

CHAIRPERSON
SARAH ANTHONY

VICE-CHAIRPERSON
CAROL KOENIG

VICE-CHAIRPERSON PRO-TEM
RANDY MAIVILLE

LAW & COURTS COMMITTEE
KARA HOPE, CHAIR
TERI BANAS
VICTOR CELENTINO
CAROL KOENIG
BRYAN CRENSHAW
RANDY SCHAFFER
RANDY MAIVILLE

INGHAM COUNTY BOARD OF COMMISSIONERS

P.O. Box 319, Mason, Michigan 48854 Telephone (517) 676-7200 Fax (517) 676-7264

THE LAW AND COURTS COMMITTEE WILL MEET ON THURSDAY, APRIL 13, 2017
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 [March 30, 2017](#) Minutes

Additions to the Agenda

Limited Public Comment

1. Sheriff's Office
 - a. Resolution Authorizing Entry into a [Training Services](#) Agreement with Bouck Corporation d/b/a MACNLOW Associates on Behalf of the Sheriff's Office and 911 Central Dispatch
 - b. Resolution to Purchase Eight New [Tasers](#) for the Sheriff's Office Field Services Division Using 2017 Capital Improvement Funds
2. Circuit Court/Family Division – Proposed Reorganization of [Staff Psychologist](#) (*Discussion*)
3. Controller's Office – 2018 Update of [County Fees](#) (*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.

LAW & COURTS COMMITTEE
March 30, 2017
Draft Minutes

Members Present: Hope, Banas, Crenshaw, Koenig, Schafer, and Maiville

Members Absent: Celentino

Others Present: Sheriff Scott Wriggelsworth, Prosecutor Carol Siemon, Catherine Emerson, Retired Sheriff Gene Wriggelsworth, Teri Morton, Andrew Bouck, Sam Davis, Rick Terrill, John Dinon, Lisa McCormick, Katelyn Evans, Julie Duke, Beth Contreras, Liz Kane and others

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

Approval of the March 16, 2017 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE MINUTES OF THE MARCH 16, 2017 LAW AND COURTS COMMITTEE MEETING.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Celentino

Additions to the Agenda

6. Animal Control
 - d. Resolution to Amend Resolution #16-034 Changing the Composition of the Animal Control Shelter Advisory Board

Substitute Attachment–

Report on Evidence Room

Limited Public Comment

None.

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

3. Sheriff's Office
 - a. Resolution to Approve the Purchase of Two Trailers from Becks Propane and Marine, Approve Thermofisher Scientific as a Sole Source Vendor for the Purchase of Chemical Identifiers and Associated Equipment/Training, and Purchase Tasers and Equipment from Taser International

- b. Resolution to Allow Sheriff's Office Employees Access to Life Insurance Designed Specifically for First Responders through the Armed Forces Benefit Association
- 4. Community Corrections Advisory Board – Resolution Authorizing Additional County Funds in the Amount of \$12,000 to Reimburse Sentinel Electronic Monitoring Services for Eligible Indigent Users
- 5. Facilities – Resolution Authorizing a Contract with Macmillan Associates, Inc. to Provide Preliminary Professional Design and Construction Services for the Ingham County Family Center Kitchen Upgrade
- 6. Animal Control
 - a. Resolution to Accept the Two Seven Oh Inc. Grant for Animal Blood Testing
 - b. Resolution to Allow ACO Lebombard to Use County Owned Photographs
 - c. Resolution to Accept a Bissell Pet Foundation Super Saturday Free Adoption Grant
 - d. Resolution to Amend Resolution #16-034 Changing the Composition of the Animal Control Shelter Advisory Board
- 7. 9-1-1 Center – Resolution of Appreciation to the Ingham County 9-1-1 Central Dispatch Center Telecommunicators During National Telecommunicators Week April 9-15, 2017
- 8. Controller's Office – Resolution Authorizing Adjustments to the 2017 Ingham County Budget

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Celentino.

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY. Absent: Commissioner Celentino.

- 1. Interviews – Animal Control Shelter Advisory

Katelyn Evans interviewed for a position on the Animal Shelter Advisory Board.

Beth Contreras interviewed for a position on the Animal Shelter Advisory Board.

Julie Duke interviewed for a position on the Animal Shelter Advisory Board.

- 2. Prosecutor's Office – Update on Evidence Room

Catherine Emerson, Ingham County Special Assistant Prosecutor, introduced the amended report and explained a mathematical error in the number of cases that were dismissed. She thanked former Ingham County Prosecutor Gretchen Whitmer for bringing the issue to light and current County Prosecutor Carol Siemon for following through.

Ms. Emerson stated there were 22 felonies dismissed, some of which could have been dismissed because of their age anyway— 22 of the cases were from between 1993 and 2010. She further

stated the most recent felony involved was for filing a false police report in 2011; the other recent case was for possession of heroin in 2010.

Ms. Emerson stated that out of the 22 felonies involved, 13 cases would have probably been dismissed without the missing evidence simply due to age. She further stated that sometimes, cases would have an account “check” to save a case, however those 13 cases predated the computer reporting system they had and there were no reports for them.

Ms. Emerson stated that none of the dismissed felonies involved robbery or sexual assaults. She further stated that the cases involved financial transaction devices, joyriding, a forged license plate, and possession of heroin.

Ms. Emerson stated her role was not to investigate, but to look at open cases and see if the Prosecutor’s Office had probable cause and could continue pursuing the charge. She further stated Michigan State Police had the other role in the investigation of the missing evidence.

Ms. Emerson stated that she did not see any open case that was missing a SANE kit. She further stated that when going through the open and closed cases of the first three years she looked at, she had asked Michigan State Police if they had anything they needed to communicate with her, to which they answered no.

Ms. Emerson clarified that the dismissed cases included 57 misdemeanors and 22 felonies.

Commissioner Crenshaw stated that the report and coming before the Committee was a necessary step in light of the events that transpired. He asked if some of the cases dismissed were because of evidence getting destroyed by a sewage break over the evidence room.

Ms. Emerson stated that she did not necessarily find any open cases in which the evidence was destroyed because of the sewage spill. She further stated that most times, the quartermaster would look for evidence because the case was closed and the evidence needed to be destroyed; a small fraction of the time would be to take the evidence to court or to transport it to the Michigan State Police Crime Lab and back.

Ms. Emerson stated that she did not know if evidence destroyed during the sewage spill was part of the missing evidence, because the records kept previously were not thorough and they were unable to identify the sewage spill case evidence numbers. She further stated that the 79 cases she dismissed were dismissed because she could not find the records.

Commissioner Banas stated that she thought the issue was a mess. She asked if most of the cases dismissed would have been dismissed anyway.

Ms. Emerson stated that most of the felonies were so old and the defendant had never been caught, so there was an open warrant that, when reviewed, would have been dismissed anyway.

Commissioner Banas asked the current administration who was held responsible, and why the evidence was mishandled in such a nature.

Sheriff Scott Wriggelsworth, Ingham County Sheriff's Office, stated there was a colossal failure in leadership. He further stated that the problem in the evidence room of improperly logging evidence lasted for about 10 years.

Sheriff Wriggelsworth stated that his team had audited the evidence from 2010 through 2016, and there was a breakdown with everyone from Deputy Sheriff to the elected Sheriff at the time.

Sheriff Wriggelsworth stated in most cases, the evidence got checked into the evidence room and it then went missing and they had no idea where it went or why it was not tracked properly. He further stated that for many years, the Sheriff's Office used a misguided evidence disposition website, rather than an evidence disposition program.

Sheriff Wriggelsworth stated that in the past, Sheriff's Deputies decided when to destroy evidence rather than go through a quartermaster.

Discussion.

Sheriff Wriggelsworth stated there were a lot of failed policies and failures to manage and supervise, and in the end, the Sheriff would be held responsible for that.

Commissioner Banas stated the Board of Commissioners also should be held responsible.

Carol Siemon, Ingham County Prosecutor, clarified that there were many types of evidence submitted to the Prosecutor's Office with a warrant request that were not considered physical evidence. She gave examples of different types of evidence, like lab reports or videos, which could be used to support a case even if the physical evidence went missing.

Prosecutor Siemon stated that in many of the cases reviewed by Ms. Emerson, the physical evidence might have been missing or destroyed, but there was other evidence available to keep the case open and that would have been shared with the defense attorney.

Discussion.

Sheriff Wriggelsworth stated that they will never know what pieces of evidence got destroyed by the sewage leak, what pieces of evidence were destroyed because of a misguided program, or what evidence went missing. He further stated that at the end, the record keeping in the evidence room was so bad, there was no way to tell if evidence was simply missing, destroyed by staff, or ruined by the sewage leak.

Chairperson Hope asked Rick Terrill if "sewage leak" or spill was an accurate term to describe what happened in the evidence room that brought the issue to light.

Rick Terrill, Facilities Director, stated it was a toilet that overflowed above the evidence room, which leaked through next to the sanitary pipe and created the problem. He further stated the toilet and pipe had been repaired.

Discussion.

Commissioner Koenig asked what needed to happen going forward, to analyze what happened, and what could be done to be proactive with the Board of Commissioners' help. She further stated they needed to assure the public that future evidence would be held in a secure, hopefully state-of-the-art room.

Prosecutor Siemon stated they had brought forth a variety of recommendations which the Prosecutor's Office was working on with the Sheriff's Office to review and possibly implement.

Ms. Emerson stated the extensive list of recommendations was laid out in the report. She further stated that her office had met with the Sheriff and his office was receptive to the suggestions and questions brought forth.

Lisa McCormick, Ingham County Prosecutor's Office, stated that since Ms. Emerson was finished with her portion of the investigation, the Sheriff would continue to audit the property room, as he has done each month since taking office. She further stated that the Prosecutor's Office planned to perform a random inspection of the evidence quarterly, report back to the Committee, and to check and balance the Sheriff's audit.

Ms. McCormick stated that a lot of the issues that occurred because they did not know, and going forward that could be alleviated by keeping open lines of communication between the two offices. She further stated that recommendations in the report included properly tagging evidence and file retention policies once cases were closed, however they would need to take into account how much storage the evidence room had.

Ms. McCormick stated that there needed to be contacts in the Prosecutor's Office to communicate when appeals were filed or other updates with a case.

Commissioner Koenig asked if the Sheriff's Office needed any financial assistance from the Board of Commissioners, like an IT program.

Sheriff Wriggelsworth stated that he could not confirm if they needed anything, but he could check with the experts. He further stated that they were in a good place now with evidence management, since they went through every case with associated evidence and they had no issues with current evidence on file.

Sheriff Wriggelsworth stated record keeping by deputies when initially taking a report was also improving. He further stated that even with the Prosecutor's Office auditing as well, his office would continue to review every case, every month until he felt comfortable going to a random case audit.

Commissioner Koenig stated she would like to see an update every thirty to ninety days to stay apprised of the situation. She asked who the current quartermaster was.

Sheriff Wriggelsworth stated that Merle Seymour started as quartermaster a month ago. He further stated that Mr. Seymour was a sworn law enforcement deputy, which was how the position had been classified for years.

Sheriff Wriggelsworth stated he would like to propose the quartermaster position be held by a civilian, so the deputies could focus on law enforcement and the quartermaster could focus solely on evidence.

Commissioner Koenig stated that the suggested position change made sense, so if there was ever another failure or missing evidence, they would know exactly who to go to.

Sheriff Wriggelsworth stated there had been six quartermasters in the past ten years, and there had never been an audit when the position changed hands. He further stated because of the lack of audits, they did not know who did or did not do the job correctly.

Discussion.

Commissioner Maiville asked if they knew if the evidence they had in the evidence room was correct or not compromised.

Ms. Emerson stated that former Prosecutor Gretchen Whitmer had all prosecutors check their cases and inspect associated evidence to make sure it was all there. She further stated that she went to the evidence room and randomly checked evidence, so they knew they had solid cases from the moment they rectified the problem.

Sheriff Wriggelsworth stated that there had not been any evidence disposed of since October 5, 2016. He further stated that his office had looked through about six thousand cases dating back to 2010, many of which were not prosecutable due to found property or not finding a suspect in a case.

Sheriff Wriggelsworth stated he was confident he now knew what they had in the evidence room, but the question they were not able to answer was what was missing in the evidence room before the issue was brought to light. He further stated that the issue had been fixed and the evidence room was in perfect shape since January 2017.

Ms. Emerson clarified that the quartermaster finished reviewing cases for disposition of evidence on October 5, 2016, however the evidence was not transported to the burn facility until November 2, 2016, as noted in the report.

Prosecutor Siemon clarified that physical evidence might be returned to the victim after a time, but it would be important to have proper documentation stating that to account for the evidence in the future.

Sheriff Wriggelsworth stated that there were many cases of returned evidence that were not documented properly.

Discussion.

Commissioner Schafer stated that this issue was an embarrassment to the County even though no one intended for it to happen. He commended the Sheriff and Prosecutor and others involved for working together to solve the problem.

Sheriff Wriggelsworth stated he had spent more time in his first few months in office working on this issue. He further stated that he was making sure this would not happen again, and that there would be less mistakes moving forward and they will know how to rectify them.

Prosecutor Siemon stated there was open and honest communication between the offices, and they would continue to work together and independently to make sure trust was restored and there was integrity in the cases moving forward.

Commissioner Banas stated she appreciated the offices working hard and diligently to put new systems in place and fix the problem. She asked Mr. Terrill if evidence was still being stored in the same aging facility, what could be done to fix the facility, and what should a state-of-the-art evidence room should look like.

Mr. Terrill stated the sanitary lines had been replaced through the evidence room.

Sheriff Wriggelsworth stated that newer evidence rooms now had no water able to get in, and they had fire suppression systems in place. He further stated it was important that a quartermaster pay attention to detail and follow the systems and policies in place to manage the evidence room.

Commissioner Koenig asked if critical evidence, like DNA, was missing.

Prosecutor Siemon stated no.

Chairperson Hope asked what the significance of 2010 was for beginning the audit there.

Ms. McCormick stated that 2010 was when they went paperless and it was an easy retrieval of records. She further stated that many previous files were disposed of, since misdemeanor files would be destroyed after three years, but files from 2010-on were imaged in their system.

Ms. Emerson stated in the investigation she checked every open warrant from every year, but every case from 2010-on was reviewed.

Ms. McCormick stated they took opportunity to go back and fix everything when they were looking at the warrant logs already. She further stated that cases were dismissed due to age all the time, but the office does not have the manpower to review the cases.

Discussion.

Commissioner Crenshaw asked if the Prosecutor's Office notified the Sheriff's Office when a case was dismissed due to age.

Ms. McCormick stated they did not, but should look into that in the future. She further stated they did not have the manpower to manage those cases and notify other agencies on a daily basis due to budget cuts.

Ms. McCormick stated that Sheriff Wriggelsworth wanted to see the Prosecutor's long notes as to why cases get dismissed to make sure it was not a law enforcement error. She further stated that the usual process was the agency would contact the Appeals Office when they wanted to get rid of evidence.

Discussion.

Commissioner Crenshaw asked if it would be possible for the courts to send notifications to the Sheriff's Office about dismissed cases.

Ms. McCormick stated the district courts were under similar budget constraints, and the Prosecutor's Office was no longer receiving notifications they used to get about dismissed misdemeanors.

Chairperson Hope stated the Committee had limited oversight over Constitutional Officeholders. She asked if there was any reason to believe that anyone outside of the Sheriff's Office knew or should have known what was happening in the evidence room.

Sheriff Wriggelsworth stated the Michigan State Police investigation was still ongoing, but he did not know why there would be any reason to believe that.

Ms. McCormick stated their office did not know, and they found out from an email from former Prosecutor Whitmer. She further stated that it was not uncommon for the Sheriff's Office or police agency to send a letter noting they could not find evidence for case coming up in court.

Discussion.

Chairperson Hope asked when the Michigan State Police would be done with their investigation.

Sheriff Wriggelsworth stated he thought they were close. He further stated they would probably finish in a few weeks and then submit the report to the prosecutor.

Commissioner Koenig asked if there was a single Michigan State Police investigation, or if each investigation mentioned in the report was separate.

Ms. McCormick stated there was a single investigation taking place. She further stated that because she was the complainant on the matter, the Prosecutor's Office would recuse themselves.

Ms. McCormick stated that the investigation would be handled by the Prosecuting Attorneys Association or the Attorney General's office.

Commissioner Hope thanked the presenters for their diligence on the matter and for coming in to update the Committee.

9. Law & Courts Committee – Jail Construction: Funding Options (*Discussion*)

Commissioner Crenshaw left at 7:00 p.m.

Commissioner Crenshaw returned at 7:01 p.m.

Commissioner Hope stated that the biggest concern was a funding source for project considering the County's budget constraints.

Teri Morton, Ingham County Controller's Office, stated that if a new jail and Sheriff's Office was to be built, they would have to look at a millage. She further stated that there were two ways to have a millage: ask for a millage particularly for the jail, or reestablish the maximum allowable millage to \$6.8 million.

Ms. Morton stated that for planning purposes, they needed to decide when to put the millage on the ballot, and August and November 2017 were probably not feasible due to time constraints. She further stated that clerks were also implementing new voting equipment, and trying to put the millage on a 2017 election would be difficult.

Discussion.

Commissioner Maiville stated, while it would be nice to have the question on the ballot in 2017, the issue with the new voting equipment and the fact that there would not be a county-wide election would make it difficult. He further stated it would be hard to motivate people to go out and vote if there was nothing else on the ballot.

Ms. Morton stated that the only good thing about putting the question on the ballot in 2017 would be the potential money saved by eliminating a year of repairs at the jail. She further stated it would be hard to quantify how much money would be saved by putting the question on the ballot in 2017.

Commissioner Schafer stated he was strongly in favor of a ballot issue in November 2017. He further stated it was way overdue, and it would take four years to get the project done.

MOVED BY COMM. SCHAFFER, SUPPORTED BY COMM. BANAS, TO CONSIDER A BALLOT PROPOSAL FOR NOVEMBER 2017.

Commissioner Banas acknowledged that the construction would take four years, but the architects had also mentioned a hybrid plan that would take two years. She asked the Sheriff what his stance was on the project and timeline.

Sheriff Wriggelsworth stated in a perfect scenario, the ballot proposal for the full \$55 million new building project would be on the August 2018 ballot. He further stated that they needed time to plan and market the project to the public, so they could not do this any sooner.

Discussion.

Commissioner Banas stated she was in favor of doing the project and doing it correctly. She further stated she was on the Committee when they had the ballot proposal for the animal control shelter in a quick timetable and they received criticism for that.

Commissioner Banas stated the shelter had a large network of supporters and volunteers that were able to help market the ballot question and inform the public on the issue. She further stated that she agreed with an August 2018 proposal.

Commissioner Banas asked what the timeline for a 2018 start date would look like, as construction would take a while to get underway and she was concerned about the current state of the facility.

Commissioner Crenshaw stated he was not comfortable in trying to rush the very important topic to be put on the ballot in 2017. He further stated he was concerned with costs in a difficult budget year, so he would vote no on the motion.

Discussion.

Sheriff Wriggelsworth stated there were necessary repairs to the current facility as the new buildings would be built, as they would not last the length of the project.

Chairperson hope asked Mr. Terrill if he agreed.

Mr. Terrill stated he agreed, and that it was obsolescence to its worst degree. He recalled previous testimony about repairs that needed to be done and stated some may be able to be prolonged while a new jail was built, but they would have significant dollars going into the current jail before new buildings were done.

Mr. Terrill stated he would sit down with the Sheriff and Mike Hughes about plans and assessments of renovations in the first three years of the project. He further stated there may be a \$1-2 million Capital Improvement Project for the current jail due to plumbing and infrastructure repairs that needed to be done.

Sheriff Wriggelsworth stated that after the toilet overflow in the evidence room, there was a burst pipe that caused them to move the evidence again. He further stated there was no place in their current facility to properly house evidence because of the fear of water leaking.

Mr. Terrill stated that a new security system may be implemented before the new jail would be completed, but some may be able to be repurposed.

Chairperson Hope clarified what would be included in a new security system.

Mr. Terrill stated it would include electronics.

Commissioner Koenig asked how old the facility's roof was.

Mr. Terrill stated it depended on the part of the facility, but estimated it to be over thirty years old. He further stated the roof renovation would be about a \$1 Million project because it was beyond its useful life and was creating structural concerns, but the Sheriff's roof needed to be replaced soon.

Commissioner Koenig asked how much the Sheriff's Office roof project would be.

Mr. Terrill stated it would be about a six-figure project.

Commissioner Koenig stated it would be painful to approve something that will be torn down in a few years.

Discussion.

THE MOTION FAILED. Yeas: Schafer **Nays:** Banas, Koenig, Maiville, Hope, Crenshaw
Absent: Celentino

Ms. Morton clarified that the consensus of the Committee was to work on a ballot initiative for the August 2018 election. She further stated they needed to assess how much that would be.

Ms. Morton stated it may be useful to put together two different plans in case the initiative failed in August 2018, they could then put something, possibly smaller, on the November 2018 ballot.

Ms. Morton stated she and the Sheriff spoke about the "hybrid" plan just replacing the jail and how it would cost more to have that plan fleshed out by the architects and it could be the last option considered. She stated that they came to the conclusion that a new jail could be funded by the County due to the fact that their debt service was dwindling.

Ms. Morton clarified they did not want to have the architects keep working on the jail-only plan and would keep that idea in their back pockets.

Sheriff Wriggelsworth stated the architects working on the jail-only option now, and asked if the Committee did not want them to work on that, to let him know so they did not spend money on something they were not interested in.

Commissioner Crenshaw asked staff to work with the County Clerk to get voter turnout numbers for the last few cycles in August and November of non-presidential years to see what numbers looked like.

Commissioner Koenig asked how much the architect was charging to work on the hybrid plan.

Sheriff Wriggelsworth stated they did not give an exact amount. He further stated he was concerned with the staffing projections the architect had proposed, so they were looking into other evaluations.

Discussion.

Commissioner Koenig asked how much the jail-only plan was.

Sheriff Wriggelsworth stated that plan was \$28 million just to replace the jail.

Discussion.

Ms. Morton clarified the architects had provided an estimate of \$32.5 million just for replacing the jail. She further stated the ultimate cost of the project could change, but the bonding cost would probably be about \$2 million per year.

Discussion.

Commissioner Crenshaw stated he was not in favor of the jail only project, because the court was in dire need of a new facility. He further stated he understood a new complex would reduce issues of prisoner transport and future issues with the court.

Discussion.

Commissioner Banas stated she liked the idea of having a back-pocket plan. She further stated her priority would be to have the full complex redone, however she understood that the jail-only plan would give them the option to replace the other facilities in coming years if they found themselves in a better financial position.

Ms. Morton stated that the jail-only option would be a much smaller ask of the public in coming years. She stated she understood the jail-only option would only be considered if voters could not afford to fund the millage for the full complex.

Discussion.

Commissioner Schafer stated that construction in parts would not work, and he would prefer to bring the issue to voters and go from there.

Discussion.

Announcements

Commissioner Koenig stated that the Mason Holt Eagles #3734 would be holding a Swiss steak dinner on March 31, 2017 to benefit the Ingham County Animal Control Shelter. She further stated the event would go from 5:30-7:30pm and would be held at 111 N. Cedar Street, Mason, MI.

Public Comment

None.

Adjournment

The meeting was adjourned at 7:31 p.m.

**APRIL 13, 2017 LAW & COURTS AGENDA
STAFF REVIEW SUMMARY**

RESOLUTION ACTION ITEMS:

The Controller's Office does not recommend approval of the following resolution:

- 1a. Sheriff's Office – Resolution Authorizing Entry into a Training Services Agreement with Bouck Corporation DBA MACNLOW Associates on behalf of the Sheriff's Office and 911 Central Dispatch*

This resolution would authorize entry into a Training Services Agreement with MACNLOW Associates on behalf of the Sheriff's Office and 911 Central Dispatch for a one-year term of January 1, 2017 through December 31, 2017 at a total cost not to exceed \$33,000.

This resolution also discloses that Undersheriff Bouck is the co-owner of MACNLOW Associates. Undersheriff Bouck purchased the business around three years ago, well before being appointed as Undersheriff. The County Attorney has provided steps that can be taken to publically acknowledge the existence of a potential conflict of interest. Undersheriff Bouck and the Sheriff's Office have implemented those steps.

Despite these steps provided by the County Attorney, the Controller's Office cannot support the continuation of this contractual arrangement. Section B of the Procurement Policy for Federal Grant Awards offers guidance in addressing this situation:

B. General Procurement Standards.

1. Code of Conduct. As representatives of Ingham County (herein "County"), all employees are expected to conduct themselves in a professional and ethical manner, maintaining high standards of integrity and the use of good judgment. Employees are expected to be principled in their business interactions and act in good faith with individuals both inside and outside the County.

The following *Code of Conduct* shall govern the performance, behavior and actions of the County, including employees, directors, appointed or elected officials, volunteers, or agents who are engaged in any aspect of procurement, including, but not limited to, purchasing goods and services, awarding contracts and grants, and the administration and supervision of contracts:

- a. No employee, director, appointed or elected official, volunteer, or agent of the County shall participate in the selection, award, or administration of contracts supported by a federal award if a conflict of interest is real or apparent to a reasonable person.
- b. Conflicts of interest may arise when any employee, officer, or agent of the County, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a real or apparent financial or other interest in or a tangible personal benefit from a firm considered for the contract.

- c. No employee, director, appointed or elected official, volunteer, or agent of the County shall do business with, award contracts to, or show favoritism toward a member of his or her immediate family, spouse's family or to any company, vendor, or contractor or parties to subcontractors who either employs or has any relationship to a family member; or award a contract or bid which violates the spirit or intent of federal, state and local procurement laws and policies established to maximize free and open competition among qualified vendors.

Although these training funds are not provided as part of a federal grant, the standards are appropriate to apply to all procurement activity. While the legal opinion does expose the conflict in the name of transparency, it is the Controller's assessment that the conflict still exists.

The Controller's Office recommends approval of the following resolution:

- 1b. Sheriff's Office – Resolution to Purchase Eight New Tasers for the Sheriff's Office Field Services Division Using 2017 Capital Improvement Funds*

This resolution will approve the purchase of eight Tasers and associated equipment from Taser International. The 2017 capital budget includes \$14,672.00 for this purchase. This will increase the safety of each Deputy while on duty.

DISCUSSION ITEMS:

- 3. Circuit Court/Family Division – Proposed Reorganization of Staff Psychologist*

The Circuit Court/Family Division is requesting to reorganize a Staff Psychologist position to a Chief Psychologist and to replace the second Staff Psychologist position with a Clinical Mental Health Professional. As required by the county's reorganization procedure, this proposal is brought forward as a discussion item for the Law and Courts Committee.

Please see attached memo and supplemental documentation for details of the proposed reorganization.

- 4. Controller's Office – 2018 Update of County Fees*

This is a discussion item only for this round of meetings. The Controller's Office annually prepares for Board of Commissioner review details about proposed fee adjustments for the upcoming budget process. This year's review has been completed and some adjustments are being presented to the Board of Commissioners for their future consideration. This information is being presented at the current round of committee meetings as a discussion item for input from the Board. A resolution recommending any fee increases will be presented at the next round of meetings for adoption. A draft version for discussion is included in this packet.

Please see attached memo for details.

TO: Board of Commissioners Law and Courts Committee
FROM: Sheriff Scott Wriggelsworth
DATE: 3-30-17
SUBJECT: Contract with MACNLOW and Associates
For the meeting agenda of April 13, 2017

BACKGROUND

MACNLOW Associates has provided training for Ingham County Sheriff's deputies and 911 personnel for more than twenty (20) years. Current Undersheriff Andrew Bouck is a 50% owner in MACNLOW Associates, thus creating a conflict of interest. Ingham County is desirous to continue this partnership in 2017, even with the minor conflict of interest.

ALTERNATIVES

Although there are other options for similar training for the Sheriff's Office and the 911 center, maintaining this contract is in the best interest of the county as a whole to best serve its residents.

FINANCIAL IMPACT

Although Undersheriff Bouck would have a small personal pecuniary interest in this contract, the negative financial impact to the county if we discontinued this contract would be sizable. More expensive training, more travel and overnight stays of personnel, as well as no free training seats for hosting MACNLOW courses here at the Sheriff's Office. This would significantly affect the number of training opportunities for Ingham County employees.

OTHER CONSIDERATIONS

In order to avoid a conflict of interest, Undersheriff Bouck may not directly or indirectly engage in any form of solicitation or negotiation of any proposed contract between the County and MACNLOW Associates. MACNLOW Associates has certified that Undersheriff Bouck has provided no information to MACNLOW Associates nor provided any services relating to the solicitation or negotiation of the proposed contract. Undersheriff Bouck may not perform any services on behalf of MACNLOW Associates under the proposed contract.

RECOMMENDATION

Based on the above information, it is requested that the County of Ingham support the resolution to continue the contract with MACNLOW Associates, not to exceed \$33,000. \$8,000 for the Sheriff's Office training, and \$25,000 for the 911 Center training in 2017.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING ENTRY INTO A TRAINING SERVICES AGREEMENT
WITH BOUCK CORPORATION DBA MACNLOW ASSOCIATES
ON BEHALF OF THE SHERIFF'S OFFICE AND 911 CENTRAL DISPATCH**

WHEREAS, County employees in the Sheriff's Office and 911 Central Dispatch require training each year in a number of topics; and

WHEREAS, Bouck Corporation d/b/a MACNLOW Associates is in the business of providing the training required by employees of the Sheriff's Office and 911 Central Dispatch; and

WHEREAS, MACNLOW Associates has provided training for Ingham County personnel for more than twenty (20) years; and

WHEREAS, the County is desirous of contracting with MACNLOW Associates to provide training services for the Sheriff's Office and 911 Central Dispatch for the 2017 calendar year; and

WHEREAS, Undersheriff Andrew Bouck is a 50% co-owner of MACNLOW Associates, and would receive a pecuniary benefit from the County's entry into a contract with MACNLOW Associates; and

WHEREAS, Undersheriff Bouck has a conflict of interest with respect to the proposed contract with MACNLOW Associates, which conflict may be avoided by compliance with the requirements of the Contracts of Public Servants with Public Entities Act, MCL 15.321 *et seq.*; and

WHEREAS, in order to avoid a conflict of interest, Undersheriff Bouck may not directly or indirectly engage in any form of solicitation or negotiation of any proposed contract between the County and MACNLOW Associates; and

WHEREAS, Undersheriff Bouck has disclosed his pecuniary interest in the proposed contract in writing to the Sheriff and County Board of Commissioners, which disclosure was placed on file with the County Clerk at least seven days in advance of the County Board's vote on the proposed contract; and

WHEREAS, Undersheriff Bouck has disclosed his pecuniary interest in the proposed contract in person at a public meeting of the County Board at least seven days in advance of the County Board's vote on the proposed contract; and

WHEREAS, the substance of Undersheriff Bouck's disclosures and an acknowledgment of the County Board's receipt of those disclosures were placed in the County Board's meeting agenda and minutes; and

WHEREAS, MACNLOW Associates has certified that Undersheriff Bouck has provided no information to MACNLOW Associates nor provided any services relating to the solicitation or negotiation of the proposed contract; and

WHEREAS, Undersheriff Bouck may not perform any services on behalf of MACNLOW Associates under the proposed contract; and

WHEREAS, pursuant to MCL 15.323(2)(b), approval and authorization of the County's entry into the proposed contract requires a 2/3 majority vote of the full membership of the Board of Commissioners.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners authorizes entry into a Training Services Agreement with MACNLOW Associates on behalf of the Sheriff's Office and 911 Central Dispatch, for a one-year term of January 1, 2017 through December 31, 2017, at a total cost not to exceed \$33,000.

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

Agenda Item 1b

TO: Law & Courts Committee
Finance Committee

FROM: Captain Elliott, Field & Staff Services

DATE: April 4, 2017

RE: **RESOLUTION TO PURCHASE EIGHT NEW TASERS FOR THE
SHERIFF'S OFFICE FIELD SERVICES DIVISION USING 2017
CAPITAL IMPROVEMENT FUNDS**

This resolution is for the approval to purchase eight (8) Tasers and associated equipment from Taser International.

The Sheriff's Office requested \$14,672.00 in Capital Improvement Funds for 2017. These funds were to purchase Tasers and equipment from Taser International. The Ingham County Sheriff's Office has not had enough Tasers to issue one to each Field Services Deputy for duty. With this purchase each Deputy will be assigned their own Taser. In the past there has not been enough Tasers available for each Deputy working on duty. This will increase the safety of each Deputy while on duty. Each Deputy will have another option for less than lethal force which will increase the safety of the public.

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO PURCHASE EIGHT NEW TASERS FOR THE SHERIFF'S OFFICE
FIELD SERVICES DIVISION USING 2017 CAPITAL IMPROVEMENT FUNDS**

WHEREAS, the Ingham County Sheriff's Office is responsible for police patrols for Ingham County; and

WHEREAS, Michigan Municipal Risk Management Authority (MMRMA) the county insurance carrier fully supports their clients obtaining Tasers as a tool to maintain safe and secure operations in daily police patrols; and

WHEREAS, Deputies properly equipped and trained with functional, up to date Tasers have greatly limited use of force complaints, deadly force situations and legal issues since the initial release of these police tools; and

WHEREAS, the Sheriff's Office has determined the need to purchase eight (8) new Tasers and associated Taser equipment, to supply our Field Services Division; and

WHEREAS, the purchase order also includes needed updated holsters, batteries and cartridges for deployment and certification training; and

WHEREAS, Taser International is a sole source company for this equipment; and

WHEREAS, the total expenditure for this proposal is not to exceed \$14,672.00.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners authorizes the Sheriff's Office to purchase eight (8) Tasers and associated equipment and training from Taser International for a total not to exceed \$14,672 from the 2017 CIP budget.

BE IT FURTHER RESOLVED, that Ingham County recognizes Taser as a sole source vendor for this equipment and training.

BE IT FURTHER RESOLVED, that the Controller/Administrator is directed to make the necessary adjustments to the 2017 Sheriff's Office budget.

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.

County of Ingham

HUMAN RESOURCES DEPARTMENT

5303 S. Cedar Street, Suite 2102

Lansing, MI 48911-3895

Administration: 517.887.4327

Employee Services: 517.887.4373

Internet: www.ingham.org



Employment: 517.887.4328

FAX Number: 517.887.4396

TO: Scott Leroy, Deputy Court Administrator Juvenile Division
FROM: Joan Clous, Human Resource Specialist
DATE: April 3, 2017
RE: Memo of Analysis for reorganization of Juvenile Division

The Juvenile Division of the Circuit Court is reorganizing to enhance their ability to serve the residents of Ingham County. As such the following positions will change to:

Clinical Social Worker (OPEIU Court P6) to Clinical Mental Health Professional (OPEIU Court P6 no salary change)

Staff Psychologist (OPEIU Court P7) to Chief Staff Psychologist (MCF 14 \$82,347.47 to \$98,840.80)

Please use this memo as acknowledgement of Human Resources' participation. You are now ready to complete the final step in the process: contact Budgeting, write a memo of explanation and prepare a resolution for Board approval.

If I can be of further assistance, please email or call me (887-4374).

MEMORANDUM

TO: Law and Courts Committee

FROM: Scott LeRoy, Deputy Court Administrator

DATE: March 31, 2017

SUBJECT: Reorganize Staff Psychologist Position

The Juvenile Division is committed to best practices and values expert opinion regarding delinquent activity and behavior. The Juvenile Division's mission is reducing juvenile recidivism and processing legal matters, taking into account psychological process, trauma, maladaptive behavior and treatment effectiveness. To that end, the Juvenile Division has previously employed three Staff Psychologists. In recent years, the psychological staff has been reduced to two positions, with one working psychologist.

Two years ago, a Staff Psychologist position was posted with no successful outcome. Since that time, the position has remained vacant. Many of the essential functions of the Staff Psychologist position have been compromised due to this vacancy.

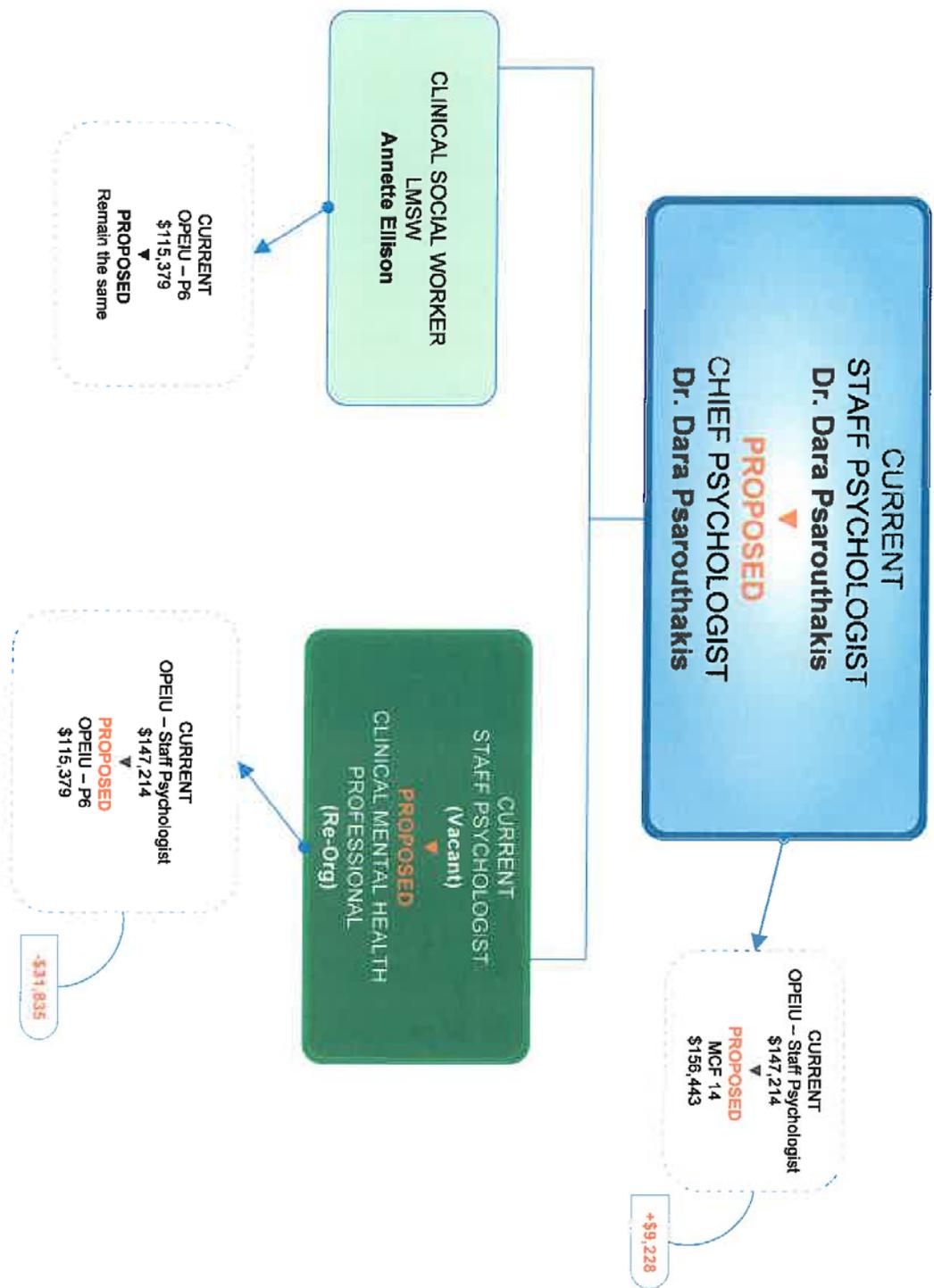
The Juvenile Division is requesting to reorganize the Staff Psychologist position to Chief Psychologist. With reorganizing this position the Chief Psychologist will provide administrative supervision of the clinical staff. All other previous essential duties will remain unchanged.

The Juvenile Division is also requesting to add a Clinical Mental Health Professional in lieu of the vacant Staff Psychologist, thus eliminating the second Staff Psychologist position. Adding this position would benefit the Juvenile Division by providing a necessary function in individual and group treatment as well as mental health support at the Ingham County Youth Center. This position would also further the Court's commitment to best practice and aid in reducing juvenile recidivism by providing Continuous Quality Improvement* of the Court's evidence-based curriculums.

In addition to maximizing the Court's function and treatment capacity, this reorganization and request of new position will universally aid the Court in reducing cost.

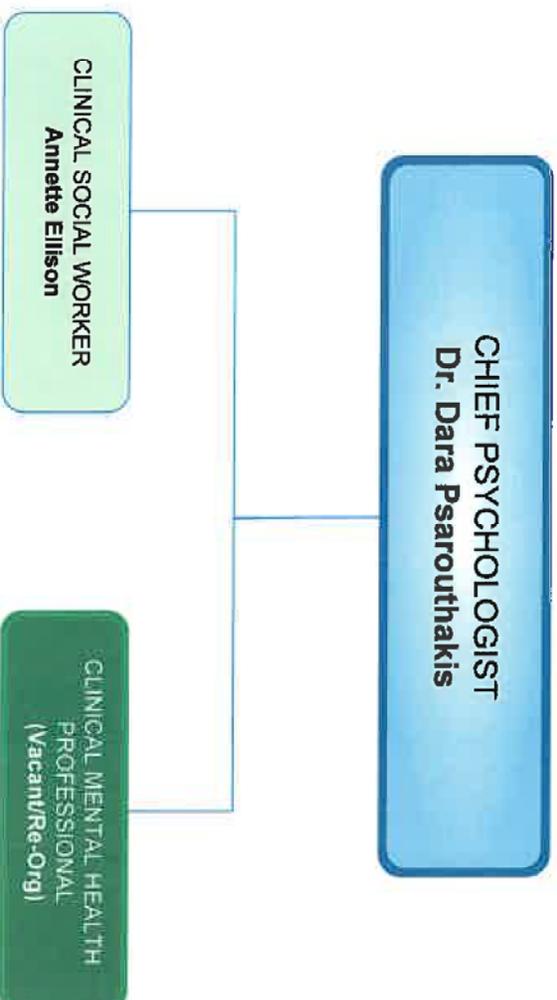
**Program fidelity is the principle of effective intervention most overlooked. While we have an extensive body of literature that supports the use of cognitive-behavioral interventions as an effective approach, we often pay little attention to fidelity. Recognizing that the delivery of treatment is just as important as the type of treatment provided, Continuous Quality Improvement aims to assess, monitor and coach to assure program fidelity is correctly employed.*

Ingham County Circuit Court Juvenile Division



Date: 3-31-17
*Employee cost reflects total 2017 Personnel Cost

Ingham County Circuit Court Juvenile Division



**2017 PERSONNEL COST PROJECTION
CURRENT STAFF PSYCHOLOGIST**

**2017 PERSONNEL COST PROJECTION
NEW CHIEF PSYCHOLOGIST**

	<u>STEP 7 PSYC</u>		<u>STEP 5 MCF 14</u>	
Salary	\$88,892	Salary	\$98,841	
Longevity	1,400	Longevity	1,400	
Wages	<u>\$90,292</u>	Wages	<u>\$100,241</u>	
Unemployment	451	Unemployment	501	
FICA	6,907	FICA	7,668	
Health	16,362	Health	16,362	
Dental	904	Dental	904	
Vision	124	Vision	124	
Current Retiree Hlth	3,347	Current Retiree Hlth	3,347	
Future Retiree Hlth	4,063	Future Retiree Hlth	4,511	
Life	115	Life	115	
Disability	117	Disability	130	
Retirement	24,225	Retirement	22,203	
Workers Comp	181	Workers Comp	200	
C.A.R.E.S.	33	C.A.R.E.S.	33	
Liability	91	Liability	101	
Seperation Buyout	1,129	Seperation Buyout	1,253	
Total Cost	<u>\$147,214</u>	Total Cost	<u>\$156,443</u>	Increase of
				\$9,228

**2017 PERSONNEL COST PROJECTION
CURRENT CLINICAL SOCIAL WORKER**

**2017 PERSONNEL COST PROJECTION
NEW CLINICAL MENTAL HEALTH PROFESSIONAL**

	OPEIU <u>STEP 6 GRADE 06 FAMCT</u>
Salary	\$66,538
Longevity	1,000
Wages	<u>\$67,538</u>
Unemployment	338
FICA	5,167
Health	16,362
Dental	904
Vision	124
Current Retiree Hlth	3,347
Future Retiree Hlth	3,039
Life	115
Disability	88
Retirement	18,120
Workers Comp	135
C.A.R.E.S.	33
Liability	68
Seperation Buyout	844
Total Cost	<u>\$115,379</u>

	OPEIU <u>STEP 6 GRADE 06 FAMCT</u>
Salary	\$66,538
Longevity	1,000
Wages	<u>\$67,538</u>
Unemployment	338
FICA	5,167
Health	16,362
Dental	904
Vision	124
Current Retiree Hlth	3,347
Future Retiree Hlth	3,039
Life	115
Disability	88
Retirement	18,120
Workers Comp	135
C.A.R.E.S.	33
Liability	68
Seperation Buyout	844
Total Cost	<u>\$115,379</u>

Cost Neutral

Ingham County Job Description

Clinical ~~Social Worker~~ Mental Health Professional

General Summary:

Under the direction and supervision of the ~~Juvenile Programs Director~~ **Chief Staff Psychologist** and as part of a team of other Family Court personnel, provides treatment and therapy to individual youth and their families. Focus of this position is to provide treatment to ~~adolescents who have committed sexual offenses~~ **adolescents who have been brought to the attention of the court**. Provides **individual and** group therapy services to the adolescents and their families. ~~which may include the victim of the offense~~. Will be a mandatory reporter as provided by the Child Protection Act. Testifies in court as appropriate to report on a client's treatment, progress, assessment and maintains detailed documentation. Makes recommendations for placement and treatment needs. Facilitates or Co-facilitates group counseling programs for youth and other offenders as well as Parent Support groups. Provides standardized assessments using approved tools to determine appropriate courses of action. **The Clinical Mental Health Professional will also assess and measures treatment fidelity for group interventions, individual sessions, and staff adherence to best practices**. Will be on call to serve clients in crisis. Participates in case staffing reviews. Performs other duties as assigned.

Essential Functions:

1. Provides treatment to individual adolescents under the supervision of the Family Court. ~~for offenses of sexual misconduct, assault and other sexually related behaviors~~.
2. Provides group/individual therapy to ~~offenders~~ adolescents and/or their families.
3. Serves as a member of the ~~sex-offender-treatment~~ clinical team working with other disciplines in diagnosing problems, formulating treatment plans and evaluating progress.
4. Prepares written treatment plans, goals and reports for the Court as directed.
5. Facilitates and/or co-facilitates support groups for parents, juveniles, other family members.
6. Provides assessments of youth and parents brought to the attention of the Court, as directed by a Judge/Referee.
7. May provide field supervision and instruction of graduate level students.
8. Testifies in court as directed by a Judge and the court process.
9. Provides emergency interventions with clients.
10. Conducts staff training in best practice ~~social work~~ clinical techniques.
11. Participates in general staff meetings, case supervision and treatment team meetings.
12. **Assesses and measures treatment fidelity for group interventions, individual sessions, and staff adherence to best practices.**
13. **Develops and implements staff trainings related to evidence based programming.**

Other Functions: None

An employee in this position may be called upon to do any or all of the above tasks. (These examples do not include all of the tasks which the employees may be expected to perform.)

Employment Qualifications:

Education: ~~Must have completed a Masters of Social Work. Licensed Masters Social Worker (LMSW) required.~~ **Must have completed Masters degree in Social Work, Psychology, Counseling or other related Social Science discipline. Must be fully licensed or on track to obtain a license in related mental health field.**

Experience: Must have 2 ~~years~~ or more ~~years~~ related work experience in providing treatment with ~~adolescent sex offenders at-risk youth.~~ Knowledge of best practice treatment ~~for adolescent sex offenders,~~ and experience in implementing such programming preferred. Must have a good driving record and a valid Michigan's Driver's License.

The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards, but as general guidelines that should be considered along with other job-related selection or promotional criteria.

Physical Requirements: [This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the following requirements. Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements]:

- Ability to travel throughout the County.
- Ability to climb stairs to access clients in their homes.
- Ability to access office files.
- Lifts and transports materials and equipment.

Working Conditions:

Works in office conditions and travels throughout the County to attend meetings.

INGHAM COUNTY
JOB DESCRIPTION

CHIEF STAFF PSYCHOLOGIST

General Summary:

1. Evaluate children and/or parents referred by Court staff and Judges and provide written psychological reports to the Court. Testify in Court relative to findings when requested to do so. Evaluate prospective employees, foster and group home parents when requested and provide recommendations as to the personality and stability of these persons. Assist in conducting training programs and provide consultation to the staff. **Supervises the Clinical Social Worker and Clinical Mental Health Professional, which includes but is not limited to approval of time off request and ensuring coverage of duties, approval of time sheets, approval of purchase requests for equipment and supplies, together with responding to various individual request and/or complains and taking disciplinary action as needed.**

Essential Functions:

2. **Supervises Clinical Social Worker and Clinical Mental Health Professional, which includes but is not limited to approval of time off request and ensuring coverage of duties, approval of time sheets, approval of purchase requests for equipment and supplies, together with responding to various individual request and/or complains and taking disciplinary action as needed.**
3. **Conducts clinical supervision for licensed clinical staff as well as periodic staff meetings**
4. **Attends managers and judicial meetings as directed**
5. **Responsible for interviewing new applicants for various Family Division positions and making recommendations to the Family Division Administrator for hiring such staff**
6. Evaluation of children and parents who are being dealt with by the Court due to neglect, abuse or delinquency.
7. Prepare written evaluation reports as a result of testing and consultation.
8. Testify when necessary at hearings.
9. Attend staff meetings, case conferences and planning meetings.
10. Provide consultation to staff and Judges on cases processed by the Court.
11. Assist with in-service presentations to Court staff, volunteers, group home parents and foster home parents.
12. Provide individual and/or group therapy to children and/or parents being supervised by the Court.
13. Evaluate prospective foster home and group home parents and provide recommendations relative to such evaluation.
14. Evaluate prospective employees in the professional ranks of the Court and provide recommendations relative to such evaluation.
15. Provide emergency assistance and/or consultation for the staff concerning problems at the Youth Center or in other placements (possibly after normal hours and on weekends).
16. Assist with overall planning in the areas of treatment, detention and placement services.
17. **Provides the management team with assessment of treatment fidelity for group**

interventions, individual sessions, and staff adherence to best practices.

Other Functions:

Performs other work duties as assigned.

(The above statements are intended to describe the general nature and level of work being performed by people assigned this classification. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified)

Employment Qualifications:

Education: A Ph. D. in the Counseling, Clinical Psychology or other related Psychological disciplines is required.

Experience: A minimum of 5-7 years of progressively increased responsibilities as it relates to counseling and criminal justice is required. Experience with counseling adolescents and their respective families is preferred.

Other Requirements: Must be fully licensed or on track to obtain licensure as a Psychologist with the State of Michigan. Must be able to pass a court screening process.

(The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards, but as general guidelines that should be considered along with other job-related selection or promotional criteria)

Physical Requirements:

- Ability to sit, stand, walk, bend and stretch in order to retrieve supplies and operate standard office equipment.
- Ability to lift, hold and carry objects weighing up to 25 pounds.
- Ability to communicate and respond to inquiries both in person and over the phone.
- Ability to operate a PC/laptop and other office equipment.
- Ability to handle varying and often high levels of stress.

(This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the requirements listed above. Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements)

Working Conditions:

The work environment is a typical office setting. Safe work practices in regard to office equipment, avoiding trips/falls and fire regulations are required. Will be scheduled for some on-call hours (evenings, nights, weekends).

July 2009
OPEIU PSYC-7

MEMORANDUM

TO: Finance and Liaison Committees

FROM: Timothy J. Dolehanty, Controller

DATE: April 4, 2017

SUBJECT: 2018 Update of County Fees

When the Board of Commissioners adopted Resolution #02-155, setting various fees for county services, the Controller's Office was directed to annually review the fees and to recommend adjustments. We have completed our review for fiscal year 2018 consistent with this standing directive and offer a few adjustments for your consideration. This information will appear as a discussion item on the current round of committee meetings. We anticipate presentation of a resolution at the next round of meetings to recommend increases to certain fees. A draft version of the resolution is attached for your review and consideration.

Attached spreadsheets provide details of recommended fee adjustments to be effective for the Health Department and the Friend of the Court on October 1, 2017, park annual and zoo winter seasonal fees on November 1, 2017, and for all other departments on January 1, 2018. As noted in the fee schedule, seasonal fees will continue through March 31, 2018.

The first attachment (Attachment A) offers analysis of proposed fees for 2018. The annual average United States' consumer price index was used to do the calculation. This rate of 0.9% was also used by the State of Michigan for the inflation rate multiplier.

The following information is included for each fee:

1. Location of Service
2. Fee Description
3. The 2017 cost as calculated in last year's fee update process.
4. The 2018 cost, which was calculated by multiplying the 2017 cost by the consumer price index.
5. As identified by the Board of Commissioners, the target percent was determined by the percentage of cost to be recovered by the fee for service. The target percent for each fee was initially passed by Resolution #02-155. For other fees added after the passage of Resolution #02-155, in most cases, it was assumed that the fee as passed is charged at the appropriate cost with a target recovery of 100%.
6. The 2018 calculated fee is based on the 2017 cost multiplied by the target percent.
7. Although many fees were proposed to remain unchanged in 2018, the initial proposed fees were determined by rounding down the calculated fee to the full dollar amount and, in the case of some larger fees, rounded to the lower \$5 or \$10 increment. In some cases the cost multiplied by the target percent is much greater than the current fee, so only an incremental increase was proposed in anticipation of further upward adjustments over several years. Fees that are proposed to increase are presented in **bold type**.

8. Units. This variable was used to calculate anticipated revenue generated by a proposed fee. Initial information was provided in the Maximus study, and in some cases has been updated by the departments.
9. Department/Controller Recommendation. Department heads agreed with the initial proposed fees in most cases. Where there was disagreement, the department head was asked to provide supporting information such as a memorandum of explanation. In all cases, the Controller agreed with recommendations of the department head as follows:
 - a. CS: The Clerk's Office would like to maintain the 2017 rates for most of their fees. Lines 1 and 9, the Clerk indicated that small incremental changes would delay check out for customers and compared to other counties they already charge on the high end. The Marriage Solemnize fee (line 6) was significantly increased a few years ago.
 - b. CS: The Parks Department agrees with some of the proposed fees with the following exceptions: Line 68 and 70 Resident and Non-Resident Annual Fee – Parks does recommend increasing the fee and have actually agreed to a higher fee than what we proposed due to the fact that it hasn't been increased in a couple years; however, they would like to start charging the new rate for this pass in October 2017 because that is when they begin selling passes for the next year. Line 116 Boat Launch Annual – the senior annual was eliminated in 2014 which was \$25, frequent complaints received about the current \$50 fee and the small amount of revenue that the proposed fee would generate isn't really beneficial. Line 134 Disc Golf Annual- given that we are the only course in the area to charge a fee, they don't want to increase cost because there is a chance of losing the current golfers.
 - c. CS: The Register of Deeds does not agree with increasing any of the fees for 2018, due to the fact that the State has increased some of their fees already. State recording fees have increased from \$14 to \$30 this year and that should help with generating revenue.
 - d. HS: The Health Department agrees with most of the proposed fee increase. Line 35, the Office for Young Children indicate that this is a mandated fee for daycare providers and increasing this fee would force them out of the competitive range. Line 95- Department would prefer to keep the fee at the FY17 level because these entities are usually paying for several pools at one time. The cost related to inspecting an additional pool will be less as the initial travel costs are used in the calculation of the initial pool inspection.
 - e. L&C: Animal Control proposed fee increases are supported by the department except the following: Lines 3, 5-7 they agree that a license fee differential between sterilized and unsterilized dogs is appropriate, but the differential we are currently using is too great and is resulting in licensing fewer dogs. The same logic applies to delinquent license fees; we feel they are so high that they are discouraging licensing compliance. They are proposing that fees for unsterilized dogs be set at triple those of sterilized dogs, and delinquent fees be set at double non delinquent fees. This or similar fee structures are used successfully in other counties. We feel that these differentials still encourage spaying and neutering, but are less of a deterrent to licensing dogs at all. Historic dog license data for the County shows a significant decline in licensing of unsterilized dogs when those license fees were significantly increased. They are proposing making up lost revenue per unit on these license classifications by increasing the number of units sold. This will occur due to a combination of the market force of the lower fees, increased licensing efforts by the department and increased compliance with licensing efforts due to the more reasonable fees. This should also have the added benefit of increasing the number of dogs returned to owners by lowering the license portion of the redemption fees.

f. L&C: The District Court does not recommend any fee increase for 2018.

g. L&C: The Friend of the Court does not want to increase the bench warrant fee in Line 67. This fee has been increased over the years and these fees are very difficult to collect and have a very high outstanding balance.

10. Additional revenue is projected from the department head/Controller recommended increase in fees multiplied by the units.

A summary of proposed fee increases for 2018 is presented in the final spreadsheet (Attachment B). The spreadsheet simply lists the 2017 fee, department head and Controller recommendations, and projected revenue for each fee where an increase was proposed.

Fee increases recommended by the Controller's Office would generate approximately \$84,250 in additional revenue in 2018. Total revenue generated by the listed fees is approximately \$5.7 million, meaning the proposed adjustments would increase the base by about 1.0%.

Please do not hesitate to contact me if you have any questions regarding this information.

Attachments

DRAFT

Introduced by the Finance Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION UPDATING VARIOUS FEES FOR COUNTY SERVICES

WHEREAS, the Board of Commissioners set various fees for county services in Resolution #02-155 based on information and recommendations of the *Maximus Cost of Services Analysis* completed in 2002; and

WHEREAS, the Board of Commissioners also established the percent of the cost of providing the services which should be recovered by such fees, referred to in this process as a “target percent”; and

WHEREAS, the Board of Commissioners has directed the Controller’s Office to establish a process for the annual review of these fees and target percents; and

WHEREAS, the annual average United States’ consumer price index was used as the cost increase factor; and

WHEREAS, this cost increase factor is applied to the previous year’s calculated cost and multiplied by the target percent and in most cases rounded to the lower full dollar amount in order to arrive at a preliminary recommended fee for the upcoming year; and

WHEREAS, in cases where the calculated cost multiplied by target percent is much higher than the current fee, the fee will be recommended to increase gradually each year until the full cost multiplied by target percent is reached, in order to avoid any drastic increases in fees; and

WHEREAS, in cases where the calculated cost multiplied by target percent is lower than the current fee, no fee increase will be recommended for that year; and

WHEREAS, after initial recommendations are made by the Controller, these recommendations are distributed to the affected offices and departments, in order to receive their input; and

WHEREAS, after reviewing the input from the affected offices and departments, the Controller makes final recommendations to the Board of Commissioners; and

WHEREAS, the Controller’s Office has finished its annual review of these fees and recommended increases where appropriate based on increased costs of providing services supported by these fees and the percent of the cost of providing the services which should be covered by such fees as established by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has reviewed the Controller’s recommendations including the target percentages, along with recommendations of the various county offices, departments, and staff.

THEREFORE BE IT RESOLVED, that the Board of Commissioners authorizes or encourages the following fee increases in the Attachments at the rates established effective January 1, 2018 with the exception of the Health Department and Friend of the Court, where new rates will be effective October 1, 2017, the Park and Zoo winter seasonal fees and the Park Annual Passes which will be effective starting November 1, 2017.

BE IT FURTHER RESOLVED, that the fees within major Health Department services are not included on the attachments and were not set by the policy above, but rather through policy established in Resolutions #05-166 and #05-242.

Attachment A

2018 County Fees Analysis
Law and Courts Committee

FEES PROPOSED TO CHANGE ARE IN BOLD

Location of Service	Fee Description	2017 Cost	2018 Cost Increase Factor	2018 Cost	Target Percent	2017 Fee	2018 Calc. Fee	2018 Initial Prop. Fee	Units	Controller/ Department Recommend.	Additional Revenue
1 Animal Control	Enforcement/Dog License Fees										
2 Animal Control	Sterilized	\$60.97	0.9%	\$61.52	25.0%	\$14.00	\$15.38	\$15.00	15,000	\$15.00	\$15,000
3 Animal Control	Sterilized - Delinquent	\$196.66	0.9%	\$198.43	25.0%	\$46.00	\$49.61	\$47.00	3,916	\$30.00	\$0
4 Animal Control	Sterilized - 3 year License	\$139.06	0.9%	\$140.32	25.0%	\$34.00	\$35.08	\$35.00	3,000	\$35.00	\$3,000
5 Animal Control	Un-Sterilized	\$192.54	0.9%	\$194.27	75.0%	\$70.00	\$145.71	\$71.00	6,311	\$45.00	\$0
6 Animal Control	Un-Sterilized - Delinquent	\$385.08	0.9%	\$388.55	75.0%	\$140.00	\$291.41	\$145.00	805	\$90.00	\$0
7 Animal Control	Un-Sterilized - 3 year License	\$463.55	0.9%	\$467.72	75.0%	\$155.00	\$350.79	\$160.00	320	\$125.00	\$0
8 Animal Control	Boarding Fee-Dangerous Animals	\$94.13	0.9%	\$94.98	100.0%	\$76.00	\$94.98	\$77.00	300	\$77.00	\$300
9 Animal Control	Boarding Fee per day-others	\$46.35	0.9%	\$46.77	75.0%	\$34.00	\$35.08	\$35.00	1,900	\$35.00	\$1,900
10 Animal Control	Adoption Fee										
11 Animal Control	Dogs(under six years of age)	\$99.34	0.9%	\$100.23	75.0%	\$74.00	\$75.17	\$75.00	550	\$75.00	\$550
12 Animal Control	Dogs(six years or older)	\$25.67	0.9%	\$25.90	75.0%	\$19.00	\$19.43	\$19.00	100	\$19.00	\$0
13 Animal Control	Puppies(AGE-four months or less)	\$149.00	0.9%	\$150.35	75.0%	\$110.00	\$112.76	\$110.00	190	\$110.00	\$0
14 Animal Control	Cats(under six years of age)	\$85.57	0.9%	\$86.34	75.0%	\$64.00	\$64.76	\$64.00	450	\$64.00	\$0
15 Animal Control	Cats(six years or older)	\$34.23	0.9%	\$34.54	75.0%	\$25.00	\$25.90	\$25.00	50	\$25.00	\$0
16 Animal Control	Animal Redemption										
17 Animal Control	Animal Redemption - 1st offense	\$42.79	0.9%	\$43.17	50.0%	\$25.00	\$21.59	\$25.00	350	\$25.00	\$0
18 Animal Control	Animal Redemption - 2nd offense	\$51.34	0.9%	\$51.81	100.0%	\$51.00	\$51.81	\$51.00	50	\$51.00	\$0
19 Animal Control	Animal Redemption - 3rd offense	\$98.33	0.9%	\$99.22	100.0%	\$100.00	\$99.22	\$100.00	20	\$100.00	\$0
20 Animal Control	Animal Redemption - after 3rd offense	\$154.03	0.9%	\$155.42	100.0%	\$150.00	\$155.42	\$155.00	3	\$155.00	\$15
21 Animal Control	Euthanasia Fee	\$183.04	0.9%	\$184.69	100.0%	\$130.00	\$184.69	\$135.00	50	\$135.00	\$250
22 Animal Control	Ten Dog Kennel Inspection Fee	\$156.89	0.9%	\$158.31	100.0%	\$155.00	\$158.31	\$155.00	10	\$155.00	\$0
23 Animal Control	Over Ten Dog Kennel Inspection Fee	\$183.04	0.9%	\$184.69	100.0%	\$180.00	\$184.69	\$180.00	10	\$180.00	\$0
24 Animal Control	Owner Surrender	\$46.35	0.9%	\$46.77	100.0%	\$46.00	\$46.77	\$46.00	1,100	\$46.00	\$0
25 Animal Control	Owner Pick-up Fee	\$46.35	0.9%	\$46.77	100.0%	\$46.00	\$46.77	\$46.00	40	\$46.00	\$0
26 Animal Control	Rabies Decap	\$46.35	0.9%	\$46.77	100.0%	\$50.00	\$46.77	\$50.00	20	\$50.00	\$0
27 Animal Control	Tranq. At-Large Fee	\$46.35	0.9%	\$46.77	100.0%	\$46.00	\$46.77	\$46.00	40	\$46.00	\$0
28 Animal Control	Rabies vaccination on redeemed dogs	\$20.92	0.9%	\$21.11	100.0%	\$20.00	\$21.11	\$21.00	350	\$21.00	\$350
29 Animal Control	Bordatella Vaccination-redeemed dogs	\$19.76	0.9%	\$19.94	100.0%	\$19.00	\$19.94	\$19.00	490	\$19.00	\$0
30 Animal Control	Spay/neuter deposit-Owners redeeming pet	\$81.66	0.9%	\$82.40	100.0%	\$81.00	\$82.40	\$81.00	212	\$81.00	\$0
31 Pros Atty	Diversion - Initial Interview	\$71.44	0.9%	\$72.08	50.0%	\$35.00	\$36.04	\$36.00	450	\$36.00	\$450
32 Pros Atty	Diversion - Misdemeanor Offender	\$933.43	0.9%	\$941.83	50.0%	\$455.00	\$470.91	\$460.00	488	\$460.00	\$2,440
33 Pros Atty	Diversion - Felony Offender	\$1,680.17	0.9%	\$1,695.29	50.0%	\$805.00	\$847.64	\$810.00	112	\$810.00	\$560
34 Pros Atty	Costs-eligible convictions - Guilty Plea	\$147.68	0.9%	\$149.01	75.0%	\$110.00	\$111.75	\$110.00	600	\$110.00	\$0
35 Pros Atty	Costs for eligible convictions - Trial	\$2,363.11	0.9%	\$2,384.38	10.0%	\$235.00	\$238.44	\$235.00	11	\$235.00	\$0
36 Jail	Day Rate (1)	\$54.68	0.9%	\$55.17	100.0%	\$54.00	\$55.17	\$55.00	22,448	\$55.00	\$22,448
37 Sheriff	Accident/Incident Report *	\$5.12	0.9%	\$5.17	100.0%	\$5.00	\$5.17	\$5.00	2,384	\$5.00	\$0
38 Sheriff	OWI arrest resulting in conviction	\$252.87	0.9%	\$255.15	100.0%	\$255.15	\$255.15	\$255.15	329	\$255.15	\$0
39 Sheriff	Fingerprinting and/or Palm Printing	\$16.04	0.9%	\$16.19	100.0%	\$16.00	\$16.19	\$16.00	621	\$16.00	\$0
40 Sheriff	Public Notary Fee for gun permits (2)	\$10.07	0.9%	\$10.16	100.0%	\$10.00	\$10.16	\$10.00	1,354	\$10.00	\$0
41 Sheriff	Costs for Command per hour	\$65.01	0.9%	\$65.60	100.0%	\$65.01	\$65.60	\$65.60	0	\$65.60	\$0
42 Sheriff	Costs for Deputy per hour	\$58.31	0.9%	\$58.84	100.0%	\$58.31	\$58.84	\$58.84	0	\$58.84	\$0
43 Sheriff	Pistol Entry database verification (3)	\$1.01	0.9%	\$1.02	100.0%	\$1.00	\$1.02	\$1.00	0	\$1.00	\$0
44 Sheriff	Cert. of Reg for Precious Metal/Gem Dealer License (5)	\$54.44	0.9%	\$54.93	100.0%	\$50.00	\$54.93	\$50.00	0	\$50.00	\$0

	Location of Service	Fee Description	2017 Cost	2018 Cost Increase Factor	2018 Cost	Target Percent	2017 Fee	2018 Calc. Fee	2018 Initial Prop. Fee	Units	Controller/ Department Recommend.	Additional Revenue
45	Sheriff	Road Bonds per Warrant	\$10.89	0.9%	\$10.99	100.0%	\$10.00	\$10.99	\$10.00	0	\$10.00	\$0
46	Sheriff	False Alarm Fee- third offense	\$43.55	0.9%	\$43.95	100.0%	\$43.00	\$43.95	\$43.00	0	\$43.00	\$0
47	Sheriff/Em Mgt.	Cost Recovery Fee flat rate per indiv.	\$31.06	0.9%	\$31.34	100.0%	\$31.00	\$31.34	\$31.00	0	\$31.00	\$0
48	Sheriff/Em Mgt.	Cost Recov. Fee flat rate per/hr per vehicle	\$258.84	0.9%	\$261.17	100.0%	\$300.00	\$261.17	\$300.00	0	\$300.00	\$0
		False Alarm Fee-fourth offense & subsequent/each yr	\$108.88	0.9%	\$109.86	100.0%	\$105.00	\$109.86	\$105.00	0	\$105.00	\$0
49	All Courts	Work Release (4)	\$52.76	0.9%	\$53.24	50.0%	\$25.00	\$26.62	\$25.00	5,250	\$25.00	\$0
50	District Court	Civil **	\$116.53	0.9%	\$117.57	50.0%	Varies	\$58.79	Varies	4,264	Varies	\$0
51	District Court	Pre-Sentence Reports	\$225.94	0.9%	\$227.97	100.0%	\$100.00	\$227.97	\$110.00	75	\$100.00	\$0
52	District Court	Probation Oversight (per month)	\$118.98	0.9%	\$120.05	100.0%	\$35.00	\$120.05	\$36.00	5,220	\$35.00	\$0
53	District Court	Criminal ***	\$275.00	0.9%	\$277.48	100.0%	\$275.00	\$277.48	\$275.00	1,579	\$275.00	\$0
54	District Court	Traffic ****	\$264.61	0.9%	\$266.99	50.0%	Varies	\$133.50	Varies	17,861	Varies	\$0
55	Circuit Court	Copies	\$3.85	0.9%	\$3.88	25.0%	\$1.50	\$0.97	\$1.50	25,000	\$1.50	\$0
56	Circuit Court	Felony Case Costs	\$751.56	0.9%	\$758.32	100.0%	\$1,470.00	\$758.32	\$1,470.00	650	\$1,470.00	\$0
57	Circuit Court	Show Cause - Probation	\$473.89	0.9%	\$478.15	100.0%	\$180.00	\$478.15	\$185.00	80	\$185.00	\$400
58	Circuit Court	IGD Bench Warrants	\$150.45	0.9%	\$151.80	100.0%	\$150.00	\$151.80	\$150.00	50	\$150.00	\$0
59	Family Division	Delinquency Court Costs	\$413.45	0.9%	\$417.17	100.0%	\$280.00	\$417.17	\$285.00	1,725	\$285.00	\$8,625
60	Family Division	In-Home Detention	\$40.42	0.9%	\$40.79	0.0%	\$0.00	\$0.00	\$0.00	7,000	\$0.00	\$0
61	Family Division	Intensive Probation	\$955.96	0.9%	\$964.56	0.0%	\$0.00	\$0.00	\$0.00	970	\$0.00	\$0
62	Family Division	Regular Probation	\$158.37	0.9%	\$159.80	0.0%	\$0.00	\$0.00	\$0.00	5,292	\$0.00	\$0
63	Family Division	Tether	\$139.10	0.9%	\$140.36	25.0%	\$32.00	\$35.09	\$33.00	2,625	\$33.00	\$2,625
64	Family Division	Traffic	\$226.52	0.9%	\$228.56	50.0%	Ticket fee schedule	\$114.28	Ticket fee schedule	1,775	Ticket fee schedule	\$0
65	Family Division	Traffic - Fail to Appear	\$106.53	0.9%	\$107.49	25.0%	\$26.00	\$26.87	\$26.00	355	\$26.00	\$0
66	FOC	FOC Bench Warrants	\$684.09	0.9%	\$690.25	100.0%	\$275.00	\$690.25	\$280.00	1,000	\$275.00	\$0
	TOTALS											\$58,913

* - Part of FOIA varies - \$5.00 per page for first two pages, \$1.00 per additional page after the first two pages (this includes Accident & Incident Reports, Proof of Incarceration, and Background Checks)

** Civil Fees are set by various State statutes

*** Criminal Court costs set at \$275/case (MCL 769-11k for authority to assess court costs)

**** Traffic Court costs cannot exceed \$100 (MCL 257-907)

(1) The Prisoner Reimbursement to the County Act was increased from a maximum of \$30 per day, to \$60 per day, as currently set forth in MCL 801.83. The reimbursement rate for the contracted beds with the Michigan Department of Corrections is currently set at \$30.00.

(2) As stated in MCL 55.265, the fee charged for performing a notarial act shall not be more than \$10.00 for an individual transaction or notarial act.

(3) As stated in MCL 26.422a, a local police or sheriff may charge up to \$1.00 for the cost of providing, to the owner, a copy of information that was entered in the pistol entry database.

(4) Courts ordering work release are encouraged to recognize that the cost of administering work release at the jail has been calculated at \$50.00 per day, but is charged at 50% of that amount, \$25/day, if paid in certain time. Sometimes, the Judge will order a different amount.

(5) As stated in MCL 445.483 (4) the fee cannot exceed \$50.00

Attachment B

2018 County Fees Analysis
Law and Courts Committee

Location of Service	Fee Description	2017 Fee	Controller/ Department Recommend.	Additional Revenue
Animal Control	Sterilized	\$14.00	\$15.00	\$15,000
Animal Control	Sterilized - Delinquent	\$46.00	\$30.00	\$0
Animal Control	Sterilized - 3 year License	\$34.00	\$35.00	\$3,000
Animal Control	Un-Sterilized	\$70.00	\$45.00	\$0
Animal Control	Un-Sterilized - Delinquent	\$140.00	\$90.00	\$0
Animal Control	Un-Sterilized - 3 year License	\$155.00	\$125.00	\$0
Animal Control	Boarding Fee-Dangerous Animals	\$76.00	\$77.00	\$300
Animal Control	Boarding Fee per day-others	\$34.00	\$35.00	\$1,900
Animal Control	Dogs(under six years of age)	\$74.00	\$75.00	\$550
Animal Control	Euthanasia Fee	\$130.00	\$135.00	\$250
Animal Control	Rabies vaccination on redeemed dogs	\$20.00	\$21.00	\$350
Pros Atty	Diversion - Initial Interview	\$35.00	\$36.00	\$450
Pros Atty	Diversion - Misdemeanor Offender	\$455.00	\$460.00	\$2,440
Pros Atty	Diversion - Felony Offender	\$805.00	\$810.00	\$560
Jail	Day Rate (1)	\$54.00	\$55.00	\$22,448
Sheriff	Costs for Command per hour	\$65.01	\$65.60	\$0
Sheriff	Costs for Deputy per hour	\$58.31	\$58.84	\$0
Circuit Court	Show Cause - Probation	\$180.00	\$185.00	\$400
Family Division	Delinquency Court Costs	\$280.00	\$285.00	\$8,625
Family Division	Tether	\$32.00	\$33.00	\$2,625
TOTALS				\$58,888