) **OWNER** The term "owner" and "persons owning premises" shall mean both the owner of title of record and those occupying or in possession of any property or premise. The term "owner" when applied to the proprietorship of an animal means every person having a right of property in the animal, an authorized agent of the owner, and every person who keeps or harbors the animal or has it in his care, custody or control, and every person who permits the animal to remain on or about the premise occupied by him.

(g) **PERSON** The word "person" shall include state and local officers or employees, individuals, corporations, co-partnerships and associations.

(h) **KENNEL** means any establishment wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding or training purposes, for remuneration, constructed so as to prevent the public or stray dogs from obtaining entrance thereto and gaining contact with dogs lodged therein.

(i) **RABIES SUSPECT ANIMAL** The term 'rabies suspect animal' shall mean any animal which has been determined by the Michigan Department of Public Health to be a potential rabies carrier and which has bitten a human, or any animal which has been in contact with or been bitten by another animal which is a potential rabies carrier, or any animal which is a potential rabies carrier which shows symptoms suggestive of rabies.

(j) **POUND MASTER: CHIEF, ANIMAL CONTROL SERVICES: DOG WARDEN: DOG CATCHER.** The terms "POUND MASTER", "Chief, Animal Control Service, "Dog Warden" or "Dog Catcher" are synonymous with "Animal Control Officer" and shall include the deputies of such person.

(k) **DAY** shall mean working days. It shall not include Saturdays, Sundays or County observed Holidays.

(l) BOARD OF COMMISSIONERS shall mean the Ingham County Board of Commissioners. TREASURER shall mean the Ingham County Treasurer.

(m) NON-AGRICULTURAL AREA shall mean any area zoned by a city, village, township or other governmental body, agency or commission as other than for agricultural purposes.

(n) MOLESTS shall mean to bother, interfere with, intimidate, threaten, harass, or annoy.

(o) PASSERS-BY shall mean any person or leashed animal that is lawfully on public property, or lawfully on private property, including the property of the offending animal's owner, and is not stationary on said property for an unreasonably extended period of time. This includes, but is not limited to: walking; running; driving; riding; engaging in short social contact with others, including the offending animal's owner; engaging in the performance of any duty imposed upon him or her by the laws of this state or by the laws or postal regulations of the United States.

### ARTICLE III

#### ANIMAL CONTROL OFFICER DUTIES, AUTHORITY AND RESPONSIBILITIES

Section 1. An Animal Control Officer shall be appointed by the Board of Commissioners and shall serve as Director of the Animal Control Department. Said person shall serve at the pleasure of the Board of Commissioners. The County Controller/Administrator shall have day-to-day supervisory responsibility over the Animal Control Director.

Section 2. In lieu of all fees and other remuneration under the statutes of this state, the Animal Control officer, his deputies and assistants, except census takers, shall be paid a salary as established and determined by appropriate resolution of the Board of Commissioners.

Section 3. The Animal Control Officer shall fulfill the following duties:

(a) The Animal Control Officer shall promptly seize, take up and place in the animal shelter all dogs or other animals, livestock or poultry found running at large or being kept or harbored any place within the county contrary to the provisions of this Ordinance or the statutes of the state.

(b) The Animal Control Officer shall be legally authorized to have the power and it shall be his duty to issue appearance tickets, citations or summonses to those persons owning, keeping or harboring dogs contrary to the provisions of this Ordinance.

(c) It shall be the duty of the Animal Control Officer, his/her deputies or assistants, to destroy in a humane manner, all impounded dogs or other animals lacking a collar, license or other evidence of ownership after being impounded for four (4) days, or if the animal has a collar, license or evidence of ownership, seven (7) days from the date of mailing to the animal's owner written notice that the animal has been impounded. If, however, in the Animal Control Officer's, his/her deputy's or assistant's judgment, said dog or other animal is valuable or otherwise desirable for keeping, the Animal Control Officer, his/her deputies or assistants may release said dog, or other animal, to any person who will undertake to remove said animal from the county or keep said animal within the county in accordance with the provisions of this Ordinance and the statutes of the state, including compliance with licensing and vaccination requirements, upon payment of the proper charge for the care and treatment of said animal while kept in the animal shelter or dispose of said dog or other animal at the expiration of the holding period required herein in a manner approved by the Board of Commissioners or the Law and Courts Committee or any successor committee thereof. Such regulations regarding the sale of animals from the animal shelter and boarding and other charges shall be posted in a conspicuous place at the animal shelter. The bodies of all animals

destroyed at the animal shelter or elsewhere in the county shall be disposed of by the Animal Control Officer, his/her deputies or assistants, in a manner approved by the Ingham County Health Department and /or Law and Courts Committee of the Board of Commissioners or any successor committee thereof. Any animals voluntarily turned into the animal shelter by the owners thereof for disposition need not be kept for the minimum period set forth herein before release or disposal of such animal is made by the Animal Control Officer, his/her deputies or assistants, as provided herein.

(d) The Animal Control Officer shall promptly investigate all animal bite cases by a rabies suspect animal involving human exposure and shall search out and attempt to discover the animal involved and shall either impound or require its owner to quarantine the animal for examination for disease in accordance with applicable provisions of this Ordinance and/or the statutes of the state. In the event the owner of a quarantined animal is unable to maintain the quarantine during the required period, the owner shall deliver said animal to the animal shelter or upon notice to the Animal Control Officer to a veterinarian clinic for impoundment. Failure of an owner to maintain a quarantine or to deliver a quarantined animal for impoundment shall constitute a misdemeanor punishable as set forth in Article X of this Ordinance. The Animal Control Officer shall also be obliged to seize and impound any rabies suspect animal.

(e) The Animal Control Officer shall assume the duty (provided in Section 316 of Act 339 of the Public Acts of 1919, being Section 287.276 of the Compiled Laws of 1948, (MSA Section 12.526), as amended to determine and locate all unlicensed dogs, to list such dogs, and to deliver said list to the Prosecuting Attorney for the necessary proceedings as provided by this Ordinance and/or the statutes of the state.

(f) The Animal Control Officer, his deputies or assistants are hereby authorized and empowered in accordance with the provisions of this Ordinance to enter upon private premises for the purpose of inspecting same for the purpose of determining the harboring, keeping or possessing of any dog or dogs for the specific purpose of determining if the owners of said dogs have complied with the appropriate provisions of this Ordinance and to apprehend and take with him any dogs for whom no license has been procured in accordance with this Ordinance or for any other violation hereof. The provisions of this subsection shall specifically include, but not be limited to, investigation of or seizure for cruelty to animals.

(g) The Animal Control Officer shall have the right to inspect any kennel, a license for which has been issued by the Treasurer pursuant to this Ordinance and the statutes of the state, and shall have the duty to suspend said license if, in their opinion, conditions exist which are unhealthy or inhumane to the animals kept therein pending correction of such conditions, and further shall have the duty to revoke said license if such conditions are not corrected within a reasonable period of time.

(h) The Animal Control Officer shall have the right to investigate complaints of dogs or other animals alleged to be dangerous to persons or property and shall have the right to seize, take up and impound such animals.

(i) The Animal Control Officer shall have the right to investigate complaints of cruelty to dogs or other animals, livestock or poultry and shall have the right to seize, take up and impound any dog or other animal, livestock or poultry which has been subject to such cruelty.

(j) The Treasurer shall depute the Animal Control Director and necessary staff and veterinarians contracted to sell dog licenses, and said individuals shall be responsible to the County Treasurer for the sale of dog licenses and the keeping of appropriate records and books of accounts with respect thereto.



(k) The Animal Control Officer shall have such other duties relating to the enforcement of this Ordinance as the Board of Commissioners may from time to time provide.

Section 4. It shall be the further duties of the Animal Control Officer, his deputies or assistants, to enforce the provisions of this Ordinance and the statutes of the state pertaining to dogs and other animals, and he may make complaint to the appropriate District Court or other appropriate court in regard to any violation thereof.

Section 5. The Animal Control Officer, his deputies or assistants, shall dispose of any animal, livestock or poultry seized, taken up and-or impounded as provided for herein; in accordance with the provisions of this Ordinance and-or the statutes of the state.

Section 6. All suspensions and-or revocations of licenses and all seizures for cruelty or dangerousness as provided for herein, shall be in accordance with such rules and regulations as are adopted from time to time by the Board of Commissioners.

Section 7. The Animal Control Officer shall serve at the pleasure of the Board of Commissioners and may be removed from office by a majority vote of the Board of Commissioners.

Section 8. The Animal Control Officer, his deputies or assistants are further authorized and shall at all times carry a book of receipts properly numbered in sequence for accounting purposes, for the issuing of dog licenses as provided in this Ordinance and shall issue such dog licenses in accordance herewith.

Section 9. All fees and monies collected by the Animal Control Officer, his deputies or assistants as herein provided shall be accounted for and turned over to the Treasurer on or before the first of each and every month or more often if reasonably necessary under the standard practices of the Treasurer's accounting system.

#### ARTICLE IV

#### LICENSING AND VACCINATION

Section 1. It shall be unlawful for any person to own any dog four (4) months old or over, unless the dog is licensed as hereinafter provided, or to own any dog four (4) months old or over that does not at all times wear a collar with a tag approved by the Director of the Michigan Department of Agriculture, attached, as hereinafter provided, except when engaged in lawful hunting accompanied by its owner; or for any owner of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held properly in leash; or for any person except the owner, to remove any collar and-or license tag from a dog; or for any owner to allow any dog, except working dogs such as leader dogs, farm dogs, hunting dogs, and other dogs, when accompanied by their owner, while actively engaged in activities for which such dogs are trained, to stray unless held properly in leash.

Section 2. The owner of any dog four (4) months old or over, shall annually apply to the county, township or city treasurer to his authorized agent, where the owner resides, for a license by the last day of the anniversary month of the dog's current rabies vaccination. Such application shall be in writing and state the breed, sex, age, color, and markings of the dog, and the name and address of the last previous owner. The application for a license shall be accompanied by a valid certificate of a current vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. The certificate for the vaccination for rabies shall state the month and year of expiration for the rabies vaccination, in a veterinarian's opinion.

A license shall not be issued if the dog's current rabies vaccination will expire more than one month before the date on which that license would expire.

Section 3. No dog shall be exempt from the rabies vaccination requirements as herein set forth.

Section 4.

(a) The annual fee for licenses acquired on or before the last day of the anniversary month of a dog's current rabies vaccination for male or female dogs four (4) months of age or over that are not surgically sterilized shall be \$40.00 per year, or \$4.00 per month if the vaccination anniversary date is less than 8 months away. The three year non-delinquent un-sterilized license fee shall be \$100.00. The annual fee for licenses acquired during said period for surgically sterilized male or female dogs four (4) months of age or over shall be \$12.00 per year, or \$1.00 per month if the vaccination anniversary date is less than 9 months away. The three year non- delinquent sterilized license fee shall be \$30.00.

(b) For dogs reaching the age of four (4) months, the owner thereof shall obtain a license within thirty (30) days of the date in which a dog reaches four (4) months of age at the rate set forth in Article IV, Section 4(a).

(c) A dog which is used as a guide or leader dog for a blind person, a hearing dog for a deaf or audibly impaired person, or a service dog for a physically limited person is not subject to any fee for licensing, as provided in MCL 287.291.

(d) The Treasurer will make two contacts with a suspected unlicensed dog owner, either in person or by mail, allowing licensing at the normal non-delinquent rate set forth in Article IV Section 4(a). The delinquent license fee for any dog for which a license has not been obtained in accordance with Article IV, Sections 4(a) and (b) shall be double the figure in Section 4(a) when a third contact (from the County Prosecutor) becomes necessary.

(e) The delinquent license fee for any dog for which a license has not been obtained in accordance with Article IV, Sections 4(a), (b) and (d), when a contact by an Animal Control Officer becomes necessary, shall include the full \$70.00 cost of license compliance and enforcement activities as an addition to the delinquent license fee set forth in Section 4(d).

(f) The dog license fees as herein established may be changed from time to time by the rules and regulations pertaining to same as established by the Board of Commissioners.

(g) Current dog licenses issued by other counties within Michigan, and any other governmental agencies shall be honored in Ingham County until either it's current license expires or the last day of the anniversary month of the dog's current rabies vaccination, whichever occurs first.

Section 5. No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county, the license of such dog may be likewise transferred, upon proper notice, in writing by the last registered owner, given to the Treasurer who shall note such transfer upon his records. This Ordinance does not require the procurement of a new license, or the transfer of a license already secured, where the possession of a dog is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

Section 6. Any person who owns, keeps or operates a kennel may, in lieu of individual licenses required under this Ordinance and under the laws of the State of Michigan, apply to the Treasurer for a kennel license entitling him to own, keep or operate such kennel in accordance with the applicable laws of the state and the fee for same shall be in accordance with the laws of the state or as established by the rules and regulations for licensing fees by the Board of Commissioners.

Section 7. Any person owning a kennel shall, on or before June 1 of the year following such ownership, obtain a kennel license from the County Treasurer if the person qualifies under Act

339, Public Acts of 1919, as amended. The fee to be paid for a kennel license shall be \$10.00 for ten (10) dogs or less, and \$25.00 for more than ten (10) dogs. A fee of double the original license fee shall be charged for each previously licensed kennel, whose kennel license is applied for after June 1. In addition to the kennel license fee a inspection fee shall be charged for every inspection of a kennel at a rate of \$20.00 for ten (10) or less dogs and \$25.00 for more than ten (10) dogs. Failure to obtain such kennel license shall be punished as set forth in Article X, of this Ordinance.

## ARTICLE V

### CONFINEMENT

Section 1. Any dog or other warm blooded animal that ~~shall~~does bite a person, animal or livestock shall be handled in accordance with the National Association of State Public Health Veterinarians, Inc., (NASPHV, Inc), Compendium of Animal Rabies Control 1989, as amended.

The prescribed procedures will be made available for review, upon request, by Ingham County Animal Control.

In the event the owner of such animal is unable to or fails to comply with any of the prescribed procedures, the Animal Control Officer shall take possession and custody of such animal and follow the prescribed procedure. The owner of such animal shall bear the costs thereof. Failure of the owner of such animal to keep, maintain and confine or dispose of the animal when and as required by the NASPHV, Inc., Compendium of Rabies Control 1989 or if unwilling or unable to do so, to release custody of said animal to Animal Control Officer, his/ her deputies or assistants or when so directed deliver said animal to a veterinarian clinic for confinement, shall be in violation of this Ordinance and subject to the penalties set forth in Article X.

## ARTICLE VI

### ANIMAL SHELTER AND IMPOUNDMENT

Section 1. All dogs found running at large shall be seized by the Animal Control Officer, his/her deputies or assistants, or by other law enforcement officers, and impounded at the animal shelter for a period of four (4) days if the dog lacks a collar, license or other evidence of ownership, if the dog possesses a collar, license or other evidence of ownership, it shall be held for a period of not less than seven (7) days from the date of mailing the notice of the dog's impoundment to its owner. After the required holding period has elapsed the dog may be killed, sold or otherwise disposed of if not claimed by the owner, in a manner authorized by this Ordinance

Section 2. When dogs are found running at large, and their ownership is known to the Animal Control Officer, his/her deputies or assistants, or other peace officers, such dog need not be impounded but the Animal Control Officer, his/her deputies or assistants, or other peace officer may, in their discretion, cite the owner of such dog to appear in court to answer charges of violation of this Ordinance.

Section 3. Immediately upon impounding a dog or other animal, the Animal Control Officer shall make every reasonable effort to notify the owner of such dog or other animal so impounded and inform such owner of the conditions whereby custody of such dog or other animal may be regained pursuant to the regulations for the operation of the animal shelter.

Section 4. An owner may redeem a dog from the animal shelter by executing a sworn statement of ownership, furnishing a license and tag as required by this Ordinance and state law, and paying the following fees:

- (a) A boarding fee of \$10.00 per day commencing the day following the day of impoundment.
- (b) A fee of \$10.00 for vaccination unless the owner can show proof of vaccination within the last year.
- (c) A pick-up fee of \$26.00 for the first pick-up of a surgically sterilized animal and \$41.00 for a unsterilized animal; \$31.00 for the second pick-up of a surgically sterilized animal and \$61.00 for an unsterilized animal; \$63.00 for the third pick-up of a surgically sterilized animal and \$63.00 for each pick-up thereafter. For the third pick-up of an unsterilized animal the fee shall be \$125.00 plus the prepayment of sterilization surgery to the veterinarian of the choice of the animal owner. The sterilization shall be performed within ten (10) business days of the date of the animal's third redemption or at the time the animal turns six (6) months of age, unless the animal's owner elects to have the animal euthanized in lieu of sterilization. If the owner fails to have the animal either sterilized or euthanized within the prescribed time period after the third redemption, he/she shall turn the animal and title thereto over to the Ingham County Animal Shelter. On the first and second pick-up of an unsterilized animal, a refund equal to the difference in fees between the sterilized and unsterilized animals shall be given to the animal's owner if the owner submits proof to the animal shelter that the animal has been sterilized within ten (10) working days from the date of the animal's pick-up from the animal shelter. If an animal is picked up at times other than the normal working hours, an extra \$10.00 shall be charged. When an animal is picked up for the third time, regardless of whether surgically sterilized or unsterilized, the Animal Control Officer shall request the Prosecuting Attorney to prosecute the owner for violations of this Ordinance and Act No. 339, Public Acts of 1919, as amended.
- (d) If a dog owner is unable to prove that the dog has a current license and a valid certificate of rabies vaccination, the owner shall in addition to the fees set forth above, pay the fees established for licensing and rabies vaccination.
- (e) The fees set forth in this section may be changed from time to time by the Board.

Section 5. The Board of Commissioners shall maintain an animal shelter for the purposes set forth herein.

## ARTICLE VII

### KILLING AND SEIZING OF DOGS AND OTHER ANIMALS

Section 1. The Animal Control Officer, his/her deputies or assistants may kill any dog or other animal which he/she sees in the act of pursuing, attacking or about to attack or wounding any livestock or poultry or attacking persons, and there shall be no liability on such Officer, deputy or assistant in damages or otherwise, for such killing. Any dog that enters any field or enclosure which is owned by or leased by a person producing livestock or poultry, outside of a city, unaccompanied by its owner, or its owners agent, shall constitute a trespass, and the owner shall be liable in damages. Except as provided in this section, it shall be unlawful for any person, other than a law enforcement officer, to kill or injure or attempt to kill or injure any dog which bears a license tag for the current year. In no event shall the provisions of this section exonerate a person from compliance with the criminal laws of this state, including, by way of an example, the safe discharge of firearms.

Section 2. It shall be lawful for any person to seize any dog or other animal running at large in violation of this Ordinance and to turn said dog or other animal over to the Animal Control Officer, his/her deputies or assistants.

## ARTICLE VIII

[Repealed]

### ~~PROHIBITION OF LIVESTOCK OR POULTRY IN NON-AGRICULTURAL AREAS~~

- ~~(a) No livestock or poultry shall be owned, kept, possessed, harbored or kept charge of within the boundaries of any non-agricultural area within Ingham County except as such places are provided for shipping said livestock or poultry.~~
- ~~(b) Notwithstanding paragraph (a), and unless expressly prohibited or regulated by a city, village or township ordinance, or private property restriction, chickens may be owned, kept, possessed, harbored, and kept charge of within the boundaries of any non-agricultural area within Ingham County, under the following conditions:~~
- ~~(i) No more than five (5) hens may be kept on any one or two family residential property, and no roosters shall be allowed;~~
  - ~~(ii) Chickens must be kept in an enclosure so constructed or repaired as to keep the chickens confined on the owner's property, and to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure;~~
  - ~~(iii) A covered enclosure or fenced enclosure shall not be located closer than 10 feet from the property line of any adjacent property, nor closer than 40 feet from any residential structure on an adjacent property, unless the adjacent property owner consents in writing;~~
  - ~~(iv) All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents, shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.~~
  - ~~(v) No person shall slaughter any chickens.~~

## ARTICLE IX

### ENUMERATION OF CERTAIN VIOLATIONS AND PROCEDURE THEREFOR

Section 1. The owner of any dog shall be deemed in violation of this Ordinance and shall be held strictly criminally liable for these offenses, regardless of the owner's knowledge, intent, or negligence, and shall be subject to the penalties set forth in Article X if:

- (a) The owner's dog, regardless of age, and at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, runs at large, provided however, that a dog engaged in hunting need not be leashed when under the reasonable control of its owner.
- (b) The owner's dog, regardless of age, and at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, except a leader dog for a blind person, hearing dog for a deaf or

audibly impaired person, or a service dog for a physically limited person which is accompanied by its owner, ~~to be~~ within the confines of any public park when such park, by appropriate designation at its entrance, prohibits dogs.

(c) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, destroys property, real or personal, or trespasses in a damaging way on property of persons other than the owner.

(d) The owner's dog ~~or other animal~~ at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, attacks or bites a person, regardless of the dog's former viciousness or the owner's knowledge of such viciousness.

(e) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, attacks or bites another animal, regardless of the dog's former viciousness or the owner's knowledge of such viciousness.

(f) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, shows vicious habits and molests passers-by, ~~when such persons are lawfully on the public highway or right of way.~~

(g) No person shall hinder, harass, injure, or interfere with a dog or other animal being used for law enforcement purposes by a law enforcement official.

Section 2. An owner of livestock or poultry shall be in violation of this Ordinance and subject to the penalties set forth in Article X and Act 328 of the Public Acts of 1976, being Section 433.11, et seq of the Compiled laws of 1948 (MSA 18.789(1), et seq) if the owner's livestock or poultry runs at large upon the premises of another or upon any public street, lane, alley or other public ground in the county unless otherwise specifically allowed.

Section 3. A person shall be in violation of this Ordinance and subject to the penalties set forth in Article X if he/she removes a collar or tag from any dog or other animal without the permission of its owner, or decoys or entices any dog or other animal out of an enclosure or off the property of its owner, or seizes, molests or teases any dog or other animal while held or led by any person or while on the property of its owner.

Section 4. In the event of any of such violations or of a violation of any other provision of this Ordinance or of the laws of the state, the Animal Control Officer, his deputies or assistants or other peace officer may issue an appearance ticket, citation or summons to the owner of said dog, animal, livestock or poultry, or other person, summoning them to appear before a district court or other appropriate court within the county to answer the charges made in violation of this Ordinance. The said Animal Control Officer, his deputies or assistants or other peace officer may sign a complaint before said court for violation of the provisions of this Ordinance, proceed to obtain the issuance of a warrant and make arrest of the person to whom said violation is charged and bring them before the court to answer the charges. The Court may in such case, in its discretion, upon a finding of guilty, assess the penalties in accordance with the penalty provision of this Ordinance.

Section 5. In the event of any of such violations or of a violation of any other provision of this Ordinance or of the laws of the state, the Animal Control Officer, his deputies or assistants or other peace officer or any other person may proceed to obtain authorization of the Prosecuting Attorney and make complaint before a district court or other appropriate court within the county and obtain the issuance of a summons similar to that provided in Act 339 of the Public Acts of 1919, being Section 287.280 of the Compiled Laws of 1948, (MSA Section 12.530), as amended, to show cause why such dog, animal, livestock or poultry should not be killed. Upon such hearing, the judge may either order the dog, animal, livestock or poultry killed, may order such dog, animal, livestock or poultry to be sold or otherwise disposed of, or may order the dog, animal, livestock or

poultry confined to the premises of the owner, or may make such other order regarding the dog, animal, livestock or poultry as it deems proper and necessary under the circumstances, in addition to any of the penalties enumerated herein. This section shall in no way affect the provisions of Article III Section 3c of the Ordinance.

Section 6. Costs, as in civil cases, shall be taxed against the owner of the dog, animal, livestock or poultry and collected by the court from the person complained against upon a finding of guilty. Costs include, but are not limited to: pickup/impound fees; surrender fees; boarding fees; medical treatment, testing, or evaluations of the offending animal including euthanasia; medical treatment, testing, or evaluations of the bitten animal including euthanasia; medical treatment, testing, or evaluations of a person bitten; and damages sustained to property as a direct result of the offending animal's actions. In the event that a dog, or any other animal, attacks, bites, or in any other way harms another animal causing its death, the costs against the owner of the offending dog, or any other offending animal, shall include the fair market value to replace the specific animal killed. The provisions of this paragraph shall be in the alternative to the provisions for violations set forth in the preceding paragraph and the Animal Control Officer, his deputies or assistants or other peace officer may, in his discretion, proceed under either section hereof.

## ARTICLE X

### PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail for not more than ninety (90) days or by a fine of not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

## ARTICLE XI

### PRESERVATION OF CERTAIN RIGHTS

Section 1. Nothing in this Ordinance shall be construed to prevent the owner of a licensed dog from recovery in an action at law from any peace officer or any other person, except as herein provided.

Section 2. Nothing in this Ordinance shall be construed as limiting the common law liability of the owner of a dog or other animal for damages committed by said dog or other animal.

## ARTICLE XII

### TREASURER'S RECORDS AND DUTIES

Section 1. On June 15th on each year, the Treasurer shall make a comparison of his/her records of the dogs actually licensed in each city or township of the county with a report of the supervisors of said townships or assessors of said cities or the Animal Control Officer, to determine and locate all unlicensed dogs.

Section 2. On and after June 15th of each year, every unlicensed dog, subject to license under the provisions of this Ordinance or the statutes of the State, is hereby declared to be a public nuisance

and the Treasurer shall immediately thereafter list all such unlicensed dogs, as shown by the returns in his/her office of township supervisor, city assessors, Animal Control Officer and shall deliver copies of such lists to the Animal Control Officer and the Director of the Michigan Department of Agriculture as well as those officers listed and set forth in Act 339 of the Public Acts of 1919, being Section 287.277 of the Compiled Laws of 1948, (MSA 12.527), as amended.

Section 3. The Treasurer shall keep a record of all dog licenses and all kennel licenses issued during the year in each city and township in the county. Such record shall contain the name and address of the person to whom each license is issued. In the case of all individual licenses, the record shall also state the breed, sex, age, color and markings of the dog licensed; and in case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. He shall also keep an accurate record of all license fees collected by him or paid over to him by any city or township treasurer.

Section 4. In all prosecutions for violation of this Ordinance, the records of the Treasurer's Office, or lack of same, showing the name of the owner and the license number to whom any license was issued, and the license tag affixed to the collar or harness of the dog showing a corresponding number shall be prima facie evidence of ownership or non-ownership of any dog and of issuance or non-issuance of a dog license or tag.

### ARTICLE XIII

#### FEES AND EXPENSES

Section 1. Every township and city treasurer of Ingham County, Michigan, shall receive the sum of FIFTY CENTS (\$.50) for each dog license issued for the issuing and recording of same. The remuneration as herein established shall be deemed additional compensation for additional services for each township or city treasurer who receives a salary in lieu of fees, when so designated by the appropriate township board or city council. This fee may be changed from time to time by the Board of Commissioners.

Section 2. It shall be the duty of the Animal Control Officer annually to make a census of the number of dogs owned by all persons in Ingham County, Michigan, in accordance with state law. The Animal Control Officer is hereby empowered to employ whatever personnel he reasonably believes necessary to conduct this census; such personnel shall receive for their services in listing such dogs such sum as shall be set from time to time by the Board of Commissioners.

Section 3. The duties and obligations herein imposed upon the respective designated officials may be delegated to some other appropriate person or persons by each of said officials with like force and effect.

Section 4. The fees and expenses as established by this Ordinance may be changed from time to time on or before November 1 of each year and for subsequent years by action of the Board of Commissioners.

Section 5. All fees and expenses as herein provided for, shall be paid in accordance with Article XIV of this Ordinance.

### ARTICLE XIV

#### RECEIPTS AND DISBURSEMENT OF FUNDS



All fees and monies collected under the provision of this Ordinance shall be transferred to the General Fund of Ingham County, Michigan, in accordance with the standard practices of the Treasurer and the monies paid out in accordance with this Ordinance shall be drawn upon the General Fund of Ingham County, Michigan.

#### ARTICLE XV

#### CONSTRUCTION

Section 1. When not inconsistent with the context, words used in the present tense include the future. Words in the singular include the plural and words in the plural include the singular. Masculine shall include the feminine and neuter. The word "shall" is always mandatory and not merely directive. Words or terms not defined herein shall be interpreted in the manner of their common meaning. Headings shall be deemed for convenience and shall not limit the scope of any article or section of this Ordinance.

Section 2. The regulations of this code are minimum standards supplemental to the rules and regulations duly enacted by the Michigan Department of Health and to the laws of the State of Michigan relating to public health. Where any of the provisions of these regulations and the provisions of any other local or state ordinances or regulations apply, the more restrictive of any or all ordinances or regulations shall prevail.

Section 3. If any part of this Ordinance shall be held void, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

#### ARTICLE XVI

#### REPEAL

All Ordinance or parts of ordinances inconsistent herewith are hereby repealed.

#### EFFECTIVE DATE OF ORDINANCE

This Ordinance shall take effect sixty (60) days after the date of its adoption. ADOPTED: September 18, 1972 Eugene G. Wanger, Chairman Helen B. Everitt, Deputy County Clerk

#### AMENDED BY:

Resolution Number: 85-96 adopted April 30, 1985, effective October 14, 1986.

Resolution Number: 86-255 adopted November 25, 1986, effective March 4, 1987.

Resolution Number: 89-226 adopted October 10, 1989, effective December 1, 1989.

Resolution Number: 90-65 adopted February 27, 1990, effective March 14, 1990.

Resolution Number: 91-327 adopted December 17, 1991, effective February 15, 1992.

Resolution Number: 96-112 adopted May 28, 1996, effective June 11, 1996.

Resolution Number: 98-179 adopted July 28, 1998, effective August 20, 1998

Resolution Number: 99-185 adopted July 27, 1999, effective January 1, 2000

Resolution Number: 01-378 adopted December 11, 2001, effective January 1, 2002

Resolution Number: 04-340 adopted November 9, 2004, effective December 1, 2004

Resolution Number: 04-385 adopted December 14, 2004, effective January 1, 2005

Resolution Number: 06-214 adopted July 25, 2006, effective September 1, 2006

Resolution Number: 06-336 adopted December 12, 2006, effective January 1, 2007

Resolution Number: 16-312 adopted June 28, 2016, effective July 16, 2016

Resolution Number: 19-320 adopted July 23, 2019, effective August 7, 2019

Resolution Number: 19-321 adopted July 23, 2019, effective August 7, 2019

Resolution Number: ~~219-~~ adopted ~~October~~, ~~2021~~, effective ~~2021~~.

Introduced by the Law & Courts Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO ADOPT AN ORDINANCE AMENDING THE INGHAM COUNTY ANIMAL CONTROL ORDINANCE TO ADD DEFINITIONS IN ARTICLE II, TO REVISE PROVISIONS IN ARTICLES V AND IX, AND TO REPEAL ARTICLE VIII**

WHEREAS, the Ingham County Animal Control Ordinance was adopted by the Board of Commissioners on September 18, 1972, and has subsequently been amended; and

WHEREAS, as a consequence of issues having arisen in the course of certain misdemeanor prosecutions, the Ingham County Prosecutor's Office has requested that the Ordinance be further amended to clarify the standards for criminal liability, by adding certain definitions to Article II, and to revise provisions in Article V as to confinement procedures and in Article IX as to strict liability and costs; and

WHEREAS, as a consequence of the issuance of Attorney General Opinion No. 7314 (July 22, 2021) as requested by the County in Resolution #19-477, holding that the County lacks statutory authority to prohibit the keeping of livestock and poultry in the non-agricultural areas of the County or to permit the keeping of chickens, as currently provided in Article VIII of the Ordinance, the County desires to repeal Article VIII.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners shall adopt the Ordinance Amending the Ingham County Animal Control Ordinance, attached and incorporated by reference as Exhibit 1 to this Resolution, adding definitions to Article II, revising the provisions in Article V and Article IX, and repealing Article VIII.

BE IT FURTHER RESOLVED, that an updated version of the Ingham County Animal Control Ordinance, as amended, will be compiled and published in hard copy and on the County's internet website.

BE IT FURTHER RESOLVED, that the Controller/Administrator's Office shall publish notice of the adoption of this amendment in a newspaper of general circulation in the County.

BE IT FURTHER RESOLVED, that the amended Ordinance shall take effect when notice of its adoption is published in a newspaper of general circulation in the County.

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**ORDINANCE AMENDING THE INGHAM COUNTY ANIMAL CONTROL  
ORDINANCE TO ADD DEFINITIONS IN ARTICLE II, TO REVISE  
PROVISIONS IN ARTICLES V AND IX, AND TO REPEAL ARTICLE VIII**

**ORDINANCE NO. \_\_\_\_\_**

An Ordinance to amend the Ingham County Animal Control Ordinance to clarify the standards for criminal liability, by adding certain definitions to Article II, and to revise provisions in Article V as to confinement procedures and in Article IX as to strict liability and costs; and to repeal Article VIII.

**THE PEOPLE OF THE COUNTY OF INGHAM, MICHIGAN, DO ORDAIN:**

**Section 1. Purpose and Authority.** Deeming it advisable in the interest of the citizens of Ingham County, as authorized by Act 339 of 1919, as amended, being Section 287.261 *et seq.*, of the Michigan Compiled Laws, the County of Ingham, Michigan, adopts this Ordinance amending the Ingham County Animal Control Ordinance.

**Section 2. Amendment.** Article II of the Ingham County Animal Control Ordinance, entitled Definitions, is amended by the addition of subsections (n) and (o), to read as follows:

(n) MOLESTS shall mean to bother, interfere with, intimidate, threaten, harass, or annoy.

(o) PASSERS-BY shall mean any person or leashed animal that is lawfully on public property, or lawfully on private property, including the property of the offending animal's owner, and is not stationary on said property for an unreasonably extended period of time. This includes, but is not limited to: walking; running; driving; riding; engaging in short social contact with others, including the offending animal's owner; engaging in the performance of any duty imposed upon him or her by the laws of this state or by the laws or postal regulations of the United States.

**Section 3. Amendment.** Article V of the Ingham County Animal Control Ordinance, entitled Confinement, is amended to read as follows:

Section 1. Any dog or other warm blooded animal that does bite a person, animal or livestock shall be handled in accordance with the National Association of State Public Health Veterinarians, Inc., (NASPHV, Inc), Compendium of Animal Rabies Control 1989, as amended. The prescribed procedures will be made available for review, upon request, by Ingham County Animal Control.

In the event the owner of such animal is unable to or fails to comply with any of the prescribed procedures, the Animal Control Officer shall take possession and custody of such animal and follow the prescribed procedure. The owner of such animal shall bear the costs thereof. Failure of the owner of such animal to keep, maintain and confine or dispose of the animal when and as required by the

NASPHV, Inc., Compendium of Rabies Control 1989 or if unwilling or unable to do so, to release custody of said animal to Animal Control Officer, his/ her deputies or assistants or when so directed deliver said animal to a veterinarian clinic for confinement, shall be in violation of this Ordinance and subject to the penalties set forth in Article X.

**Section 4. Amendment.** Article IX of the Ingham County Animal Control Ordinance, entitled Enumeration of Certain Violations and Procedure Therefor, Section 1, is amended to read as follows:

Section 1. The owner of any dog shall be deemed in violation of this Ordinance and shall be held strictly criminally liable for these offenses, regardless of the owner's knowledge, intent, or negligence, and shall be subject to the penalties set forth in Article X if:

- (a) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, runs at large, provided however, that a dog engaged in hunting need not be leashed when under the reasonable control of its owner.
- (b) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, except a leader dog for a blind person, hearing dog for a deaf or audibly impaired person, or a service dog for a physically limited person which is accompanied by its owner, is within the confines of any public park when such park, by appropriate designation at its entrance, prohibits dogs.
- (c) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, destroys property, real or personal, or trespasses in a damaging way on property of persons other than the owner.
- (d) The owner's dog at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, attacks or bites a person, regardless of the dog's former viciousness or the owner's knowledge of such viciousness.
- (e) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, attacks or bites another animal, regardless of the dog's former viciousness or the owner's knowledge of such viciousness.
- (f) The owner's dog, at any time, whether licensed or unlicensed, wearing a collar or not wearing a collar, shows vicious habits and molests passers-by.
- (g) No person shall hinder, harass, injure, or interfere with a dog or other animal being used for law enforcement purposes by a law enforcement official.

**Section 5. Amendment.** Article IX of the Ingham County Animal Control Ordinance, entitled Enumeration of Certain Violations and Procedure Therefor, Section 6, is amended to read as follows:

Section 6. Costs, as in civil cases, shall be taxed against the owner of the dog, animal, livestock or poultry and collected by the court from the person complained against upon a finding of guilty. Costs include, but are not limited to: pickup/impound fees; surrender fees; boarding fees; medical treatment, testing, or evaluations of the offending animal including euthanasia; medical treatment, testing, or evaluations of the bitten animal including euthanasia; medical treatment, testing, or evaluations of a person bitten; and damages sustained to property as a direct result of the offending animal's actions. In the event that a dog, or any other

animal, attacks, bites, or in any other way harms another animal causing its death, the costs against the owner of the offending dog, or any other offending animal, shall include the fair market value to replace the specific animal killed. The provisions of this paragraph shall be in the alternative to the provisions for violations set forth in the preceding paragraph and the Animal Control Officer, his deputies or assistants or other peace officer may, in his discretion, proceed under either section hereof.

**Section 6. Amendment.** Article VIII of the Ingham County Animal Control Ordinance, entitled Prohibition of Livestock or Poultry in Non-Agricultural Areas, is repealed in its entirety.

**Section 7. Repeal.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed

**Section 8. Savings Clause.** This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

**Section 9. Effective Date.** This Ordinance Amending the Ingham County Animal Control Ordinance shall take effect when notice of its adoption is published in a newspaper of general circulation in the County.

I, Barb Byrum, Ingham County Clerk, certify that this Ordinance was adopted by the Ingham County Board of Commissioners and notice of its adoption was published in a newspaper of general circulation in the County on \_\_\_\_\_, 2021.

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Barb Byrum, Ingham County Clerk

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Bryan Crenshaw, Chairperson  
Ingham County Board of Commissioners

## **AGENDA ITEM 5a**

**TO:** Law & Courts, Human Services and Finance Committees  
**FROM:** Linda Vail, Health Officer  
**DATE:** July 28, 2021  
**SUBJECT:** Authorization to Enter an Agreement with Michigan Public Health Institute

For the Meeting Agendas of August 12, August 16, and August 18, 2021

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### **BACKGROUND**

Ingham County Health Department (ICHD) wishes to enter into an agreement with Michigan Public Health Institute (MPHI) in an amount not to exceed \$132,240. effective October 1, 2021 through December 30, 2022. On March 23, 2021, the Board of Commissioners approved Resolution #21-179, stating that Ingham County will include in its 2022-2024 Public Safety Plan, a commitment, support, and partnership with Advance Peace and local partners in an amount not to exceed \$590,000, for establishing a program to help build and sustain local community capacity to interrupt gun violence. In order to further these efforts, MPHI will provide the following services:

- A year one Evaluation of the Lansing/Ingham Peacemaker Fellowship®
- Year one Fiduciary Services for Peacemaker Fellowship® LifeMAP Allowances and Horizon Building Journeys, Travel and Conference Registrations for the Local Operator and other local partners, Stipends for Community Co-Chairs not paid by other funding sources.

Per Resolution #21-179, Ingham County agreed to provide local gun violence-related data, and agreed to work with the Advance Peace evaluation team consisting of MPHI, the Institute of Urban and Regional Development at UC Berkeley (IURD) and the National Council on Crime and Delinquency (NCCD). This partnership will help to ensure completion of a quality and timely evaluation of the Advance Peace strategy as implemented in Ingham County, MI.

### **ALTERNATIVES**

ICHD could opt to use County general funds, ARP funds, or other local sources.

### **FINANCIAL IMPACT**

All costs of this agreement will be covered by funds authorized in Resolution #21-179.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the commitment of the Ingham County Board of Commissioners to continue work that targets violent offenders, high level drug dealers, gang activity, and gun violence (Goal A, Strategy 1, of the 2018-2022 Update to the Strategic Plan and Action Plan.)

### **OTHER CONSIDERATIONS**

There are no other considerations.

**RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to authorize an agreement with MPHI to provide a year one evaluation of the Lansing/Ingham Peace Maker Fellowship® and to provide year 1 fiduciary services for Peacemaker Fellowship® LifeMAP Allowances and Horizon Building Journeys, travel and conference registrations for the Local Operator and other local partners, and stipends for Community Co-Chairs not paid by other funding sources, effective October 1, 2021 through December 30, 2022 in an amount not to exceed \$132,240.



Introduced by the Law & Courts, Human Services, and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE AN AGREEMENT WITH MPHI**

WHEREAS, Ingham County Health Department (ICHD) wishes to enter into an agreement with Michigan Public Health Institute (MPHI) in an amount not to exceed \$132,240 effective, October 1, 2021 through December 30, 2022; and

WHEREAS, on March 23, 2021, the Board of Commissioners approved Resolution #21-179, stating that Ingham County will include in its 2022-2024 Public Safety Plan, a commitment, support, and partnership with Advance Peace and local partners in the amount of \$590,000, for establishing a program to help build and sustain local community capacity to interrupt gun violence; and

WHEREAS, in order to further these efforts, MPHI will provide the following services:

- A year one Evaluation of the Lansing/Ingham Peacemaker Fellowship®
- Year one Fiduciary Services for Peacemaker Fellowship® LifeMAP Allowances and Horizon Building Journeys, travel and conference registrations for the Local Operator and other local partners, and stipends for Community Co-Chairs not paid by other funding sources; and

WHEREAS, per Resolution #21-179, Ingham County agreed to provide local gun violence-related data, and agreed to work with the Advance Peace evaluation team consisting of MPHI, the Institute of Urban and Regional Development at UC Berkeley (IURD), and the National Council on Crime and Delinquency (NCCD) to ensure completion of a quality and timely evaluation of the Advance Peace strategy as implemented in Ingham County, MI; and

WHEREAS, all costs of this agreement will be covered by funds authorized in Resolution #21-179; and

WHEREAS, the Health Officer recommends entering into an agreement with MPHI to provide a year 1 evaluation of the Lansing/Ingham Peace Maker Fellowship® and to provide year one fiduciary services for Peacemaker Fellowship® LifeMAP Allowances and Horizon Building Journeys, travel and conference registrations for the Local Operator and other local partners, and stipends for Community Co-Chairs not paid by other funding sources, effective October 1, 2021 through December 30, 2022 in an amount not to exceed \$132,240.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes entering into an agreement with MPHI to provide a year 1 evaluation of the Lansing/Ingham Peace Maker Fellowship® and to provide year one fiduciary services for Peacemaker Fellowship® LifeMAP Allowances and Horizon Building Journeys, travel and conference registrations for the Local Operator and other local partners, and stipends for Community Co-Chairs not paid by other funding sources, effective October 1, 2021 through December 30, 2022 in an amount not to exceed \$132,240.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make any necessary budget adjustments consistent with this resolution.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is hereby authorized to sign the necessary contract documents on behalf of the County after approval as to form by the County Attorney.

## **AGENDA ITEM 5b**

**TO:** Law & Courts, Human Services and Finance Committees  
**FROM:** Linda S. Vail, MPA, Health Officer  
**DATE:** July 28, 2021  
**SUBJECT:** Resolution to Authorize an Agreement with Safe Passages dba Advance Peace  
For the meeting agendas of August 12, August 16, and August 18, 2021

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### **BACKGROUND**

Ingham County Health Department (ICHHD) wishes to enter into an agreement with Safe Passages dba Advance Peace in an amount not to exceed \$198,500, effective October 1, 2021 through July 30, 2024. Resolution #20-434 authorized an agreement with Advance Peace to provide pre-implementation technical assistance services for Lansing and Ingham County partners working to build and sustain local community capacity to interrupt gun violence. The Lansing/Ingham Advance Peace planning team is preparing to implement the next phase of the program and would like to continue their partnership with Safe Passages dba Advance Peace to provide training and technical assistance to local partners working to implement the first three-year cycle, (or two 18-month cohorts), of the Lansing/Ingham Peacemaker Fellowship®. This program is designed to help save lives and reduce the life-altering trauma experienced by people living in the impacted communities and by the service providers who support them.

### **ALTERNATIVES**

ICHHD could opt to use County General Funds, ARP funds, or other local sources.

### **FINANCIAL IMPACT**

All costs of this agreement have been accounted for in funds authorized through Resolution #21-179.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the commitment of the Ingham County Board of Commissioners to continue work that targets violent offenders, high level drug dealers, gang activity, and gun violence (Goal A, Strategy 1, of the 2018-2022 Update to the Strategic Plan and Action Plan.)

### **OTHER CONSIDERATIONS**

There are no other considerations.

### **RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to authorize an agreement with Safe Passages dba Advance Peace in an amount not to exceed \$198,500, to provide training and technical assistance to the Lansing/Ingham Peacemaker Fellowship® effective October 1, 2021 to July 30, 2024.

Introduced by the Law & Courts, Human Services, and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE AGREEMENT WITH SAFE PASSAGES, DBA  
ADVANCE PEACE**

WHEREAS, Ingham County Health Department (ICHD) wishes to enter into an agreement with Safe Passages dba Advance Peace in an amount not to exceed \$198,500, effective October 1, 2021 through July 30, 2024; and

WHEREAS, Resolution #20-434 authorized an agreement with Advance Peace to provide pre-implementation technical assistance services for Lansing and Ingham County partners working to build and sustain local community capacity to interrupt gun violence; and

WHEREAS, the Lansing/Ingham Advance Peace planning team is preparing to implement the next phase of the program and would like to continue their partnership with Safe Passages dba Advance Peace to provide training and technical assistance to local partners working to implement the first three-year cycle (or two 18-month cohorts) of the Lansing/Ingham Peacemaker Fellowship®; and

WHEREAS, this program is designed to help save lives and reduce the life-altering trauma experienced by people living in the impacted communities and by the service providers who support them; and

WHEREAS, all costs of this agreement have been accounted for in funds authorized through Resolution #21-179; and

WHEREAS, the Health Officer recommends entering into an agreement with Safe Passages dba Advance Peace in an amount not to exceed \$198,500, effective October 1, 2021 to July 30, 2024 for the purpose of providing training and technical assistance to local partners working to implement the first three-year cycle of the Lansing/Ingham Peacemaker Fellowship®.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes an agreement with Safe Passages dba Advance Peace in an amount not to exceed \$198,500, effective October 1, 2021 to July 30, 2024 for the purpose of providing training and technical assistance to local partners working to implement the first three-year cycle of the Lansing/Ingham Peacemaker Fellowship®.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Health Department's 2022 budget in order to implement this resolution.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is hereby authorized to sign the necessary contract documents on behalf of the County after approval as to form by the County Attorney.

## **AGENDA ITEM 5c**

**TO:** Law & Courts, Human Services and Finance Committees  
**FROM:** Linda S. Vail, MPA, Health Officer  
**DATE:** July 28, 2021  
**SUBJECT:** Resolution to Authorize an Agreement with the Lansing Housing Commission  
For the Meeting Agendas of August 12, August 16, and August 18, 2021

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### **BACKGROUND**

Ingham County Health Department (ICHHD) wishes to enter into an agreement with the Lansing Housing Commission (LHC) to accept \$50,000 in grant funds, effective October 1, 2021 through December 31, 2024. On May 26, 2021, the Board of Directors of the LHC passed a motion to dedicate \$50,000 over three years to support local implementation of the Lansing/Ingham Peacemaker Fellowship® for establishing a program to help build and sustain local community capacity to interrupt gun violence. This program is designed to help save lives and reduce the life-altering trauma experienced by people living in the impacted communities and by the service providers who support them.

### **ALTERNATIVES**

ICHHD could opt to use County General Funds, ARP funds, or other local sources.

### **FINANCIAL IMPACT**

ICHHD will accept \$50,000 in grant funds from LHC for the Lansing/Ingham Peacemaker Fellowship®.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the commitment of the Ingham County Board of Commissioners to continue work that targets violent offenders, high level drug dealers, gang activity, and gun violence (Goal A, Strategy 1, of the 2018-2022 Update to the Strategic Plan and Action Plan).

### **OTHER CONSIDERATIONS**

There are no other considerations.

### **RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to authorize an agreement with LHC to accept up to \$50,000 in grant funds for the Lansing/Ingham Peacemaker Fellowship®, effective October 1, 2021 through December 31, 2024.

Introduced by the Law & Courts, Human Services, and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE AN AGREEMENT WITH LANSING HOUSING COMMISSION**

WHEREAS, Ingham County Health Department (ICHD) wishes to enter into an agreement with the Lansing Housing Commission (LHC) to accept \$50,000 in grant funds, effective October 1, 2021 through December 31, 2024; and

WHEREAS, on May 26, 2021, the Board of Directors of the LHC passed a motion to dedicate \$50,000 over three years to support local implementation of the Lansing/Ingham Peacemaker Fellowship® for establishing a program to help build and sustain local community capacity to interrupt gun violence; and

WHEREAS, this program is designed to help save lives and reduce the life-altering trauma experienced by people living in the impacted communities and by the service providers who support them; and

WHEREAS, ICHD will accept \$50,000 in grant funds from LHC for the Lansing/Ingham Peacemaker Fellowship®; and

WHEREAS, the Health Officer recommends entering into an agreement with LHC to accept up to \$50,000 in grant funds for the Lansing/Ingham Peacemaker Fellowship®, effective October 1, 2021 through December 31, 2024.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes an agreement with LHC to accept up to \$50,000 in grant funds for the Lansing/Ingham Peacemaker Fellowship®, effective October 1, 2021 through December 31, 2024.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Health Department's 2022 Budget in order to implement this resolution.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is hereby authorized to sign the necessary contract documents on behalf of the County after approval as to form by the County Attorney.

## AGENDA ITEM 5d

**TO:** Law & Courts, Human Services and Finance Committees  
**FROM:** Linda Vail, Health Officer  
**DATE:** July 27, 2021  
**SUBJECT:** Resolution Authorizing an Agreement with Battle Creek Community Foundation  
For the Meeting Agendas of August 12, August 16, and August 18, 2021

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### **BACKGROUND**

Ingham County Health Department (ICHD) wishes to enter into an agreement with Battle Creek Community Foundation (BCCF) to accept grant funds in an amount not to exceed \$21,905, effective July 30, 2021 through July 30, 2022. On March 23, 2021, the Board of Commissioners approved Resolution #21-179, stating that Ingham County will include in its 2022-2024 Public Safety Plan, a commitment, support, and partnership with Advance Peace and local partners in the amount of \$590,000 for establishing a program to help build and sustain local community capacity to interrupt gun violence. This program is designed to help save lives and reduce the life-altering trauma experienced by people living in the impacted communities and by the service providers who support them. Accepting these Project Safe Neighborhoods grant funds will support Ingham County's continued work on the Lansing/Ingham Peacemaker Fellowship ®.

### **ALTERNATIVES**

ICHD could opt to use County General Funds, ARP funds, or other local sources.

### **FINANCIAL IMPACT**

ICHD will accept up to \$21,905 in grant funds from BCCF, effective July 30, 2021 through July 30, 2022.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the commitment of the Ingham County Board of Commissioners to continue work that targets violent offenders, high level drug dealers, gang activity, and gun violence (Goal A, Strategy 1 of the 2018-2022 Update to the Strategic Plan and Action Plan.)

### **OTHER CONSIDERATIONS**

There are no other considerations.

### **RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution authorizing the acceptance of grant funds in an amount not to exceed \$21,905 from BCCF, to help fund the Lansing/Ingham Peacemaker Fellowship ® effective July 30, 2021 through July 30, 2022.

Introduced by the Law & Courts, Human Services, and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE ACCEPTANCE OF PROJECT SAFE  
NEIGHBORHOODS GRANT FUNDS FROM BATTLE CREEK COMMUNITY  
FOUNDATON**

WHEREAS, Ingham County Health Department (ICHD) wishes to enter into an agreement with Battle Creek Community Foundation (BCCF) to accept Project Safe Neighborhoods grant funds in an amount not to exceed \$21,905, effective July 30, 2021 through July 30, 2022; and

WHEREAS, on March 23, 2021, the Board of Commissioners approved Resolution #21-179, stating that Ingham County will include in its 2022-2024 Public Safety Plan, a commitment, support, and partnership with Advance Peace and local partners in the amount of \$590,000 for establishing a program to help build and sustain local community capacity to interrupt gun violence; and

WHEREAS, this program is designed to help save lives and reduce the life-altering trauma experienced by people living in the impacted communities and by the service providers who support them; and

WHEREAS, accepting these Project Safe Neighborhoods grant funds will support Ingham County's continued work on the Lansing/Ingham Peacemaker Fellowship ®; and

WHEREAS, the Health Officer recommends entering into an agreement with BCCF to accept the Project Safe Neighborhoods grant in an amount not to exceed \$21,905, effective July 30, 2021 through July 30, 2022.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes entering into an agreement with BCCF to accept the Project Safe Neighborhoods grant in an amount not to exceed \$21,905.00, effective July 30, 2021 through July 30, 2022.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes ICHD to enter into a Project Safe Neighborhoods grant agreement with BCCF in an amount not to exceed \$21,905, effective July 30, 2021 through July 30, 2022.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make any necessary budget adjustments consistent with this resolution.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is hereby authorized to sign the necessary contract documents on behalf of the County after approval as to form by the County Attorney.



## **AGENDA ITEM 5e**

**TO:** Law & Courts, Human Services and Finance Committees  
**FROM:** Linda S. Vail, MPA, Health Officer  
**DATE:** July 28, 2021  
**SUBJECT:** Authorization to Enter an Agreement with the City of Lansing

For the meeting agendas of August 12, August 16 and August 18, 2021

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### **BACKGROUND**

Ingham County Health Department (ICHHD) wishes to enter into an agreement with the City of Lansing to accept up to \$240,000 in funds to support Year 1 of local implementation of the Advance Peace approach in Lansing/Ingham County, effective July 1, 2021 through June 30, 2022. On March 22, 2021, the Lansing City Council adopted a resolution to prioritize in the FY21-22 City of Lansing Budget, a dollar amount of \$240,000 for year one of local implementation of the Advance Peace approach in Lansing/Ingham County. Also on March 22, 2021, Lansing Mayor Andy Schor announced inclusion of \$240,000 in the FY22 City of Lansing budget proposal to support local implementation of the Advance Peace approach in Lansing/Ingham County. The City of Lansing budget adopted by the Lansing City Council on May 17, 2021 included this line item, and the City of Lansing FY 21-22 budget is effective July 1, 2021 through June 30, 2022.

### **ALTERNATIVES**

ICHHD could opt to use County General Funds, ARP funds, or other local sources.

### **FINANCIAL IMPACT**

ICHHD will accept up to \$240,000 in grant funds from the City of Lansing for year 1 of the local implementation of the Advance Peace approach in Lansing/Ingham County.

### **STRATEGIC PLANNING IMPACT**

This resolution supports the commitment of the Ingham County Board of Commissioners to continue work that targets violent offenders, high level drug dealers, gang activity, and gun violence (Goal A, Strategy 1, of the 2018-2022 Update to the Strategic Plan and Action Plan.)

### **OTHER CONSIDERATIONS**

There are no other considerations.

### **RECOMMENDATION**

Based on the information presented, I respectfully recommend approval of the attached resolution to authorize the acceptance of up to \$240,000 in grant funds from the City of Lansing for year one of the local implementation of the Advance Peace approach in Lansing/Ingham County, effective July 1, 2021 through June 30, 2022.

Introduced by the Law & Courts, Human Services, and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE AN AGREEMENT WITH THE CITY OF LANSING  
FOR FINANCIAL SUPPORT FOR LANSING/INGHAM PEACEMAKER  
FELLOWSHIP® IMPLEMENTATION**

WHEREAS, Ingham County Health Department (ICHD) wishes to enter into an agreement with the City of Lansing to accept up to \$240,000 in funds to support year one of local implementation of the Advance Peace approach in Lansing/Ingham County, effective July 1, 2021 through June 30, 2022; and

WHEREAS, on March 22, 2021, the Lansing City Council adopted a resolution to prioritize in the FY21-22 City of Lansing Budget a dollar amount of \$240,000 for year one of local implementation of the Advance Peace approach in Lansing/Ingham County; and

WHEREAS, also on March 22, 2021, Lansing Mayor Andy Schor announced inclusion of \$240,000 in the FY22 City of Lansing budget proposal, to support local implementation of the Advance Peace approach in Lansing/Ingham County; and

WHEREAS, the City of Lansing budget adopted by the Lansing City Council on May 17, 2021 included this line item, and the City of Lansing FY21-22 budget is effective July 1, 2021 through June 30, 2022; and

WHEREAS, the Health Officer recommends entering into an agreement with the City of Lansing to accept up to \$240,000 in funds to support year one of local implementation of the Advance Peace approach in Lansing/Ingham County, effective July 1, 2021 through June 30, 2022.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes an agreement with the City of Lansing to accept up to \$240,000 in funds to support year one of local implementation of the Advance Peace approach in Lansing/Ingham County effective July 1, 2021 through June 30, 2022.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Health Department's 2022 Budget in order to implement this resolution.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners is hereby authorized to sign the necessary contract documents on behalf of the County after approval as to form by the County Attorney.

## **AGENDA ITEM 6**

**TO:** Board of Commissioners Law & Courts Committee  
**FROM:** Barb Davidson, ENP 9-1-1 Director  
**DATE:** August 3, 2021  
**SUBJECT:** 9-1-1 Center update

This letter is to inform and update you about three topics. Three attachments are included.

- Update on the current status of the Public Safety Radio Project
- Information on the decommissioning of the 3G cellular network and its impact on the community
- Information on House Bill 5026 that is on the floor in response to the 9-1-1 Act sunset date of 12/31/21. Without an extension, there will be no authorization for 9-1-1 to operate in Michigan.

I will be at the Law & Courts Committee to present this information and field any questions you may have.

## Ingham County Radio System Project Update

### Background:

Ingham County is currently utilizing a Harris EDACs Public Safety Radio system that has reached its end of life. After input from the 9-1-1 Advisory Board and Ingham County Public Safety Agencies, the Board of Commissioners decided to join the Michigan Public Safety Communication System (MPSCS) and accepted the proposal of Motorola Solutions, Inc. (MSI) to be the vendor on this project. The designed system is robust and redundant with two geo prime sites, a microwave link, and nine transmit/receive towers. All tower sites being utilized had existing radio equipment on them. Two towers are existing MPSCS towers and the others are being leased for their use during this project. This project will also replace all portable and mobile radios for our public safety partners who will be utilizing this system.

Below is a brief overview of the timeline of this project.

Phase	Start Date	End Date
Project Initiation	March 2019	
Project Planning	April '19	May '20
Civil Work	Oct '19	Mar '21
CEN Design and Certification	Mar '20	Mar '21
System Installation and Optimization	April '20	Aug '21
System Testing and Acceptance	May '21	Aug '21
System Cutover	Sept '21	
Final System Acceptance	Mar '22	

- **Schedule tentative due to microwave link issues**

### Current Progress:

We are in the installation, optimization, testing, and acceptance phases. As indicated in red, work continues to be done to resolve a microwave link issue between the tower located at the Radio Lab in the City of Lansing and the existing MPSCS tower called 1104. Nokia and MSI have identified the problem as a reflection issue. The upside to this is that it isn't an interference issue which would cause months of delay while new frequencies are acquired from the FCC. Troubleshooting is in its final stages and it appears, as of the date of this report, that moving the microwave dishes on these towers higher will mitigate the issue. Any time equipment is moved up, another structural analysis needs to be done. The original date of cutover was 9/7/2021. I think that will be pushed out a few weeks but we haven't received a new projected date from Motorola.

While this issue is being worked on, other events have continued without delay. Drive coverage testing occurred July 19th – July 22nd. Of the 1,185 tiles that were tested, 1,183 passed. This gave us a coverage percentage of 99.83%. The 20 buildings designated for testing by the Motorola test team were also tested, with generally good results, although some failures in

basements and especially difficult areas did fail. With the help of our public safety partners, an additional 250+ buildings were tested.

All portable radios have been distributed. Four sessions of Train the Trainer to teach the end users about the use of the portable radios were attended by 68 trainers from our public safety partners. Operator training will be approximately eight hours long.

Eight locations including the leased warehouse will be used to install the mobile radios into the responders' vehicles. This process will continue after the system goes live. Each install time varies on the type of vehicle that the equipment is being installed into. Discussions with our public safety partners on this scheduling continues as the goal is to keep the process as streamlined as possible.

Console installation is complete at the backup center. Eighteen radio consoles will be installed at the 9-1-1 Center. This work began with the training room and is as complete as it can be to cutover. Work has begun on the Dispatch Center floor as of August 3rd. Center personnel will have training on the new radio consoles. This training is scheduled for the week of August 16th. Even after the MPSCS system goes live, we will maintain some legacy EDACS consoles to ensure responder safety during the transition.

Pager programming and training is forthcoming. Training material has been developed and scheduling with Comm Source, who will conduct the training, is in process.

Cutover planning continues as well. We will ensure selected EDACS talk groups are patched to MPSCS. Then we will bring up the full nine sites simulcast cell running on 16 channels (21 – 4 common – 1 to be data). We will then move all Ingham County EDACS users. This will be done in an agency-by-agency plan – move incrementally as more dispatchers are transitioned from EDACS to MPSCS.

As soon as we are able to decommission EDACS, we will clear equipment from the now unused tower sites as soon as possible and terminate those leases. We have been working on an RFP to address equipment removal that is outside the scope of the Motorola contract. This would include removal of some radio equipment, shelters, and generators.

### 3G network decommissioning information:

Ingham County 9-1-1 Central Dispatch wants the public to be aware that wireless phone carriers are in the process of decommissioning 3G networks. This means that if you currently have a mobile or cellular device that still utilizes 3G technology, it will no longer work once the carriers shut down 3G service.

This change will typically affect older style 3G models of Tracfoners, flip phones, Jitterbugs, and smartphones from 2008 and prior.

As 3G service is phased out, it will also affect your ability to dial 9-1-1 via your mobile phone in the event of an emergency. Some carriers may still allow emergency 9-1-1 calls with 3G devices, while other carriers and devices may not work at all.

If it is unknown whether your 9-1-1-phone is a 3G model, check the phone's IMEI serial number (*IMEI stands for International Mobile Equipment Identity*). You may find the IMEI in one of the following ways:

- Under the “About” tab of your smartphone.
- Pressing \*#06# on the phone's keypad.

Once you have found your device's IMEI, enter that number at <https://www.imei.info> which will provide you with details on the phone and the network it is set up for. The 3G network uses frequencies at 900Mhz or 2100Mhz.

If you have a 3G cellular device, you may want to upgrade in order to make sure you can maintain service and the ability to dial 9-1-1 via your mobile device in the event of an emergency.

Verizon has set a shut off date of December 31, 2022 for their 3G cellular service.

AT&T has set a shut off date of February 2022 for their 3G cellular service.

You can learn more about Verizon and AT&T 3G decommissioning via the following links:

<https://www.verizon.com/about/news/3g-cdma-network-shut-date-set-december-31-2022>  
<https://www.att.com/support/article/wireless/KM1324171>

AT&T has also provided a list of devices that will continue to work after the cutoff at:  
<https://www.att.com/idpassets/images/support/wireless/Devices-Working-on-ATT-Network.pdf>

## HB 5026

### Origins of Michigan's 9-1-1 System:

When originally deployed in 1986, 9-1-1 was a service based upon landline telephones, with a traditional copper network utilizing 1960's technology capable of carrying voice and very limited data, such as the caller's landline address. This network was funded entirely by what was called a "technical" fee on landline customers. The telephone companies collected and retained this fee to cover their costs for 9-1-1 service. This old network was retrofitted over the years to accommodate newer forms of communication, such as wireless and Voice over IP devices, but the core network and its inherent limitations remained unchanged. Its ability to identify the location of wireless callers was marginal. The network no longer met the needs of communications in the 21st century.

About ten years ago, 9-1-1 professionals throughout the State began a migration to what is called Next Generation 9-1-1, or NG911, by contracting with a service provider, Peninsula Fiber Network, to provide an IP based fiber network to replace the legacy copper. Ingham County is the last stages of this migration. We are still working with AT&T wire lines to move to the ESInet. 97% of our 9-1-1 calls are coming in on the ESInet.

Fees are statutorily assessed to the users of the system based on their device. Those who use landlines or are contractual wireless customers, pay a flat \$0.25 fee. Those who use "pre-paid" non-contractual service pay 5% of the retail price at the original point of sale

### Background on the benefits of Next Generation 9-1-1 system:

1. Enhanced GPS location services for mobile phones (80% of calls placed to 9-1-1).
2. Messaging capability to 9-1-1 services for those unable to call, afraid to make noise, or with speech/hearing impairment.
3. Increase in bandwidth, speed, reliability, and redundancy that meet national guidelines.

Fees are statutorily assessed to the users of the system based on their device. Those who use landlines or are contractual wireless customers, pay a flat \$0.25 fee. Those who use "pre-paid" non-contractual service pay 5% of the retail price at the original point of sale.

### The Problems:

1. The 9-1-1 Act sunsets 12/31/21, without an extension, there will be no authorization for 9-1-1 to operate in Michigan.
2. While costs of the Network are on target with projections, revenues collected have fell short of expectations. From "pre-paid" sources, revenues are 25% less than projected (4-5 million dollars annually).
3. An audit is necessary, focusing especially on digital retailers, to learn why prepaid fees have not met anticipated revenues.
4. Currently, the fund that pays for the 9-1-1 network will be negative by the year 2023 if something is not done.

Solutions proposed in HB 5026 (Sponsored by Representative Julie Calley):

1. Extend 911 Authorization Act Sunset
2. Increase contractual wireless customer fee by \$0.02
3. Increase pre-paid customer fee by 1.5%
4. Grant Treasury the ability to audit the prepaid side of the revenue
5. Automatically reduce surcharge if new fees are too high
6. Provide for timely reimbursement of system costs to network providers.

Alternate funding solution:

There are discussions taking place surrounding the possibility of a one-time appropriation to fund the lost revenue and a LESSER 9-1-1 fee increase.