

CHAIRPERSON
VICTOR CELENTINO

VICE-CHAIRPERSON
BRIAN McGRAIN

VICE-CHAIRPERSON PRO-TEM
RANDY MAIVILLE

LAW AND COURTS COMMITTEE
REBECCA BAHAR-COOK, CHAIR
KARA HOPE
BRYAN CRENSHAW
VICTOR CELENTINO
PENELOPE TSERNOGLOU
RANDY SCHAFER
RANDY MAIVILLE

INGHAM COUNTY BOARD OF COMMISSIONERS

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THE LAW AND COURTS COMMITTEE WILL MEET ON THURSDAY, OCTOBER 16, 2014 AT 6:00 P.M., IN THE PERSONNEL CONFERENCE ROOM (D & E), HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

Agenda

Call to Order

Approval of the [October 2, 2014 Minutes](#)

Additions to the Agenda

Limited Public Comment

1. 55th District Court
 - a. Resolution Authorizing the Ingham County 55th District Court to Accept a Grant Award from the Michigan Supreme Court's State Court Administrative Office-Michigan Drug Court Grant Program ([SCAO-MDCGP](#)) and Enter into Subcontracts
 - b. Resolution Authorizing the Ingham County 55th District Court to Accept a Grant Award from the Michigan Supreme Court State Court Administrative Office-Michigan Mental Health Court Grant Program ([SCAO-MMHCGP](#)), Continue a Probation Officer Position, and Enter into Subcontracts
2. Circuit Court - Resolution Recognizing and Supporting the [Veterans History Project](#)
3. Sheriff's Office/Office of Homeland Security & Emergency Management
 - a. Resolution to Purchase Radios and an Interactive [Smartboard](#) for the Emergency Operations Center of Ingham County
 - b. Resolution to Enter into a Contract with the State of Michigan Making Ingham County the [Fiduciary Agent](#) for Michigan Homeland Security Region 1 and Accepting the FY2014 Homeland Security Grant Program Funds
4. Facilities Department - Resolution Authorizing a Purchase Order to Myers Plumbing & Heating, Inc. to Install an [Air Conditioning Unit](#) in the Sheriff's Office Command Conference Room
5. Controller's Office
 - a. Resolution Authorizing a Transfer from the General Fund to the Juvenile Justice Millage Fund to Accurately Reflect Revenue Offsetting [Child Care Fund](#) Expenses
 - b. Resolution Authorizing [Adjustments](#) to the 2014 Ingham County Budget

6. County Clerk - Discussion Regarding Proposed Reorganization DRAFT Resolution – NO ACTION WILL BE TAKEN AT THIS MEETING

DRAFT - Resolution to Authorize the Transfer of all Deputy Clerk I-Circuit Court, Deputy Clerk II-Circuit Court, Deputy Clerk III-Circuit Court, Deputy Juvenile Register III and Court of Claims Clerk Positions from the Circuit Court to the County Clerk's Office

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.

LAW & COURTS COMMITTEE
October 2, 2014
Minutes - Draft

Members Present: Rebecca Bahar-Cook, Kara Hope, Bryan Crenshaw, Victor Celentino, Randy Maiville, Randy Schafer, and Penelope Tsernoglou

Members Absent: None

Others Present: Hon. Thomas Boyd, John Neilsen, Allan Spyke, Michael Dillon, Lisa McCormick, Anne Burns, Kathy Davis, Michael Botke, Greta Trice, Somer Ramadan, Yousef Hammad, Carrie Gregg, Ryan Buck, and others

The meeting was called to order by Chairperson Bahar-Cook at 6:00 p.m. in the Personnel Conference Room "D & E" of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the September 11, 2014 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. TSERNOGLOU, TO APPROVE THE MINUTES OF THE SEPTEMBER 11, 2014 LAW & COURTS COMMITTEE MEETING AS PRESENTED.

THE MOTION CARRIED UNANIMOUSLY.

Additions to the Agenda

Chairperson Bahar-Cook renumbered Agenda Item No. 7 as 7a.

7. Controller's Office
 - b. Update on Lansing Pension and Retiree Health Insurance Transfers
 - c. Millage Language

Limited Public Comment

None.

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. CRENSHAW, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS:

1. Community Corrections Advisory Board - Resolution Authorizing a Reduced Contract for Ingham County/City of Lansing Community Corrections Programming with the Michigan Department of Corrections for Pretrial Defendant Electronic Monitoring Services with Sentinel, Inc. for these Services for FY 2014-2015
3. Circuit Court / Friend of the Court

- a. Resolution to Authorize a Time Extension for the Safe Haven Supervised Visitation and Safe Exchange Grant Program and Subcontracts
 - b. Resolution to Authorize a Lease Extension Agreement for the Friend of the Court Safe Haven Grant Program
4. Sheriff's Office - Resolution to Extend the Current Delhi Township Police Services Agreement from January 1, 2015 through December 31, 2018

THE MOTION CARRIED UNANIMOUSLY.

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

2. 55th District Court - Discussion Item on Pilot Project Authorized by Resolution #14-039

Hon. Thomas Boyd, 55th Judicial District Court Chief Judge, stated that there was a fire at the Court today from approximately 3:30 p.m. to 5 p.m. He further stated that no one was hurt and the local Fire Department and the County Facilities Department responded quickly. Judge Boyd stated that a microwave triggered the fire.

Judge Boyd presented on the state of the Court's finances. Judge Boyd stated that the Legislature passed a fix for the *Cunningham* decision and it was on its way to the Governor's Office. He further stated that there would be a 36-month sunset. Judge Boyd stated that cost recovery was limited by the legislation. He further stated that fees could only be assessed if the fees were reasonably related to the crime.

Commissioner Tsernoglou asked if the cost of prosecution was addressed by this legislation.

Judge Boyd stated that there were other laws that authorized assessing prosecution and policing costs. He further stated that these costs existed before and after the *Cunningham* decision.

Chairperson Bahar-Cook asked the Controller's Office and Court to prepare a report on how this information would affect the 2015 budget.

John Neilsen, Chief Deputy Controller, stated that the County would need time to process the pending legislation.

Discussion.

Judge Boyd stated that the issue of collections needed to be addressed. He further stated that there were \$5.2 million in account receivables as of today. Judge Boyd stated that Michael Dillon, District Court Administrator, was a current member of the State Court Administrator Office (SCAO)'s collections committee. Judge Boyd further stated that they were compliant with 9 out of 10 SCAO collection recommendations.

Judge Boyd stated that he did not have the data to report whether the full-time collections position was working. He further stated he did not want the Committee to change the position to half-time again.

Chairperson Bahar-Cook stated that this position was scheduled to turn into a half-time position with the 2015 budget.

Commissioner Tsernoglou asked whether other staff could fill in the gap.

Judge Boyd stated that the staff would take money, but the issue was that the Court needed the full-time collections officer in situations where the payee had no money while physically at the Court, but wanted to develop a payment plan. He further stated that other staff had their own duties.

Mr. Neilsen stated that this issue was worth about \$31,000.

Chairperson Bahar-Cook stated that she had asked whether the Treasurer could become involved in collection activities.

Judge Boyd stated that he had spoken with Eric Schertzing, Treasurer, in the past regarding this issue. Judge Boyd stated that Mr. Schertzing had stated that he was aware of this Treasurer-collections arrangement in other states, but not here in Michigan.

Commissioner Maiville left the meeting at 6:27 p.m.

5. Law & Courts Committee - Resolution Authorizing 2015 Agreements for Juvenile Justice Community Agencies

Chairperson Bahar-Cook stated that there was \$44,407 more in requests than there was available funding.

Chairperson Bahar-Cook stated that in the past, they had each program present to the Committee, and that this would be the process here tonight.

Kathy Davis, Child and Family Services Charities – Nexus Program Director, stated that they provided the Nexus screening and assessment program. She further stated that they would receive referrals from schools in regards to drugs, alcohol, and other problems as they were identified. Ms. Davis stated that at any one time, 20% of students lived with mental health issues. She further stated that only 10% of children who had mental health issues actually received treatment.

Commissioner Celentino asked for a breakdown of the schools the program works with.

Ms. Davis stated that they worked mostly with the Lansing School District. She further stated that one of the problems was that the school could not mandate a program if it were to cost the parents money. Ms. Davis stated that with this funding, the school could mandate the program.

Commissioner Crenshaw asked how long a student would be mandated to participate in a program.

Ms. Davis stated that a school could mandate the student participate in the program only if the student had been expelled. She further stated that participation would be a condition of readmission.

Commissioner Crenshaw asked how many students were served in the 2014 budget year.

Ms. Davis stated that they had 164 participants in the last six months.

Commissioner Schafer stated that the schools had experienced tough times in the last three years.

Chairperson Bahar-Cook asked whether they would make up their revenue if the Committee only funded the program at 69% of the total request.

Ms. Davis stated that the challenge was that the United Way kept cutting their funding so their program would have to look at downsizing.

Michael Botke, Child and Family Services Charities – Teen Court Director, stated that the Teen Court was a juvenile justice diversion program which received referrals from the Prosecutor’s Office and the Juvenile Division of the 30th Judicial Circuit Court. He further stated that Judge Boyd had assisted Teen Court before. Mr. Botke stated that the Teen Court hearings focused on accountability and were not an actual court proceeding. He further stated that peer jurors would assist in making decisions and simultaneously learn about the law. Mr. Botke stated that Teen Court was a stand-alone organization at inception, but it had later merged with Child and Family Charities.

Mr. Botke stated this program had been county-wide since 2004. He further stated that it was originally a Lansing-only program.

Mr. Botke stated they serviced 11 through 16 year olds, and once a person reached 17 years of age, the person was in “adult” court. He further stated that they were currently housed at Cooley Law School. Mr. Botke stated they served a total of 174 individuals, and there was 90% of the time there were no recidivism issues a year out from the program.

Mr. Botke stated that the peer jurors were getting a unique learning experience.

Mr. Botke stated that they had received positive feedback from jurors, parents, teachers, judges, and other individuals who had participated in the program.

Commissioner Crenshaw asked why there was an increase in the funding request from 2014 to 2015.

Chairperson Bahar-Cook stated that they requested \$30,000 last year, however only received \$22,560.

Mr. Botke stated that the full \$30,000 would bring their funding back to normal.

Greta Trice, Resolution Services Center of Central Michigan Executive Director, presented on the Restorative Justice program. She stated that their mission was to teach students conflict resolution techniques so as to address current conflicts and prevent future conflicts.

Ms. Trice introduced Somer Ramadan and her son, Yousef Hammad, as an example of the program's success.

Mr. Hammad stated that he was able to resolve a current conflict that he had, as a student, with a lunchroom supervisor.

Ms. Ramadan stated that her Mr. Hammad informed her about the conflict with the staff member. She further stated she directed her son to bring it to the attention of the school's principal. Ms. Ramadan stated that the program brought both her son and the staff member into same room to work to find common ground.

Ms. Trice stated that in Mr. Hammad's case, they were able to identify the root of the conflict as the different cultural conceptions of respect.

Ms. Trice stated that there was a disproportional impact on certain groups when there was conflict in a school that went unresolved, including minorities and people living with disabilities.

Chairperson Bahar-Cook stated that the goal of this program was to educate students so that they could address situations in a positive manner and therefore did not become distracted in the learning environment.

Commissioner Celentino asked how many schools they operated in.

Ms. Trice stated that they worked in 12 schools, including Holt, Lansing, and East Lansing.

Chairperson Bahar-Cook asked if the program could function at a 69% funding level.

Ms. Trice stated that it would reduce their ability to facilitate the program, but they would be able to operate.

Carrie Gregg, Small Talk Children's Assessment Center Director, presented on Small Talk. She stated that they were the coordinating agency that identified and addressed child abuse. Ms. Gregg stated that all their data was located in one central location, which made it easier to identify gaps in the system. She further stated that most of their offenders were under the age of 17. Ms. Gregg stated that the problem lay in the fact that they do not currently have a treatment program for juvenile offenders. Ms. Gregg stated that this funding would allow for the hiring of a masters-level therapist who would work with youth offenders and their families. She further

stated that all the therapies would be research-based. Ms. Gregg stated that recidivism would be low for those who participated in the program. She further stated that the Prosecutor's Office had agreed to hold off on charges if the youth offender would participate in therapy. Ms. Gregg stated that they would put safety plans in place.

Commissioner Crenshaw asked whether there were similar programs around the state.

Ms. Gregg stated that they had the program in Shiawassee County for the past three years.

Commissioner Crenshaw asked whether they could leverage any grants or other monies.

Ms. Gregg stated that they had not applied for any grant money. She further stated that Shiawassee County did receive grant funding, however it would be ending this year.

Commissioner Tsernoglou asked whether they would increase their fundraising budget if the program was not fully funded.

Ms. Gregg answered yes.

Chairperson Bahar-Cook asked why they were not already included in the Juvenile Division of the 30th Judicial Circuit Court.

Ms. Gregg stated that they only became a program very recently.

Commissioner Celentino thanked the presenters and apologized for not being able to fully fund all the program.

MOVED BY COMM. CELENTINO, SUPPORTED BY COMM. CRENSHAW, TO APPROVE THE RESOLUTION AUTHORIZING 2015 AGREEMENTS FOR JUVENILE JUSTICE COMMUNITY AGENCIES BY AUTHORIZING FUNDING IN THE FOLLOWING AMOUNTS: \$37,287 TO CHILD AND FAMILY CHARITIES—NEXUS PROGRAM (80% OF THEIR ORIGINAL REQUEST), \$23,902 TO CHILD AND FAMILY CHARITIES—TEEN COURT (80% OF THEIR ORIGINAL REQUEST), \$20,811 TO RESOLUTION SERVICES CENTER OF CENTRAL MICHIGAN—RESTORATIVE JUSTICE (83% OF THEIR ORIGINAL REQUEST), AND \$18,000 TO SMALL TALK CHILDREN'S ASSESSMENT CENTER—SEXUAL TRAUMA RECOVERY (42% OF THEIR ORIGINAL REQUEST).

Commissioner Hope stated that going forward, we should indicate to applicants that there was a limit on the amount that applicants would be able to request.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Maiville.

Mr. Neilsen stated that this recommendation would go to Finance Committee for consideration. He further stated that traditionally, the Finance Committee had not requested the presenters to present again at the Finance Committee meeting.

6. Animal Control Department
 - a. Resolution to Authorize the Use of Donated Funds to Supplement Low/No Cost Adoption Fees at Special Events Sponsored by the Animal Control Department

MOVED BY COMM. HOPE, SUPPORTED BY COMM. CRENSHAW, TO APPROVE THE RESOLUTION TO AUTHORIZE THE USE OF DONATED FUNDS TO SUPPLEMENT LOW/NO COST ADOPTION FEES AT SPECIAL EVENTS SPONSORED BY THE ANIMAL CONTROL DEPARTMENT.

There was a discussion regarding donations that were earmarked for a specific purpose and how Animal Control could lower Board-set fees to comply with the earmarked donations.

Chairperson Bahar-Cook stated that she would like the Animal Control Advisory Board to consider this and all resolutions before this Committee would address them.

Anne Burns, Interim Animal Control Director, stated that Cat Craze was coming up in which donors had donated money with the intent that it allow for lower adoption fees.

Chairperson Bahar-Cook asked whether this resolution would affect the Cat Craze event.

Ms. Burns answered no.

MOVED BY COMM. CELENTINO, SUPPORTED BY COMM. CRENSHAW, TO REFER THE RESOLUTION TO AUTHORIZE THE USE OF DONATED FUNDS TO SUPPLEMENT LOW/NO COST ADOPTION FEES AT SPECIAL EVENTS SPONSORED BY THE ANIMAL CONTROL DEPARTMENT TO THE ANIMAL CONTROL ADVISORY BOARD FOR ITS REVIEW AND RECOMMENDATION.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Maiville.

6. Animal Control Department
 - b. Interim Director's Report

Ms. Burns presented on the Interim Director's Report.

Commissioner Tsernoglou asked for information regarding the adoption return statistics.

Ms. Burns stated that "adoption return" meant that the animal was adopted, but subsequently returned.

Commissioner Tsernoglou stated that there were no numbers on the total number of adoptions.

Commissioner Tsernoglou asked what "agency assist" meant.

Ms. Burns stated that it was when a law enforcement agency would request Animal Control's assistance.

Commissioner Tsernoglou asked for information about “temperamental cats” statistic.

Ms. Burns stated that these were cats that were never socialized, but not feral. She further stated that they would perform temperament tests on the cats and dogs.

Commissioner Tsernoglou asked why illness in cats increased so greatly.

Ms. Burns stated that they had been addressing hoarding and received many ill “trap-neuter-release” cats.

Commissioner Crenshaw asked for information about animal outcome percentages.

Discussion.

Commissioner Crenshaw asked why so many animals died in the shelter.

Commissioner Tsernoglou stated that the question was linked into the quality of veterinarian care.

Ms. Burns stated that the vast number of deaths were newborn dogs and cats who had no immune systems.

Discussion.

MOVED BY COMM. TSERNOGLOU, SUPPORTED BY COMM. HOPE, TO REVIEW CURRENT PROCEDURES (INCLUDING BUT NOT LIMITED TO PROCEDURES UTILIZED TO RETURN LOST ANIMALS TO OWNERS) AT THE ANIMAL CONTROL SHELTER AND PROVIDE RECOMMENDATIONS FOR IMPROVEMENTS TO THE LAW & COURTS COMMITTEE

Commissioner Celentino asked whether there was a timeline.

Commissioner Tsernoglou stated that whenever the Animal Control Advisory Board would feel it was appropriate.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Maiville.

7. Controller’s Office

a. Recommendation on “The Asilomar Accords”

Mr. Neilsen presented on the issue of whether the Animal Shelter should strive to be a facility that did not euthanize animals for lack of space. He stated that this would be an issue that the new Animal Control Director and the Animal Control Advisory Board could consider and provide a recommendation to the Committee.

Commissioner Tsernoglou stated that she would like other generally accepted guidelines be considered as well.

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. CELENTINO, TO REFER TO THE ANIMAL CONTROL ADVISORY BOARD FOR THEIR REVIEW AND RECOMMENDATION ON THE ISSUES OF WHETHER THE ANIMAL CONTROL SHELTER SHOULD STRIVE TO NOT EUTHANIZE ANIMALS FOR LACK OF SPACE, INCLUDING CONSIDERATION OF THE ASILOMAR ACCORDS AND OTHER GENERALLY ACCEPTED GUIDELINES, AND WHAT WOULD BE AN ACCEPTABLE EUTHANIZATION RATE, IF ACCEPTABLE AT ALL.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Maiville.

b. Update on Lansing Pension and Retiree Health Insurance Transfers

Mr. Neilsen stated that the County received wire transfers from Lansing. He further stated that the County received \$102,510 to satisfy the pension obligation and \$228,043 for the retiree health insurance issue. Mr. Neilsen stated that the \$228,043 represented the first annual payment out of a total of three that would occur in total.

c. Millage Language

Mr. Neilsen stated that there was a discrepancy identified in the two Board-approved resolutions that put the Health Services and Trails and Parks millages on the ballot. He further stated that the Health Services Millage was a millage renewal of 0.52 mills, which the resolution stated would raise an estimated \$3,425,803. Mr. Neilsen stated that the Trails and Parks Millage was a new millage at 0.5 mills, which the resolution stated would raise an estimated \$3,519,041. He further stated that discrepancy was that the Trails and Parks Millage was estimated to raise more tax than the Healthcare Services millage despite the fact the Trails and Parks Millage's 0.5 mill amount was less than the Health Services millage amount.

Mr. Neilsen stated that it was discovered that the Health Services Millage utilized the "modified taxable value," which did not include property subject to tax capture while the Trails & Parks Millage utilized "taxable value."

Mr. Neilsen stated that the Controller's Office had discussed the issue with the County Attorney, and the County Attorney had reported that this discrepancy did not affect the millage's legality. He further stated that they would be more cognizant of this issue in the future.

Announcements

Commissioner Crenshaw stated that he would be unable to attend the next Committee meeting, scheduled for October 16.

Public Comment

None.

The meeting was adjourned at approximately 7:51 p.m.

OCTOBER 16, 2014 LAW & COURTS AGENDA STAFF REVIEW SUMMARY

RESOLUTION ACTION ITEMS:

The Chief Deputy Controller is recommending approval of the following resolutions/actions:

1. 55th District Court
 - a. *Resolution Authorizing the Ingham County 55th District Court to Accept a Grant Award from the Michigan Supreme Court's State Court Administrative Office-Michigan Drug Court Grant Program (SCAO-MDCGP) and Enter into Subcontracts*

This resolution will authorize accepting a grant award contract in the amount of up to \$135,000 in grant funding from the Michigan Drug Court Grant Program (MDCGP), administered by the State Court Administrative Office (SCAO). This contract is for the time period of October 1, 2014 through September 30, 2015 and continues the 55th District Court Sobriety Court for another round of grant funding.

The resolution also authorizes \$137,123 of Ingham County in-kind funding, resulting in a total Sobriety Court budget of \$272,348.

The resolution authorizes subcontracts as follows:

- Substance Abuse Testing – Alcohol and Drug Administrative Monitoring (ADAM) - In an amount not to exceed \$12,288
- Cognitive Consultants – In an amount not to exceed \$74,355

(see attached memo for details)

- b. *Resolution Authorizing the Ingham County 55th District Court to Accept a Grant Award from the Michigan Supreme Court State Court Administrative Office-Michigan Mental Health Court Grant Program (SCAO-MMHCGP), Continue a Probation Officer, and Enter into Subcontracts*

This resolution will authorize accepting a grant award contract in the amount of up to \$275,000 in grant funding (along with an in-kind contribution of \$66,379.75, for a total budget of \$341,379.75) from the Michigan Mental Health Court Grant Program (MMHCGP), administered by the State Court Administrative Office (SCAO). This second year grant will allow for the continuation of the 55TH District Court Michigan Mental Health Court Grant Program for the time period of October 1, 2014 through September 30, 2015.

In addition the resolution authorizes continued funding for a probation officer, and subcontracts as follows:

- Substance Abuse Testing – Alcohol and Drug Administrative Monitoring (ADAM) – not to exceed \$21,876.31
- Mental Health Services– Community Mental Health Authority of Clinton, Eaton, and Ingham Counties: not to exceed \$183,149. Community Mental Health will also contribute in-kind matching funds not to exceed \$25,464

(see attached memo for details)

2. Circuit Court - Resolution Recognizing and Supporting the Veterans History Project

This resolution recognizes and supports the importance of the Veterans History Project in preserving our veterans' stories by granting authorization to host the November 7, 2014, event to be held at the Veterans Memorial Courthouse. This is a cooperative effort between representatives of the Ingham County Circuit Court, Ingham County Department of Veterans Affairs, and the Michigan Association of Professional Court Reporters. The proposal is to hold a Veterans History Project event on November 7, 2014, at the Veterans Memorial Courthouse. The event will begin with a presentation and reception to honor the veterans and conclude with the veterans being interviewed by community members who have graciously volunteered their time. Court reporters will capture the interviews through transcription and the transcripts will be submitted to the Library of Congress for historical preservation. (see attached memo for details)

3. Sheriff's Office/Office of Homeland Security & Emergency Management

a. Resolution to Purchase Radios and an Interactive Smartboard for the Emergency Operations Center of Ingham County

This resolution will authorize the purchase of the following technology equipment using FY2013 Homeland Security Grant Funding:

- Two (2) Portable Radios for Emergency Operations Center Staff - \$3,917.29
- Interactive Smartboard for the Emergency Operations Center - \$7,289.00

(see attached memo for details)

b. Resolution to Enter into a Contract with the State of Michigan making Ingham County the Fiduciary Agent for Michigan Homeland Security Region 1 and Accepting the FY2014 Homeland Security Grant Program Funds

This resolution will authorize entering into a contract with the State of Michigan to be the fiduciary agent for the FY2014 Department of Homeland Security, Homeland Security Grant Program, and the acceptance of \$1,003,010 for the time period of September 1, 2014 to May 31, 2016. The City of Lansing has been acting as the fiduciary for these grant funds for several grant cycles and has indicated they would like another government agency to take this over effective the FY2014 round of funding. Up to 5% of State Homeland Security Program (SHSP) funds awarded may be retained by Ingham County for management and administration (M&A) purposes associated with the SHSP award. Ingham County would be responsible for subcontracting out the funds to the Region 1 participating entities, grant reporting, procurement of goods and services in some cases and other grant related functions. (see attached memo for details)

4. Facilities Office - Resolution Authorizing a Purchase Order to Myers Plumbing and Heating Inc. to Install an Air Conditioning Unit in the Sheriff's Office Command Conference Room

This resolution will authorize a purchase order to Myers Plumbing & Heating, Inc. to provide materials and labor to install a new air conditioning unit in the Sheriff's Office command conference room for a not to exceed cost of \$5,365.00. Funds are available within the 2014 Capital Improvement budget for this purpose.

(see attached memo for details)

5. Controller's Office

a. *Resolution Authorizing a Transfer from the General Fund to the Juvenile Justice Millage Fund to Accurately Reflect Revenue Offsetting Child Care Fund Expenses*

This resolution will authorize a transfer of \$110,157 from the unreserved fund balance in the general fund to the Juvenile Justice Millage fund. This is to more properly account for offsetting revenue to the Juvenile Justice Millage fund back to the last renewal of the millage in 2012. This change has already been done going forward starting with the current 2014 fiscal year. (see attached memo for details)

b. *Resolution Authorizing Adjustments to the 2014 Ingham County Budget*

This resolution would authorize the recommended adjustments to the Ingham County budget for the third quarter of fiscal year 2014. The total increase to the General Fund is \$40,956. (see attached memo for details)

This portion of the agenda is for informational purposes:

Controllers Office - *Third Quarter 2014 Budget Contingency Fund Update*

This is information on the use of 2014 Contingency Funds to date - no action required.

County Clerk – *Discussion Regarding Proposed Reorganization DRAFT Resolution – NO ACTION WILL BE TAKEN AT THIS MEETING*

DRAFT – Resolution to Authorize the Transfer of all Deputy Clerk I-Circuit Court, Deputy Clerk II-Circuit Court, Deputy Clerk III-Circuit Court, Deputy Juvenile Register III and Court of Claims Clerk Positions from the Circuit Court to the County Clerk's Office

Resolution Memo

To: Ingham County Law & Courts and Finance Committees
From: Da'Neese Wells
Date: 9/26/14
Subject: Sobriety Court Resolution for Fiscal Year 2015

Attached please find a resolution requesting authorization for the 55th District Court Sobriety Court to accept \$135,000 in grant funding from the Michigan Drug Court Grant Program (MDCGP), administered by the State Court Administrative Office (SCAO).

The resolution also authorizes \$137,123 Ingham County In-Kind funding, resulting in a total Sobriety Court budget of \$272,348.

Lastly, the resolution authorizes subcontracts as follows:

1. Substance abuse testing with Alcohol and Administrative Drug Monitoring (ADAM) not to exceed \$12,288
2. Counseling services with Cognitive Consultants not to exceed \$74,355

The 55th District Court has received grant funding from these programs for several years and seeks to continue. The program serves an average of 100 participants, graduates an average of 30 participants annually and is staffed by four employees (one full-time, three part-time).

Thank you for your consideration.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING THE INGHAM COUNTY 55TH DISTRICT COURT
TO ACCEPT A GRANT AWARD FROM THE MICHIGAN SUPREME COURT'S STATE COURT
ADMINISTRATIVE OFFICE-MICHIGAN DRUG COURT GRANT PROGRAM (SCAO-MDCGP)
AND ENTER INTO SUBCONTRACTS**

WHEREAS, the 55th District Court Sobriety Court Program ("Sobriety Court") has since 2004 provided quality services to the citizens of Ingham County; and

WHEREAS, capacity of the program has grown past its original stated capacity of 70 offenders; and

WHEREAS, the increased caseloads seriously threaten the level and quality of services; and

WHEREAS, sources of Sobriety Court grant funding have been identified which would not obligate the County to provide matching funds, including but not limited to the SCAO-Michigan Drug Court Grant Program.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes acceptance of a State Court Administrators Office grant including the SCAO-MDCGP grant in the amount of \$135,000 to the Ingham County 55th District Court Sobriety Court Program for the time period of October 1, 2014 through September 30, 2015.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners approves the total grant budget of \$272,348 to include SCAO/MDCGP grant funds in the amount of \$135,000 and Ingham County in-kind matching funds of \$137,123 with no local hard cash matching funds required to continue the Sobriety Court Program.

BE IT FURTHER RESOLVED, grant-funded Sobriety Court program direct service subcontracts are authorized for the following services in the following amounts:

- Substance Abuse Testing – Alcohol and Drug Administrative Monitoring (ADAM) – not to exceed \$12,288
- Cognitive Consultants – not to exceed \$74,355

BE IT FURTHER RESOLVED, that the Controller/Administrator is directed to make the necessary adjustments to the 2014 and 2015 55th District Court budget and Position Allocation List.

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

Resolution Memo

To: Ingham County Law & Courts and Finance Committees
From: Da'Neese Wells
Date: 9/26/14
Subject: Mental Health Court Resolution for Fiscal Year 2015

Attached please find a resolution requesting authorization for the 55th District Court Mental Health Court to accept \$275,000 in grant funding from the Michigan Mental Health Court Grant Program (MMHCGP), administered by the State Court Administrative Office (SCAO).

This is the second year we have received a grant from the Michigan Mental Health Court Grant Program.

The basic premise of the program is a collaborative relationship between the 55th District Court and the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties (CMHA-CEI) designed to link mentally ill criminal defendants to appropriate treatment in hopes of better addressing the needs of individuals with mental illness, reducing recidivism and enhancing public safety.

The resolution also authorizes \$66,379.75 Ingham County In-Kind funding, resulting in a total Mental Health Court budget of \$341,379.75.

Additionally, the resolution authorizes hiring a probation officer, and subcontracts as follows:

1. Substance abuse testing with Alcohol and Administrative Drug Monitoring (ADAM) not to exceed \$21,876.31
2. Mental health services with the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties (CMHA-CEI) not to exceed \$183,149

Thank you for your consideration.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING THE INGHAM COUNTY 55TH DISTRICT COURT TO ACCEPT A GRANT AWARD FROM THE MICHIGAN SUPREME COURT STATE COURT ADMINISTRATIVE OFFICE-MICHIGAN MENTAL HEALTH COURT GRANT PROGRAM (SCAO-MMHCGP), CONTINUE A PROBATION OFFICER POSITION, AND ENTER INTO SUBCONTRACTS

WHEREAS, the Community Mental Health Authority of Clinton, Eaton and Ingham Counties (CMHA-CEI) estimates there are over 5,000 seriously mentally ill adults in our region; and

WHEREAS, the 55th District Court has identified a need for specialized case handling for mentally ill defendants; and

WHEREAS, research indicates such specialized case handling results in lower recidivism rates, increased public safety, and more efficient public sector spending; and

WHEREAS, the 55th District Court and CMH-CEI have received a grant from the State Court Administrative Office - Michigan Mental Health Court Grant Program in the amount of \$275,000 to implement a Mental Health Court at the 55th District Court; and

WHEREAS, implementation of the Mental Health Court will require hiring an additional probation officer to provide staffing for the program; and

WHEREAS, sources of Mental Health Court grant funding have been identified which would not obligate the County to provide matching funds, including but not limited to the SCAO-Michigan Mental Health Grant Program.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes entering into contract with the State Court Administrative Office - Michigan Mental Health Court Grant Program for a total budget not to exceed \$341,379.75 to include SCAO/MMHCGP grant funds in the amount of \$275,000, Ingham County in-kind matching funds not to exceed \$66,379.75 with no local hard cash matching funds, and Community Mental Health Authority of Clinton, Eaton, and Ingham Counties in-kind matching funds not to exceed \$25,464 for the time period of October 1, 2014 through September 30, 2015.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes continuation of one FTE grant-funded Probation Officer, an ICEA Court Professional, Grade 7, contingent upon the availability of grant funds.

BE IT FURTHER RESOLVED, grant funded Mental Health Court program direct service subcontracts are authorized for the following services in the following amounts:

- Substance Abuse Testing – Alcohol and Drug Administrative Monitoring (ADAM) – not to exceed \$21,876.31
- Mental Health Services– Community Mental Health Authority of Clinton, Eaton, and Ingham Counties: not to exceed \$183,149

BE IT FURTHER RESOLVED, that the Controller/Administrator is directed to make the necessary adjustments to the 2014 and 2015 55th District Court budget and Position Allocation List.

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

MEMORANDUM

To: Law & Courts and Human Services Committees
From: Rhonda K. Swayze
Date: October 8, 2014
Re: Veterans History Project

The Veterans History Project (VHP) of the Library of Congress American Folklife Center is primarily an oral history program that collects and preserves the firsthand interviews of America's wartime veterans. The Michigan Association of Professional Court Reporters has committed their services to this endeavor by transcribing the interviews of wartime veterans.

Representatives of the Ingham County Circuit Court, Ingham County Department of Veterans Affairs, and the Michigan Association of Professional Court Reporters have planned a Veterans History Project event to be held on November 7, 2014, at the Veterans Memorial Courthouse. The event will begin with a presentation and reception to honor the veterans and conclude with the veterans being interviewed by community members who have graciously volunteered their time. Court reporters will capture the interviews through transcription and the transcripts will be submitted to the Library of Congress for historical preservation.

Through the enclosed Resolution, we are requesting that the Board of Commissioners recognize and support the Veterans History Project by granting authorization to host the November 7, 2014, event to be held at the Veterans Memorial Courthouse.

cc: Paul Brandell
Melinda Dexter
Hon. Joyce Draganchuk
Shauna Dunnings
Daneen Jones
Hon. Janelle A. Lawless
Randy Marwede
Kim Milton

Introduced by the Law and Courts and Human Services Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION RECOGNIZING AND SUPPORTING
THE VETERANS HISTORY PROJECT**

WHEREAS, the Veterans History Project (VHP) of the Library of Congress American Folklife Center is primarily an oral history program that collects and preserves the firsthand interviews of America's wartime veterans; and

WHEREAS, members of the Michigan Association of Professional Court Reporters have offered their services in transcribing the interviews of veterans for the Veterans History Project; and

WHEREAS, Melinda Dexter, an officer of the Michigan Association of Professional Court Reporters and court reporter for the Ingham County Circuit Court, presented a proposal to Ingham County Circuit Court Administration to host a Veterans History Project at the Ingham County Veterans Memorial Courthouse; and

WHEREAS, representatives of the Michigan Association of Professional Court Reporters, Ingham County Department of Veterans Affairs, and Ingham County Circuit Court have met and planned a Veterans History Project event to be held at the Veterans Memorial Courthouse on November 7, 2014; and

WHEREAS, the event will begin with a presentation and reception honoring the veterans and will be followed by the interviews and the capturing of the veterans stories through professional court reporter transcription; and

WHEREAS, it is important to acknowledge and honor the brave service of our country's veterans by preserving the stories of their wartime experiences.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby recognizes and supports the importance of Veterans History Project in preserving our veterans' stories by granting authorization to host the November 7, 2014, event to be held at the Veterans Memorial Courthouse.

Agenda Item 3a

TO: Law & Courts Committee
Finance Committee

FROM: Sergeant Jeff Weiss, Ingham County Office of Homeland Security and
Emergency Management

DATE: October 9, 2014

RE: RESOLUTION TO PURCHASE RADIOS AND AN INTERACTIVE
SMARTBOARD FOR THE EMERGENCY OPERATIONS CENTER OF
INGHAM COUNTY

The Ingham County Office of Homeland Security and Emergency Management has applied for and been approved previously for FY2013 Region 1 Homeland Security Funds. A portion of these funds will be used to purchase (2) two portable radios for Emergency Operations Center Staff and an Interactive Smartboard for tracking/projecting incident locations/photographs in the Emergency Operations Center.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO PURCHASE RADIOS AND AN INTERACTIVE SMARTBOARD FOR THE
EMERGENCY OPERATIONS CENTER OF INGHAM COUNTY**

WHEREAS, the Ingham County Office of Homeland Security & Emergency Management has previously applied for and approved to receive pass through grant funds from the FY2013 Homeland Security Grant Program (HSGP); and

WHEREAS, the purpose of these grant funds is to purchase equipment and to provide training in the Homeland Security & Emergency Management field; and

WHEREAS, the following technology requests have been submitted and approved by the Michigan State Police Emergency Management and Homeland Security Division; and

WHEREAS, the purchase of this technology equipment will enhance the operational efficiency and capabilities of the Ingham County Emergency Operations Center.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners authorizes the purchase of the following technology equipment using Homeland Security grant funding:

- Two (2) Portable Radios for Emergency Operations Center Staff - \$3,917.29
- Interactive Smartboard for the Emergency Operations Center - \$7,289.00

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

Agenda Item 3b

TO: Law & Courts Committee
Finance Committee

FROM: Sergeant Jeff Weiss, Ingham County Office of Homeland Security and
Emergency Management

DATE: October 9, 2014

RE: RESOLUTION TO ENTER INTO A CONTRACT WITH THE STATE OF
MICHIGAN, MAKING INGHAM COUNTY THE FIDUCIARY AGENT FOR
MICHIGAN HOMELAND SECURITY REGION 1 AND ACCEPT THE
FY2014 HOMELAND SECURITY GRANT PROGRAM FUNDS

The FY 2014 Homeland Security Grant Program (HSGP) is a primary funding mechanism that plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation.

The purpose of this contract is to provide federal pass-through funds to the Region 1 Homeland Security Planning Board through the County of Ingham. The amount of funding being awarded to Region 1 is \$1,003,010. The FY2014 HSGP covers eligible costs from September 1, 2014 to May 31, 2016. At least \$250,753 of award funds must be dedicated toward Law Enforcement Terrorism Prevention Activities (LETPA). A Maximum of \$501,505 of award funds may be used for personnel and personnel-related activities. A maximum of up to 5% of State Homeland Security Program (SHSP) funds awarded may be retained and used solely for management and administration (M&A) purposes associated with the SHSP Award. This 5% will be retained by the County of Ingham for M&A purposes.

The County of Ingham may only fund projects which directly support one of the FY2014 HSGP grant investments. The State of Michigan shall make final determination on how funds awarded under the grant agreement are allocated and/or spent, from projects reviewed and approved by the Region 1 Planning Board and submitted to the State of Michigan by the County of Ingham.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO ENTER INTO A CONTRACT WITH THE STATE OF MICHIGAN MAKING
INGHAM COUNTY THE FIDUCIARY AGENT FOR MICHIGAN HOMELAND SECURITY
REGION 1 AND ACCEPTING THE FY2014 HOMELAND SECURITY GRANT PROGRAM FUNDS**

WHEREAS, the Ingham County Office of Homeland Security & Emergency Management has applied for and has been approved to receive pass through grant funds from the FY2014 Homeland Security Grant Program (HSGP); and

WHEREAS, the purpose of these grant funds is to purchase equipment and to provide training in the Homeland Security & Emergency Management field; and

WHEREAS, the total amount of grant funds available to Ingham County agencies is \$53,267 from the State Homeland Security Program (SHSP) and \$17,755 from the Law Enforcement Terrorism Prevention Program (LETPP) for a total of \$71,022; and

WHEREAS, the SHSP is a core assistance program that provides funds to build capabilities at the state, local, tribal, and territorial levels, to enhance national resilience to absorb disruptions and rapidly recover from natural disasters and terrorist incidents; and

WHEREAS, there are a number of projects benefiting Ingham County agencies presently approved or pending approval by the State of Michigan; and

WHEREAS, the total grant award for Michigan Homeland Security Region 1 for FY2014 is \$1,003,010; and

WHEREAS, Ingham County will be the fiduciary agent for these grant funds for Michigan Homeland Security Region 1.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners authorizes entering into a contract with the State of Michigan to be the fiduciary agent for the FY2014 Department of Homeland Security - Homeland Security Grant Program and the acceptance \$1,003,010 for the time period of September 1, 2014 to May 31, 2016.

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

MEMORANDUM

TO: Law and Courts and Finance Committees

FROM: Rick Terrill, Facilities Director

DATE: October 6, 2014

SUBJECT: **RESOLUTION AUTHORIZING A PURCHASE ORDER TO MYERS PLUMBING AND HEATING INC. TO INSTALL AN AIR CONDITIONING UNIT IN THE SHERIFF'S OFFICE COMMAND CONFERENCE ROOM**

The resolution before you authorizes a purchase order to Myers Plumbing and Heating Inc., to install an air conditioning unit in the Sheriff's Office command conference room for a not to exceed cost of \$5,365.00. Currently, there is not a unit in the room.

Myers Plumbing and Heating, Inc., who submitted the lowest quote, was chosen and have the recommendation of the Facilities Department. We are confident that Myers Plumbing and Heating, Inc. will provide us with the quality of service we need to complete this project successfully.

The funds for this project are available in the approved CIP line Item 245-31199-976000-4FC06 which has a balance of \$12,000.00 for Sheriff's Office air conditioner replacement.

I recommend approval of this resolution.

MEMORANDUM

TO: Law & Courts and Finance Committees
 FROM: Jim Hudgins, Director, Purchasing Department
 DATE: October 9, 2014
 SUBJECT: Proposal Summary for A/C Unit and Installation

Project Description:

Bids were sought from qualified and experienced mechanical contractors for the purpose of providing an A/C unit and installation at the Sheriff’s Command Conference Room.

Proposal Summary:

Vendors contacted: 3 Local: 2
 Vendors responding: 3 Local: 2

Company Name	Cost	Local
Myers Plumbing & Heating Inc. 16825 Industrial Parkway, Lansing MI 48906 (517)886-2255	\$5,365.	No
Shaw-Winkler Inc. 4910 Dawn Ave, East Lansing MI 48823 (517) 351-5720	\$8,374.	Yes
T.H. Eifert, 3302 W. St. Joseph Lansing MI 48917 (517)484-9944	\$12,610.	Yes
AVERAGE	\$8,783.	

Recommendation:

The Evaluation Committee recommends awarding a contract to Myers Plumbing & Heating Inc. Myers Plumbing & Heating Inc. submitted the lowest responsive proposal and is a registered vendor.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING A PURCHASE ORDER TO MYERS PLUMBING & HEATING, INC.
TO INSTALL AN AIR CONDITIONING UNIT IN THE SHERIFF'S OFFICE
COMMAND CONFERENCE ROOM**

WHEREAS, the Sheriff's Office command conference room does not currently have an air conditioning unit;
and

WHEREAS, working conditions are not always favorable when meetings are held in the conference room and
there is no cool, circulating air; and

WHEREAS, Myers Plumbing and Heating, Inc., who submitted the lowest quote, was chosen and have the
recommendation of the Facilities Department; and

WHEREAS, the Facilities Department is confident that Myers Plumbing and Heating, Inc. will provide the
quality of service needed to complete this project successfully; and

WHEREAS, the funds for this project are available within CIP Line Item 245-31199-976000-4FC06 which has
a balance of \$12,000.00 for Sheriff's Office air conditioner replacement.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners hereby authorizes a purchase
order to Myers Plumbing & Heating, Inc. of 16825 Industrial Parkway Lansing, Michigan 48906, to provide
materials and labor to install an air conditioning unit in the Sheriff's Office command conference room for a not
to exceed cost of \$5,365.00.

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

Agenda Item 5a

TO: Law & Courts and Finance Committees
FROM: Teri Morton, Budget Director
DATE: October 7, 2014
SUBJECT: Resolution Authorizing a Transfer from the General Fund to the Juvenile Justice Millage Fund to Accurately Reflect Revenue Offsetting Child Care Fund Expenses

Within the Child Care Fund, some expenses are offset by reimbursements from parents, the Friend of the Court, governmental benefits, as well as collection fees. These revenues primarily offset placement costs. Once these revenues are deducted from the Child Care Fund, the remaining costs are allocated 50% between the State of Michigan and the county's local match. Before passage of the juvenile justice millage, this match was provided by the general fund. After the millage passed, these funds were used to offset many of the child care fund costs. The child care fund is organized into different categories, or "orgs," to account for different programs. Some programs/orgs are now matched by the general fund and some by millage funds.

This offsetting revenue has historically been collected in what was, at the time, the first org in the child care fund (29266200), an org that is matched by the general fund. It has not been until recently that the Circuit Court/Family Division realized that these revenues should be more appropriately accounted for in the org used for placement costs (29266203), which are matched by millage funds. This issue became apparent as these revenues have become more substantial over the last few years, and as the Court has been scrutinizing its revenues and expenses even more diligently in an effort to contain costs and reduce usage of millage funds.

This change has been corrected going forward, beginning with the 2014 budget, by changing the account numbers used to record these revenues. However, the Controller's Office is recommending that this correction also be made going back to the most recent renewal of the millage, budget year 2012. Total collections for 2012 and 2013 were \$220,314. Fifty percent of this revenue was used to offset the general fund transfer to the child care fund, but should have offset the millage transfer. In order to reflect this accurately, the Controller is recommending a transfer of \$110,157 from the unrestricted fund balance in the general fund to the juvenile justice millage fund (F264). The attached resolution will authorize such a transfer.

Given the drawdown of fund balance from the juvenile justice millage fund each year beginning in 2011, it is especially important to recognize the proper recording of this revenue. In addition, funds were returned to the general fund from the child care fund in both 2012 and 2013, contributing to the general fund's current unrestricted fund balance amount.

Please feel free to contact me if you have any questions or if you need any additional information.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING A TRANSFER FROM THE GENERAL FUND TO THE
JUVENILE JUSTICE MILLAGE FUND TO ACCURATELY REFLECT
REVENUE OFFSETTING CHILD CARE FUND EXPENSES**

WHEREAS, within the Child Care Fund, some expenses, primarily placement costs, are offset by reimbursements from parents, the Friend of the Court, governmental benefits, as well as collections fees; and

WHEREAS, once these revenues are deducted from the Child Care Fund, remaining costs are allocated 50% between the State of Michigan and the county's local match; and

WHEREAS, since passage of the juvenile justice millage, the local match for placements has been provided primarily by millage funds; and

WHEREAS, accounting within the Child Care Fund was not changed to reflect this shift in matching funds when the millage passed, resulting in these reimbursements being credited against general fund match; and

WHEREAS, this discrepancy has been corrected beginning with the 2014 budget through a change in revenue accounts; and

WHEREAS, going back to collections beginning with budget year 2012 (the most recent renewal of the millage), this would have resulted in an additional transfer of \$110,157 from the general fund, thereby leaving an additional \$110,157 within the juvenile justice millage fund.

THEREFORE BE IT RESOLVED, that the Board of Commissioners authorizes a transfer of \$110,157 from the unreserved fund balance in the general fund to the juvenile justice millage fund.

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

MEMORANDUM

October 9, 2014

TO: Finance and Liaison Committees

FROM: Teri Morton, Budget Director

RE: Third Quarter 2014 Budget Adjustments and Contingency Fund Update

Enclosed please find the recommended adjustments to the Ingham County budget for the third quarter of fiscal year 2014. The total increase to the General Fund is \$40,956.

The quarterly budget amendment process as authorized by the Board of Commissioners is necessary to make adjustments to the adopted budget. Usually, adjustments are made as a result of updated revenue and expenditure projections, grant revenues, reappropriations, accounting and contractual changes, and general housekeeping issues.

The largest adjustment this quarter is an increase to property tax revenue of one million dollars. This is a result of an increase of 1.43% in taxable value. When the 2014 budget was developed last year, it was assumed that there would be no increase in taxable value. Another large revenue increase is a \$200,000 decrease in prior year property tax adjustments, resulting from a decrease in tax roll adjustments. Based on information from the State of Michigan Department of Treasury, there will also be an increase of \$291,912 in liquor tax payments, 50% of which will be allocated to our substance abuse coordinating agency.

There are also some downward adjustments recommended for revenues. Based on current revenue projections, revenue adjustments are recommended for District Court (\$200,000), Register of Deeds (\$150,000), and the Sheriff's state prisoner housing (\$200,000). Revenue will also be reduced by \$90,000 in the Circuit Court due to the change in jurisdiction for the State Court of Claims.

On the expenditure side, based on current projections, an increase in corrections overtime of \$300,000 is being recommended, along with an increase of \$65,000 for Circuit Court attorney fees. Due to an increase in claims, an increase in workers compensation budgets of \$200,000 spread across all departments is also recommended.

In an effort to more accurately budget for the Health Department, a decrease in general fund appropriation of \$670,000 is recommended for the Health Fund. This is due to a projected excess of \$200,000 in non-general fund revenues, \$100,000 excess in salary attrition, and expenditures projected at \$370,000 less than budgeted. No adjustment is recommended to the Clinic Fund's general fund appropriation. It is projected that the Clinic Fund will use less than its budgeted amount of fund balance, but that will need to be retained in the fund for the planned renovations to the McLaren building.

The net change from these adjustments will be a decrease of \$810,956 in the general fund's budgeted use of fund balance, from \$4.08 million to \$3.27 million.

The biggest adjustment outside of the general fund relates to several transfers within the Road Department budget. The net change will be a \$500,000 reduction to the Road Department fund, which will be added to fund balance to be used in the 2015 budget.

Also included is an update of contingency fund spending so far this year. The current contingency amount is \$216,412. This resolution recommends a \$10,000 use of contingency to fund the county's 2014 contribution to the U.S. Geological Survey Enhanced Flood Warning System, which would reduce the contingency amount to \$206,412. The attached document details how the Board has allocated the contingency funds throughout the year, beginning with a balance of \$350,000.

Should you require any additional information or have questions regarding this process, please don't hesitate to contact me.

Introduced by the Finance Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING ADJUSTMENTS TO THE 2014 INGHAM COUNTY BUDGET

WHEREAS, the Board of Commissioners adopted the 2014 Budget on October 22, 2013 and has authorized certain amendments since that time, and it is now necessary to make some adjustments as a result of updated revenue and expenditure projections, fund transfers, reappropriations, accounting and contractual changes, errors and omissions, and additional appropriation needs; and

WHEREAS, the Liaison Committees and the Finance Committee have reviewed the proposed budget adjustments prepared by the Controller’s staff and have made adjustments where necessary; and

WHEREAS, Public Act 621 of 1978 requires that local units of government maintain a balanced budget and periodically adjust the budget to reflect revised revenue and expenditure levels.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby directs the Controller to make the necessary transfers to adjust revenues and expenditures in the following funds, according to the attached schedules:

<u>FUND</u>	<u>DESCRIPTION</u>	<u>2014 BUDGET 10/1/14</u>	<u>PROPOSED CHANGES</u>	<u>PROPOSED BUDGET</u>
101	General Fund	\$76,913,158	\$40,956	\$76,954,114
201	Road Department	22,856,316	(500,000)	22,356,316
208	Parks	1,797,733	0	1,797,733
215	Friend of the Court	5,279,102	750	5,279,852
221	Health	20,456,622	(470,000)	19,986,622
245	Public Improvements	1,489,457	5,800	1,495,257
631	Building Authority Operating	4,703,684	0	4,703,684
636	Innovation & Technology	4,228,025	3,797	4,231,822
664	Mach. & Equip. Revolving	828,084	4,094	832,178

GENERAL FUND REVENUES

	2014 Budget – <u>10/1/14</u>	Proposed <u>Changes</u>	2014 Proposed <u>Budget</u>
Tax Revenues			
County Property Tax	40,965,476	1,000,000	41,965,476
Property Tax Adjustments	(450,000)	200,000	(250,000)
Delinquent Real Property Tax	15,000		15,000
Unpaid Personal Property Tax	(10,000)		(10,000)
Industrial Facility Tax	350,000		350,000
Trailer Fee Tax	15,000		15,000
Intergovernmental Transfers			
State Revenue Sharing	4,867,967		4,867,967
Convention/Tourism Tax - Liquor	2,199,176	291,912	2,491,088
Court Equity Fund	1,485,000		1,485,000
Use of Fund Balance	4,079,445	(810,956)	3,268,489
Department Generated Revenue			
Animal Control	778,564		778,564
Circuit Court - Family Division	1,065,165		1,065,165
Circuit Court - Friend of the Court	580,750		580,750
Circuit Crt - General Trial	2,171,741	(90,000)	2,081,741
Controller	3,170		3,170
Cooperative Extension	2,500		2,500
County Clerk	631,110		631,110
District Court	2,702,571	(200,000)	2,502,571
Drain Commissioner/Drain Tax	352,058		352,058
Economic Development	52,184		52,184
Elections	65,550		65,550
Emergency Operations	115,582		115,582
Equalization /Tax Mapping	10,100		10,100
Facilities	182,180		182,180
Financial Services	48,052		48,052

Health Department	120,000		120,000
Human Resources	80,822		80,822
Probate Court	277,178		277,178
Prosecuting Attorney	605,983		605,983
Register of Deeds	2,036,729	(150,000)	1,886,729
Remonumentation Grant	107,551		107,551
Sheriff	6,602,013	(200,000)	6,402,013
Treasurer	4,377,465		4,377,465
Tri-County Regional Planning	62,976		62,976
Veteran Affairs	364,100		364,100
Total General Fund Revenues	76,913,158	40,956	76,954,114

GENERAL FUND EXPENDITURES

	2014 Budget - <u>10/1/14</u>	Proposed <u>Changes</u>	2014 Proposed <u>Budget</u>
Board of Commissioners	599,761		599,761
One-time Wage Supplement	83,950		83,950
Circuit Court - General Trial	8,066,541	65,000	8,131,541
District Court	2,848,814		2,848,814
Circuit Court - Friend of the Court	1,334,522		1,334,522
Jury Board	1,146		1,146
Probate Court	1,480,296		1,480,296
Circuit Court - Family Division	4,914,887		4,914,887
Jury Selection	101,191		101,191
Elections	360,915		360,915
Financial Services	732,874		732,874
County Attorney	416,352		416,352
County Clerk	615,681		615,681
Controller	811,056		811,056
Equalization/Tax Services	681,655		681,655
Human Resources	629,901		629,901
Prosecuting Attorney	6,063,657		6,063,657

Purchasing	207,307		207,307
Facilities	1,941,685		1,941,685
Register of Deeds	505,548		505,548
Remonumentation Grant	107,551		107,551
Treasurer	548,408		548,408
Drain Commissioner	907,336		907,336
Economic Development	122,031		122,031
Community Agencies	204,000		204,000
Ingham Conservation District	7,895		7,895
Equal Opportunity Committee	500		500
Women's Commission	500		500
Historical Commission	500		500
Tri-County Regional Planning	113,682		113,682
Jail Maintenance	217,750		217,750
Sheriff	19,127,881	300,000	19,427,881
Tri-County Metro Squad	25,000		25,000
Community Corrections	97,215		97,215
Animal Control	1,487,493		1,487,493
Homeland Sec./Emergency Ops.	249,002	10,000	259,002
Board of Public Works	300		300
Drain Tax at Large	432,000		432,000
Health Department	4,409,972	(670,000)	3,739,972
Community Health Centers	4,266,868		4,266,868
Jail Medical	1,893,587		1,893,587
Medical Examiner	336,155		336,155
Substance Abuse	1,103,903	145,956	1,249,859
Community Mental Health	1,751,631		1,751,631
Department of Human Services	1,774,863		1,774,863
Tri-County Aging	76,225		76,225
Veterans Affairs	499,554		499,554
Cooperative Extension	474,127		474,127

Library Legacy Costs	80,148		80,148
Parks and Recreation	1,439,577		1,439,577
Contingency Reserves	216,412	(10,000)	206,412
Legal Aid	20,000		20,000
2-1-1 Project	45,750		45,750
Community Coalition for Youth	27,000		27,000
Capital Improvements	2,450,603		2,450,603
Workers Comp Costs (to be spread across departments)	0	200,000	200,000
Total General Fund Expenditures	76,913,158	40,956	76,954,114

General Fund Revenues

Circuit Court	Decrease budget \$90,000 due to Court of Claims no longer falling under the Thirtieth Circuit Court's jurisdiction.
District Court	Decrease revenue budget \$200,000 to reflect current projections.
Register of Deeds	Decrease revenue budget \$150,000 to reflect current projections.
Current Year Prop. Tax	Increase budget \$1,000,000 due to unanticipated increase in 2014 taxable value.
Prior Year Prop. Tax	Increase budget \$200,000 due to a decrease in tax roll adjustments.
Liquor Tax/Subs. Abuse	Increase liquor tax revenue projection \$291,912 per Michigan Department of Treasury estimate. Funds to be distributed 50% to substance abuse and 50% to the general fund.
Sheriff	Decrease state prisoner housing revenue \$200,000 due to a decline in state prisoners being housed at the Jail.
Use of Fund Balance	Decrease budgeted use of fund balance \$810,956 due to a net decrease in expenses and a net increase in revenues.

General Fund Expenditures

Circuit Court	Increase attorney fees budget \$65,000 to reflect increase in use of appointed attorneys.
Sheriff	Increase corrections overtime \$300,000 due to increased use of overtime primarily due to position vacancies.
Homeland Scrty/Em. Ops.	Increase budget \$10,000 for second year of participation in the U.S. Geological Survey Enhanced Flood Warning System.

Health Department	Decrease general fund appropriation \$670,000 to Health Fund due to projected revenue surplus (\$200,000), salary attrition (\$100,000), and various expenditure surpluses (\$370,000).
Substance Abuse	Increase county's appropriation to substance abuse \$145,956. This is equal to 50% of the projected increase in liquor tax revenue.
Contingency	Decrease contingency \$10,000 for second year of participation in the U.S. Geological Survey Enhanced Flood Warning System.
All Departments	Increase workers compensation budgets \$200,000 due to increase in workers compensation claims.

Non-General Fund Adjustments

Road Department (F201)	Transfer \$1,186,000 from asphalt and tack to the following areas; temporary salaries (\$20,000), overtime (\$163,000), salt (\$170,000), culverts (\$10,000), gravel/dust control (\$50,000), cold patch (\$23,000), Kinawa Road Project (\$250,000), and add \$500,000 to fund balance, to be used in 2015 budget.
Parks (F208)	Transfer funds from permanent wages and fringes to equipment repair and maintenance. (\$7,919) Two employees are on leave without pay, requiring equipment to be sent out for repair in their absence.
Friend of the Court (F215)	Increase Access & Visitation Grant from \$4,750 to \$5,500 per Contract Amendment with State Court Administrative Office.
Health Fund (F221)	Adjust budget to reflect current projections as follows; increase non-general fund revenue \$200,000, decrease wage and fringe costs \$100,000, decrease other expenses \$370,000, and decrease transfer in from general fund \$670,000.
Public Improvements (F245)	Increase budget for replacement pump at Hawk Island (\$5,800). This was approved as an emergency purchase in April.
Bldg Authority Operating (F631)	Transfer funds from Human Services Parking Lot project budget to cover the cost of a water heater for Tri-County Office on Aging. (\$27,900) The water heater purchase was approved as an emergency purchase in July.
MIS (F636)	Increase budget to purchase two laptops and monitors. (\$3,797)
Mach./Equip. Revolving (F664)	Increase CIP upgrade funds to purchase the following replacement equipment: one CPU for Parks (\$724), two CPUs for the Treasurer's Office (\$1,447), one CPU and monitor for Animal Control (\$853) and one printer for Facilities (\$1,070).

2014 CONTINGENCY

Adopted Contingency Amount	\$350,000
R14-039: District Court Enforcement/Court Officer Pilot Project	(25,406)
R14-135: Probate Court Temporary Employee	(10,460)
R14-163: 1 st Quarter Adjustment	(8,722)
R14-274: Life O'Riley Former Resident Assistance	(40,000)
R14-338: Jail Audio System	(24,000)
R14-348: Bank Reconciliations	(25,000)
Proposed: 2014 3 rd Quarter Adjustment	(10,000)
Current Contingency Amount	\$206,412

Agenda Item 6

To: Law & Courts Committee
Chairperson Bahar-Cook
Comm. Hope
Comm. Celentino
Comm. Crenshaw
Comm. Maiville
Comm. Schafer
Comm. Tsernoglou

From: Barb Byrum, County Clerk

CC: Hon. Janelle Lawless, Chief Circuit Court Judge
Hon. Richard Garcia, Chief Probate Judge
Shauna Dunnings, Circuit Court Administrator
Tim Dolehanty, Controller
Peter Cohl, Counsel

RE: Circuit Court Clerk's Office Transfer

Since taking office, it has been my desire to fulfill all of my constitutional and statutory duties.

As you know, I have been very concerned with my inability to serve as Clerk of Circuit Court because of past practices.

Last January, as a first step in the transition process, I was able to supervise the Chief Deputy Court Clerk and Clerical Services Supervisor - Circuit Court.

I believe now is the time to complete the transfer so that I am able to fulfill all of the prescribed duties of the office of County Clerk.

To achieve this, I propose that the 23 Circuit Court Clerks, who are supervised by the Chief Deputy Court Clerk and Clerical Services Supervisor - Circuit Court, be supervised by the County Clerk, rather than the Circuit Court.

Respectfully enclosed for your consideration is a draft resolution that would transfer the Circuit Court Clerk's Office from the Circuit Court to the County Clerk's Office.

Both the Michigan Constitution and statute grant the County Clerk the authority to be the Clerk of the Circuit Court. Const 1963, art 6, § 14; MCL 600.571(a). While the Constitution does little to lay out the particular duties the Clerk shall perform, statute and the Michigan Court Rules (MCR) do fill that void. A few of the multitude of duties that the County Clerk as Circuit Court Clerk is required to perform include:

- Have care and custody of the records, including case files, indexes, court recordings, jury seating charts, and others. See MCR 8.119.
- Attend sessions of court. MCL 600.571(b).
- Ensure the office is open during business hours and during those times that the court is in session. MCR 8.105(a).
- Receive, deposit, disburse, and keep records of monies paid into the court on the court's behalf. See MCL 50.101, MCL 600.572(3), and MCR 8.106.
- Some jury duties. See generally, MCL 600.1338 and MCL 600.1344.
- Draft and submit reports to the State Court Administrative Office (SCAO), an administrative oversight body through which the Michigan Supreme Court regulates the court system. MCR 8.119(L). Note that there are other recording requirements involving other governmental entities.
- Duties involving licensed attorneys, including administering oaths, issuing certificates of admission, keeping the roll of attorneys and journal of the court, and transmitting records to the Supreme Court
- Assist pro se litigants under statute. MCL 600.2950a.

In a 2003 Michigan Supreme Court opinion, *Lapeer Co Clerk v Lapeer Circuit Court*, 469 Mich 146; 665 NW2d 452 (2003), the Court held that a County Clerk had the constitutional duty to have care and custody of Circuit Court records, a duty that the Circuit Court nor the County Clerk could abrogate. It further held that the Supreme Court had the authority to prescribe specific “noncustodial ministerial duties” that a County Clerk would perform. Note, while the Circuit Court can prescribe duties, it cannot proscribe those duties that the Supreme Court prescribed.

What is a custodial function?

The Court used the phrase, “care and custody.” Or in other words, a County Clerk must have physical possession of the records through its physical office, vaults, secured computer system, and by other methods. Moreover, the County Clerk must ensure that the records are maintained in such a form that they survive until it is permissible that the records be destroyed, if ever. This is a duty that the Supreme Court explicitly forbade the Circuit Court from abrogating. This possession should not be confused with exclusive possession or ownership. The Supreme Court was clear that the records were and remains the property of the Circuit Court, and the County Clerk must make them available.

What are noncustodial ministerial duties?

“Noncustodial ministerial duties” is a complex phrase for a simple concept: the County Clerk shall perform those duties that the Michigan Supreme Court and statute require. As outlined above, the Supreme Court (through SCAO and the MCR) and the Legislature have prescribed duties that the County Clerk is to perform, not the Circuit Court.

Have the County Clerk's duties been abrogated?

Under the current arrangement, deputized clerks—who perform the duties of the Circuit Court Clerk's Office—are Circuit Court employees, not County Clerk employees, and therefore the County Clerk's duties have been abrogated.

How will this Resolution solve the problem?

As is the case in 80 of the 83 counties in Michigan, the Clerk is able to act as the intermediary between the Circuit Court and the public. This ensures a higher level of transparency and accountability. Also, there will be a stronger focus on customer service as there would be a single officer that would be held accountable for the actions of the Circuit Court Clerk's Office.

Furthermore, supervision would be streamlined. This is to the benefit of both the employer (the County) and the employee. As an example, supervisors would not have to gather representatives from both the County Clerk and the Circuit Court to perform even miniscule corrective discipline. More importantly, the streamlined supervision will foster better communications between employee and supervisor/employer, increase work productivity, and bring about a better work environment.

Please note that this proposed resolution would transfer employees, office space, furniture, printers, copiers, fax machines, other equipment, and all other items currently utilized in the Circuit Court Clerk's Office; there would be no changes to the work environment.

Conclusion

The Michigan Supreme Court has ruled that an arrangement like the current one is unconstitutional. Moreover, in practice, this arrangement simply does not work. It is wasting time and finite taxpayer dollars. By transferring the Circuit Court Clerk's Office back to the County Clerk's Office, you will bring the County in line with the Constitution and streamline efficiency for a better, more efficient workplace.

The County Clerk's Office requests the transfer to be effective on November 1, 2014. This will allow the County two months under the 2014 budget to observe the necessary changes for the 2015 budget.

I look forward to continuing the good working relationship with the Circuit Court.

Please feel free to contact me if I may ever be of assistance on this resolution or any other matter.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE THE TRANSFER OF ALL DEPUTY CLERK I-CIRCUIT COURT, DEPUTY CLERK II-CIRCUIT COURT, DEPUTY CLERK III-CIRCUIT COURT, DEPUTY JUVENILE REGISTER III AND COURT OF CLAIMS CLERK POSITIONS FROM THE CIRCUIT COURT TO THE COUNTY CLERK'S OFFICE

WHEREAS, the Constitution of the State of Michigan creates the office of the County Clerk; and

WHEREAS, the County Clerk serves in a unique posture of being both an executive officer and an officer of the judicial branch; and

WHEREAS, under the Michigan Constitution, the County Clerk is the Clerk of that County's Circuit Court; and

WHEREAS, under Michigan law, the County Clerk shall appoint a Chief Deputy Court Clerk who shall serve as the Circuit Court Clerk in the County Clerk's absence; and

WHEREAS, in *Lapeer Co Clerk v Lapeer Circuit Court*, 469 Mich 146, 665 NW2d 452 (2003), the Michigan Supreme Court ruled that the Circuit Court Clerk shall have care and custody of the court records, of which shall be made available to the Circuit Court, the owner of said court records, and shall further have certain noncustodial ministerial duties whose nature is a matter of practice and procedure in the administration of the courts; and

WHEREAS, the Michigan Court Rules enumerate noncustodial ministerial duties that the Clerk shall perform, including, but not limited to, receipt of court filings, issuing summons after receipt of a complaint, dismissals for failure to serve defendants, certain bond filings, et cetera; and

WHEREAS, the Michigan Supreme Court has ruled that the Circuit Court cannot abrogate the care and custody function of the County Clerk.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners transfers the Office of the Clerk of the 30th Judicial Circuit Court from the Circuit Court to the County Clerk's Office.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners transfers all Deputy Clerk I – Circuit Court, Deputy Clerk II – Circuit Court, Deputy Clerk III – Circuit Court, Deputy Juvenile Register III and Court of Claims Clerk positions (position numbers 130030, 130060, 130059, 130028, 130027, 130023, 130025, 130017, 130019, 130020, 130018, 130052, 130022, 140050, 140064, 140062, 140047, 140060, 140063, 130021, 140061, 130055 and 130031) from the Circuit Court to the County Clerk's Office, effective November 1, 2014.

BE IT FURTHER RESOLVED, the Human Resources Department shall work with the County Clerk to update the job descriptions for the Deputy Clerk I – Circuit Court, Deputy Clerk II – Circuit Court, Deputy Clerk III – Circuit Court, Deputy Juvenile Register III, Court of Claims Clerk, Clerical Services Supervisor – Circuit Court and Chief Deputy Court Clerk job descriptions.

BE IT FURTHER RESOLVED, the Controller is authorized to make the necessary budget adjustments, changes to the position allocation list, transfer assets including, but not limited to, office space, equipment, computers, furniture and otherwise facilitate the execution of this resolution.

DRAFT