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CHRIS SWOPE

VICE-CHAIRPERSON PRO-TEM
MIKE SEVERINO

ADMINISTRATIVE SERVICES/
PERSONNEL COMMITTEE
MARY R. STID, CHAIRPERSON
VICTOR CELENTINO
THOMAS MINTER
DEBBIE DE LEON
CHRIS SWOPE

INGHAM COUNTY BOARD OF COMMISSIONERS

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

THE ADMINISTRATIVE SERVICES/PERSONNEL COMMITTEE WILL MEET ON TUESDAY, JANUARY 16, 2001, AT 7:00 P.M., IN THE PERSONNEL CONFERENCE ROOM, HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

Agenda

Call to Order

Approval of the December 5, 2000 Minutes

Additions to the Agenda

Limited Public Comment

1. Board Interviews - Ingham County Road Commission Interviews
2. Drain Commissioner
 - a. Resolution Re-establishing Administrative Fee for "Plat Drains"
 - b. Resolution Authorizing a Reorganization in the Drain Commissioner's Office
3. Purchasing - Request to Send Surplus Items to Consignment Auctioneer Services for Storage
4. District Court - Resolution to Authorize Budget Transfers Within 55th District Court
5. Housing Commission - Letter Requesting Authorization to Apply for a Community Block Grant Application
6. Health Department
 - a. Recommendation to Amend Resolution No. 00-256
 - b. Resolution to Authorize a 2000-2001 Licensing Support Services Agreement with the Department of Consumer & Industry Services
7. Human Resources
 - a. Resolution Recommending an Adjustment to the Parks Department Seasonal Employee Wage Schedule
 - b. Severance Pay for Nancy O'Shea
 - c. Starting Salary for Rodney Taylor, MIS Director
8. Board of Commissioners - Resolution to Increase Per Diem Payments for the Board of Canvassers, Economic Development Corporation Board of Directors, Board of Election Commissioners, Fair Board, Family Independence Agency Board, Jury Board, Parks Board, Plat Board and Veterans Affairs

9. Board Referral - Letter from Oade, Stroud & Kleiman, Representing Donna Weaver, Regarding the Pollok Gravel Pit, Section 10, Ingham Township

Announcements
Public Comment
Adjournment

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.

ADMINISTRATIVE SERVICES/PERSONNEL COMMITTEE

December 5, 2000

Minutes

Members Present: Calvin Lynch, Paul Pratt, Thomas Minter and Mike Severino

Members Absent: Jean McDonald

Others Present: Darnell Earley, Jerry Ambrose, Harold Hailey, Mary Stid, Guy Sweet, Janielle Modert, John Meyer, Bob Moore, Greg Wilhem, Mike Parker, Shelly Bauer, Kathleen Price, Victor Celentino and others

The meeting was called to order by Vice Chairperson Lynch at 5:33 p.m. in the Personnel Conference Room of the Human Services Building, 5303 South Cedar, Lansing.

Approval of the November 21, 2000 Minutes

The Minutes were approved as submitted. Absent: Comm. McDonald

Additions to the Agenda

- 4c. Resolution Reclassifying the Family Court Staff Psychologist Position
- 5c. Substitute Resolution
- 6. Additional Information
- 9a. Capital Area Health Alliance - Discussion
- 10. MAC Conference Information

Limited Public Comment: None

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. MINTER, TO APPROVE A CONSENT AGENDA FOR THE FOLLOWING ITEMS:

- 1. Fair Board - Resolution Authorizing the Change in Status of a Position at the Ingham County Fairgrounds
- 2. IJIG's Committee - Resolution Authorizing the Establishment of IJIG's Position and Pro-Temps Contract Extension
- 10. MAC Conference Notification

MOTION CARRIED UNANIMOUSLY. Absent: Comm. McDonald

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. MINTER, TO APPROVE THE ITEMS ON THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. Absent: Comm. McDonald

- 3. Parks Department - Resolution Authorizing Entering Into a Contract for Beach Construction at Hawk Island County Park

In response to Comm. Severino, Mr. Moore explained the fund raising efforts for the Soccer Complex have not been very successful. The Complex should come close to breaking even without fund raising events.

MOVED BY COMM. MINTER, SUPPORTED BY COMM. PRATT, TO APPROVE THE RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT FOR BEACH CONSTRUCTION AT HAWK ISLAND COUNTY PARK. MOTION CARRIED UNANIMOUSLY. Absent: Comm. McDonald

4. Human Resource Department

a. Petition for Additional Severance Pay and Health Insurance Coverage

Mr. Hailey explained that the Assistant Prosecuting Attorney's contract allows that if an attorney is terminated for any reason, he or she is automatically entitled to 90 days of severance pay. The employee, Mr. Ernest F. Horace, is currently receiving the severance pay. The 90-day period expires on January 4, 2001. The contract also allows the employee or the union to petition this Committee for an additional 90 days of severance pay and health insurance coverage. Mr. Horace was terminated for cause. Therefore, Mr. Hailey stated he does not recommend an additional 90 days of severance pay or health insurance coverage.

Mr. Sweet, Steward of ICEA Local 13, stated he represents Mr. Horace. This Committee's decision on this matter will be final. A petition for an additional 90 days of severance pay has been filed. The petition sets forth important criteria which should be considered in this Committee's decision. Mr. Sweet asked the Committee to consider four additional factors he has developed since the petition was filed. The first factor is that Mr. Horace has been aggressively seeking employment. He has retained the services of R.L. Stevens and Associates to assist in his job search. Mr. Horace is not present tonight because he is in Washington, D.C. for a series of interviews with the Federal Government.

Mr. Sweet also described an incident which occurred after Mr. Horace's termination which has made it difficult, if not impossible, to secure employment in Lansing. Thirdly, Mr. Horace had asked Mr. Sweet to make this Committee aware of some of his extra curricular activities while employed by the County. Mr. Sweet spoke regarding those activities. Mr. Sweet then explained that Mr. Dunning had advised him that he was not opposed to extending the severance pay if Mr. Horace and the union would be willing to agree in writing that no lawsuits, claims or actions would be filed against the County. A settlement agreement has been drafted. Mr. Sweet stated he was willing to sign the agreement on behalf of the union and he would instruct and encourage Mr. Horace to sign the agreement.

Ms. Price stated Mr. Dunning is adamantly opposed to extending the severance pay unless a hold harmless agreement has been signed by the appropriate parties. The Prosecutor's Office does not believe there is any basis for a lawsuit. The Office believes Mr. Horace was an at-will-employee who was fired for just cause.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. MINTER, TO GRANT THE PETITIONER'S REQUEST FOR ADDITIONAL SEVERANCE PAY AND HEALTH INSURANCE ON THE CONDITION THAT THE PETITIONER SIGNS A HOLD HARMLESS RELEASE.

In response to Comm. Minter, Mr. Hailey stated he previously informed Ms. Price that he doesn't believe granting the petition would send the right message. It isn't right that an employee can be insubordinate and cause himself to be fired and then turn around and receive six months of pay from the County. Mr. Ambrose stated he agrees with Mr. Hailey's position.

Comm. Severino expressed his concern regarding this matter. Comm. Pratt stated he believes the County should generally grant the extra severance pay unless there is the threat of intentional

activities which would impact the public. If Mr. Dunnings agrees to granting the additional severance pay, the Committee should grant the petition.

Vice Chairperson Lynch stated if the County will avoid a court case by granting the petition, it should do so. Comm. Minter stated he would oppose the motion. It is the contention of the Prosecutor that the employee was terminated for cause. He further stated he is inclined to agree with the Controller and the Personnel Department on the ramifications of such a precedent of granting the extension of benefits for the sign off. Comm. Minter also stated he is not sure that the additional pay is an insignificant sum of money.

Comm. Severino stated he agrees with Comm. Minter in principle. However, his concern focuses more on the memorandum from Mr. Dunnings regarding the reasons for Mr. Horace's termination. Questions from employees regarding Mr. Horace's termination should have been handled in a staff meeting. The reasons should not have been put into a memorandum to be circulated throughout the office. Comm. Severino stated he would not support the motion. He further stated he might be more inclined to support the motion if Mr. Horace had already waived his right to litigate.

MOTION FAILED with Comms. Severino and Minter voting NO. Absent: Comm. McDonald

- b. Resolution Establishing Commissioners' Compensation and Mileage Reimbursement Effective January 1, 2001

MOVED BY COMM. PRATT, SUPPORTED BY COMM. TO APPROVE THE RESOLUTION ESTABLISHING COMMISSIONER'S COMPENSATION AND MILEAGE REIMBURSEMENT EFFECTIVE JANUARY 1, 2001.

Mr. Hailey stated the Resolution would increase the Commissioners' salary by three percent in 2001 and the salary would be increased an additional three percent in 2002. According to statute, this is the appropriate time to change the salary.

Comm. Pratt explained that he is not willing to increase the base salary and the per diem. The total compensation increase should not exceed three percent. Comm. Minter stated he would be supportive of increasing the per diem, not the base salary. He would support raising the per diem from \$45.00 to \$48.00. Chairperson Stid stated most township governments pay approximately \$75.00 per diems.

MOTION FAILED with Comms. Pratt and Lynch voting YES.

MOVED BY COMM. MINTER TO INCREASE THE PER DIEM FOR COUNTY COMMISSIONERS FROM \$45.00 TO \$48.00 IN 2001 AND TO INCREASE THE PER DIEM FROM \$51.00 TO \$54.00 IN 2002. MOTION DIED due to lack of support.

- c. Resolution Reclassifying the Family Court Staff Psychologist Position

Mr. Hailey stated Mr. Rye compared the staff psychologist position with the Friend of the Court attorney. He established the salary at a maximum of \$66,432 for this year. The salary would increase to \$68,425 in 2001 and \$70,478 in 2002. The salary increase is to be retroactive to September 23, 2000. Union consent is still needed.

Mr. Wall, union steward for the staff psychologists, stated he believes Mr. Rye conducted a very professional evaluation. Mr. Hailey stated he wished the rest of the unit could have participated in the evaluation.

Comm. Severino thanked Mr. Hailey for finalizing this matter before the end of the year.

MOVED BY COMM. MINTER, SUPPORTED BY COMM. SEVERINO, TO APPROVE THE RESOLUTION RECLASSIFYING THE FAMILY COURT STAFF PSYCHOLOGIST POSITION. MOTION CARRIED UNANIMOUSLY. Absent: Comm. McDonald

5. Controller

- a. Resolution Awarding a Contract to DBI US Office Products to Furnish and Install Freestanding and Systems Furniture in the Consolidated Courts Facility and to Authorize the Purchase of Shelving

Mr. Ambrose stated the proposal is within budget and he recommended the adoption of this Resolution.

MOVED BY COMM. MINTER, SUPPORTED BY COMM. PRATT, TO APPROVE THE RESOLUTION AWARDING A CONTRACT TO DBI US OFFICE PRODUCTS TO FURNISH AND INSTALL FREESTANDING AND SYSTEMS FURNITURE IN THE CONSOLIDATED COURTS FACILITY AND TO AUTHORIZE THE PURCHASE OF SHELVING. MOTION CARRIED UNANIMOUSLY. Absent: Comm. McDonald

- b. Resolution Approving a Wage Increase for Managerial and Confidential Employees; Approving a Change in the Health Insurance Program for Elected Officials, Judges, Managerial and Confidential Employees and Authorizing a Process for Considering Changes to the Managerial and Confidential Employee Personnel Policy

Mr. Ambrose explained the Resolution would increase the salary scales for Managers and Confidential employees by three percent for 2001 and 2002. The Health Coalition has also recommended a change in the health insurance plan. The change to the health insurance will reduce the health care costs from a 40% increase to 20%. Mr. Ambrose further informed the Committee that it can expect to see other recommendations to the overall Managerial and Confidential Policy. The Policy has not been reviewed in its entirety for several years.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. MINTER, TO APPROVE THE RESOLUTION APPROVING A WAGE INCREASE FOR MANAGERIAL AND CONFIDENTIAL OFFICIALS, JUDGES, MANAGERIAL AND CONFIDENTIAL EMPLOYEES AND AUTHORIZING A PROCESS FOR CONSIDERING CHANGES TO THE MANAGERIAL AND CONFIDENTIAL EMPLOYEE PERSONNEL POLICY. MOTION CARRIED UNANIMOUSLY. Absent: Comm. McDonald

- c. Resolution Selecting a Pharmacy Benefit Manager for the Employee Health Insurance Plan

Mr. Ambrose explained that the Pharmacy Benefit Manager will be a third party who will administer the prescription drug portion of the health plan. The Board will be required to authorize letters of understand with all participating bargaining units to implement this plan in their contracts. It is important that a selection be made by the December 12 Board meeting if the health plan change is to be implemented by January 2001.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. SEVERINO, TO APPROVE THE SUBSTITUTE RESOLUTION SELECTING A PHARMACY BENEFIT MANAGER FOR THE EMPLOYER HEALTH INSURANCE PLAN. MOTION CARRIED UNANIMOUSLY.

Absent: Comm. McDonald

d. Memorandum Regarding Maintaining Regular Business Hours on Certain Holidays

Mr. Ambrose stated that during negotiations this year, attempts were made to amend certain collective bargaining contracts to eliminate Columbus Day and Good Friday as paid holidays. This would allow the County offices and courts to be open on these days. It has become apparent that Ingham County government is perhaps closed on more holidays than many private businesses and public businesses. Attempts were made to exchange the two holidays for bonus vacation hours. The attempts have not been very successful.

The public will be better served if the County is open on Columbus Day and Good Friday. Mr. Ambrose stated he is seeking further direction from the Committee on this matter.

Chairperson Stid agreed that many other offices are open on the holidays at issue. She suggested the Controller's Office continue their efforts with the collective bargaining units. Comm. Pratt stated the County should follow the State's schedule. Comm. Minter stated the Controller's Office should explore options for more flexibility. Comm. Severino stated he would be supportive of more flexible hours.
(Comm. Minter left at 6:30 p.m.)

6. Other - Memorandum Regarding Lansing to Detroit Passenger Rail Study

Mr. Earley explained that since the presentation at the last meeting, the need for some type of action by this Committee is more apparent. The Rail Study is looking for a letter of support for the Bill which was introduced by Rep. Brewer. The Bill would designate \$16 million in state match for the project. The State has offered to participate in terms of supporting the Bill. Without a show of support, the project will be delayed.

This Committee can write a letter of support and send it to the representatives listed in Ms. Alexander's memorandum of November 28, 2000. The County could adopt a formal resolution of support and send it the appropriate representatives.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. SEVERINO, TO SEND A LETTER OF SUPPORT TO THE REPRESENTATIVES AND THE BOARD OF COMMISSIONERS WILL ADOPT A FORMAL RESOLUTION IN SUPPORT OF REP. BREWER'S BILL AND SEND IT ALSO TO THE REPRESENTATIVES.

In response to Vice Chairperson Lynch, Mr. Ambrose stated the letter and resolution of support would not financially commit the County to the rail project. The Committee discussed this issue further.

MOTION CARRIED UNANIMOUSLY. Absent: Comms. McDonald and Minter

7. Purchasing - Resolution Awarding a Contract To Two Men and a Truck to Perform Moving Services for the New Consolidated Courts Facility

Mr. Parker, business representative of Teamsters Local 580, stated that he believes Two Men and

a Truck do not pay a benefit package to their employees. Some consideration should be given for prevailing wage and benefit packages.

Mr. Ambrose stated it is County policy to require contractors to pay prevailing wage.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. SEVERINO, TO APPROVE THE RESOLUTION AWARDED A CONTRACT TO TWO MEN AND A TRUCK TO PERFORM MOVING SERVICES FOR THE NEW CONSOLIDATED COURTS FACILITY. MOTION CARRIED UNANIMOUSLY. Absent: Comms. McDonald and Minter

8. Board Referral - Letter from City of Lansing of Brownfield Redevelopment Authority Requesting the County's Support of the City's Application for a "Revolving Loan Fund" Grant

Mr. Ambrose stated the letter from the Department of Planning and Neighborhood Development is requesting a letter of support. This matter has been referred to the EDC.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. LYNCH, TO DIRECT THE BOARD CHAIR TO SEND A LETTER IN SUPPORT OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT'S APPLICATION FOR A "REVOLVING LOAN FUND." MOTION CARRIED UNANIMOUSLY. Absent: Comms. McDonald and Minter

9. Capital Area Health Alliance - Discussion

Vice Chairperson Lynch recommended that this Board not pay the \$3,000 membership dues and that the County withdraw from the Capital Area Health Alliance.

MOVED BY COMM. PRATT, SUPPORTED BY COMM. SEVERINO, TO NOT PAY THE \$3,000 CAHA MEMBERSHIP DUES AND TO DIRECT THE HEALTH DEPARTMENT DIRECTOR TO WITHDRAW FROM THE CAPITAL AREA HEALTH ALLIANCE. MOTION CARRIED UNANIMOUSLY. Absent: Comms. McDonald and Minter

Mr. Ambrose stated the Human Services Committee may have an interest in this matter. Vice Chairperson Lynch stated this matter could be discussed further on the Board floor. This item will be on the Finance Committee's agenda.

Announcements: None
Public Comment: None

The meeting adjourned at 6:48 p.m.

Respectfully submitted,

Debra Neff

ROAD COMMISSION INTERVIEWS

Sam Bono
Bruce Carr
Rick Williams
Jerry Ketchum
Paul Goulet
Walter Gurzenda
Jean McDonald
Francisco Garcia

Agenda item 2a

RESOLUTION STAFF REVIEW

DATE January 11, 2001

Agenda Item Title Resolution Re-establishing Administrative Fee for "Plat Drains"

Submitted by Drain Commissioner

Committees: Ad.Ser/Pers. *, H.S. _, Law & Cts. _, Fin. *

Summary of Proposed Action This resolution would authorize the Drain Commissioner to charge a fee of \$1,000 for each plat signed. The Drain Commissioner identified new revenue in his 2001 Budget that would be generated from these fees. The fees have gone uncollected in the past and as part of the Drain Commissioner's overall operations review it is recommended that the fees be re-established at the rate proposed.

Financial Implications The revenue collected from these fees will help defray the costs associated with establishing "plat drains". Revenue has been recognized in the Drain Commissioner's 2001 Budget in the amount of \$10,000 associated with the re-establishment of these fees.

Other Implications None

Staff Recommendation: JA ___ DE X JN ___ HH ___

Staff recommends the approval of this resolution.

Agenda item 2a

Introduced by the Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION RE-ESTABLISHING ADMINISTRATIVE FEE FOR "PLAT DRAIN"

WHEREAS, state law assigns the Drain Commissioner numerous duties both to aid and to regulate the land development process; and

WHEREAS, when development takes the form of a platted subdivision, the Board of Commissioners has authorized a reasonable schedule of fees to defray some of the cost of expert review of proposed plats; and

WHEREAS, a major task required of the Drain Commissioner as part of the approval of any plat is the establishment of so-called "plat drains"; and

WHEREAS, the establishment of "plat drains" in accordance with sections 425 and 433 of the Drain Code currently is conducted without charge to plat developers; and

WHEREAS, "plat drains" document (also known as "433 Agreements") from approximately 20 years ago show that an administrative fee of up to \$200 was charged by the Drain Commissioner for the establishment of such drains; and

WHEREAS, the Drain Commissioner is unsure why his predecessors ceased collecting the fee; and

WHEREAS, it is reasonable to require plat developers to share the cost of establishing the "plat drains"; and

WHEREAS, the Board of Commissioners has recognized a line item of income totaling \$10,000 from implementation of this fee in the 2001 Budget.

THEREFORE BE IT RESOLVED, that the Drain Commissioner is hereby authorized to charge a fee of \$1,000 for each plat signed by him, to help defray the cost of establishing "plat drains."

BE IT FURTHER RESOLVED, that this \$1,000.00 (one thousand dollar) per plat fee shall be effective January 1, 2001.

RESOLUTION STAFF REVIEW

DATE January 10, 2001

Agenda Item Title Resolution Authorizing a Reorganization in the Drain Commissioner's Office

Submitted by: Drain Commissioner's Office

Committees: Ad.Ser/Per. __, H.S. __, Law & Cts. __, Finance __

Summary of Proposed Action

The resolution approves a reorganization in the Drain Commissioner's Office and adds the equivalent of one full time position in the Drain Office. Under the concept proposed by the Drain Commissioner, there will be three full time Deputy Drain Commissioners reporting directly to the Drain Commissioner. In comparison, there is currently one Chief Deputy Drain Commissioner and a shared time position of Deputy Drain Commissioner.

Financial Implications

The cost of this reorganization in 2001 is projected at \$63,970, and at \$97,976 annually at maximum compensation levels. The Drain Commissioner has pledged to identify the \$63,970 from within the current budget; from unbudgeted revenues, or from sources other than the General Fund.

Other Implications

The resolution as prepared by the Drain Commissioner is silent on the specific source of funds and on the question of whether filling new positions in the future will be subject to the county's established hiring practices. (It has been the general practice over many years that the chief deputy position in an elected official's office is filled directly by the elected official without the requirement of utilizing the county's established hiring practices.)

Staff Recommendation: JA __* DE __* JN __ HH __*

A resolution proposing a reorganization in the Drain Commissioner's Office was received on January 10. Because of time constraints, it has not been possible to fully review the request or discuss changes to the resolution proposed by the Drain Commissioner.

Attached is the resolution as transmitted by the Drain Commissioner's Office. Attached also is a resolution prepared by the Controller's staff. We believe that the staff prepared resolution accomplishes what the Drain Commissioner is requesting, but it also incorporates estimates of the funding commitments and an expectation that the reorganization will not increase the number of positions which are filled outside of the established county hiring process.

If the Committee wishes to recommend the proposed reorganization, it is recommended that the staff prepared resolution be used.

cc: Pat Lindemann, Drain Commissioner
Paul Pratt, Deputy Drain Commissioner

Agenda item 2b

Introduced by the Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING A REORGANIZATION IN THE
DRAIN COMMISSIONER'S OFFICE**

WHEREAS, the Drain Commissioner faces a greatly increased workload due to, for example increased land development and the necessity of enforcing EPA Phase II Stormwater regulations; and

WHEREAS, two deputy drain commissioners who currently share one deputy drain commissioner position are desirous of working full time; and

WHEREAS, the Drain Commissioner wishes to implement a management team concept in which three Deputy Drain Commissioners exercise concurrent authority; and

WHEREAS, under this concept, the three Deputy Drain Commissioners will have the same responsibilities as the current position of Chief Deputy Drain Commissioner, although the title of Chief Deputy Drain Commissioner will no longer be appropriate; and

WHEREAS, implementation of this concept is estimated to cost \$63,970 in 2001 and \$97,976 annually at maximum compensation levels; and

WHEREAS, the Drain Commissioner has pledged to identify sufficient funds from within the current budget of the Drain Commissioner's Office, from unbudgeted revenues, or from sources other than the General Fund, to offset this unbudgeted cost.

THEREFORE BE IT RESOLVED, that the current position of Chief Deputy Drain Commissioner is re-titled Deputy Drain Commissioner, with no change in salary grade.

BE IT FURTHER RESOLVED, that the current shared time position of Deputy Drain Commissioner is eliminated.

BE IT FURTHER RESOLVED, that a second and third position of Deputy Drain Commissioner is authorized, and will be filled by the employees occupying the current shared time position of deputy drain commissioner.

BE IT FURTHER RESOLVED, that this resolution is effective subject to the Drain Commissioner providing the County Controller with an acceptable listing of funds totaling \$63,970 to offset this unbudgeted cost; to come from within the current budget of the Drain Commissioner's Office, from unbudgeted revenues, or from sources other than the General Fund.

BE IT FURTHER RESOLVED, that two of the three Deputy Drain Commissioner positions shall be filled in accordance with established county hiring procedures.

BE IT FURTHER RESOLVED, that in future years, the additional cost of this reorganization is to come from sources other than the General Fund.

**RESOLUTION COMMENCING REORGANIZATION OF THE DRAIN
COMMISSIONER'S OFFICE**

WHEREAS, the Drain Commissioner faces a greatly increased workload due to, for example, increased land development and the necessity of enforcing US EPA Phase II Stormwater regulations; and,
WHEREAS, two deputy drain commissioners who share a deputy position are desirous of working full time; and,
WHEREAS, the Drain Commissioner wishes to implement a management team concept whereby all three of his deputies exercise concurrent authority; and,
WHEREAS, the Drain Commissioner has identified funds within his budget with which to pay for the additional FTE; and,
THEREFORE BE IT RESOLVED that the current Chief Deputy position be re-titled as a deputy position, retaining its current job description; and
BE IT FURTHER RESOLVED that the new deputy position have its job description made identical to that now in effect for the current Chief Deputy position.

RATIONALE: The Drain Commissioner will provide budget line items and amounts totaling \$65,351 on Friday. If the Controller's office thinks a different amount is required, please let us know. As to the issue of political vs. referred-by-H.R. status for each deputy drain commissioner, Pat Lindemann would like to discuss it with Jerry Ambrose.

COUNTY OF INGHAM
Purchasing Department

121 East Maple Street
Mason, Michigan 48854
Telephone: 517-676-7307
Fax: 517-676-7230

TO: Administrative Services Committee
FROM: Janeil Modert, Purchasing Department
DATE: January 11, 2001
SUBJECT: Surplus Furniture Items

The Facilities Department has another collection of surplus furniture items that the County no longer has a use for and would like to dispose of these items through the Consignment Auctioneer Services Contract.

The Purchasing Department has made arrangements for the Auctioneer to pick up and store the items the County no longer has a use for and then place them in the large auction to be held after the County has taken occupancy of the new Consolidated Courts Facility. Therefore the Purchasing and Facilities Departments are requesting that the Administrative Services Committee allow them to send surplus items to the Auctioneer for storage for this auction as they become surplus.

Surplus items will be available to Department Heads and Elected Officials for viewing before the auction for possible reuse in another area. A listing of items will also be presented to the Administrative Services Committee before the auction for your final approval.

Agenda item 4

RESOLUTION STAFF REVIEW

DATE January 8, 2001

Agenda Item Title Resolution to Authorize Budget Transfers Within 55th District Court

Submitted by 55th District Court

Committees: Ad.Ser/Per. *, H.S. _, Law & Cts. *, Finance *

Summary of Proposed Action This resolution will authorize Ingham County to approve the transfer of funds in the current 55th District Court budget to hire one temporary, part time employee to help catch up on a backlog of work up to 157 hours.

Financial Implications The transfers would total \$2,000 from the 55th District Court's employee training and improvement line item (\$2,000) 101-13700-960000 line item to salaries and wages - temporary (101-13700-705000) in the amount of \$2,000 to hire one temporary, part-time person through December 31, 2001 for a maximum of 157 hours.

Other Implications

Staff Recommendation: JA ___ DE ___ JN * HH ___

This resolution should be approved.

Agenda item 4

Introduced by the Law & Courts, Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE BUDGET TRANSFERS WITHIN 55TH DISTRICT COURT

WHEREAS, the 55th District Court has funds in their current budget to pay for temporary help; and

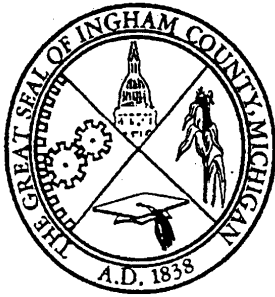
WHEREAS, the 55th District Court staff has been faced with a multitude of issues regarding the implementation of the new Courtview software system over the last year and needs to process over 3,500 default judgements; and

WHEREAS, the 55th District Court still must meet current work load demands and provide service to the public.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners approves the transfer of \$2,000 from the 55th District Court's Employee Training and Improvement line item 101-13700-960000 to salaries and wages - temporary (101-13700-705000) in the amount of \$2,000 to hire one temporary, part-time person through December 31, 2001 for a maximum of 157 hours.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners recognizes that the Chief Judge of the 55th District Court has made this request to meet work load requirements.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners directs the Controller to make the necessary budgetary transfers within the 55TH District Courts' 2001 budget.



Ingham County Housing Commission

3882 Dobie Rd. - Okemos, MI 48864

TELEPHONE: (517) 349-1643
FAX: (517) 349-1697
E-MAIL: hciohnston@ingham.org

Richard Baker, President
Aubrey Marron, Vice-President
Kris Wisniewski
Rex Bement
Rick Kibbey

Bruce E. Johnston
Executive Director

1-4-2001

Darnell Earley
Deputy Commissioner
County of Ingham
P.O. Box 319
Mason, MI 48854

Subject: Community Development Block Grant Application for 2001. Homeowner rehabilitation.

Dear Darnell,

Please use this letter as the Housing Commissions request to apply for a \$300,000 CDBG grant with the Michigan State Housing Development Authority for the purpose of helping moderate income homeowners of Ingham County. As with the program that just ended (1998) the County is eligible to apply for the funds and the Housing Commission would administer those funds for eligible homeowners in Ingham County. With the 1998 funding we were able to help more than 12 families make their homes code compliant. Some of the work that has been completed or is in progress includes new roofing, furnaces, siding, electrical, plumbing, and window replacement.

We believe that this is just a beginning, and now that we have obtained training and gathered knowledge concerning this program we feel many more County residents can be helped in the near future.

To comply with MSHDA guidelines the Housing Commission needs permission from the County to run the program, a letter from the Ingham County Board Chairperson requesting the program and appointing the Executive Director of the Housing Commission as the certifying official, and a

1.

Agenda item 5

FROM : DENISE GARRISON/BRUCE JOHNSTON FAX NO. : 5176631248

Jan. 04 2001 02:17PM P1

resolution approving the application. Also a public hearing must be held.

I would be happy to attend any meeting deemed necessary to discuss the process and explain our initial program.

Please contact me at 517-349-1643 if I can be of assistance in any way.

Sincerely,



Bruce E. Johnston
Executive Director

MEMORANDUM

To: Human Services Committee
Administrative Services/Personnel Committee
Finance Committee

From: Bruce Bragg

Date: January 11, 2001

Subject: Recommendation to Amend Resolution No. 00-256

This is a recommendation to amend Resolution No. 00-256 to clarify that the state grantor agency is The Children's Trust Fund. At the November 14, 2000 meeting, the Board of Commissioners adopted Resolution No. 00-256 which authorized a 0-3 Prevention Grant with the Family Independence Agency for 2000-2001.

The State has now clarified that the grantor agency will be The Children's Trust Fund, which will be acting on behalf of three state agencies that will contribute funding: Michigan Department of Community Health, Michigan Department of Education and the Michigan Family Independence Agency.

The attached resolution will amend Resolution No. 00-256 to make it clear that the state agency with which the County will contract will be The Children's Trust Fund. All other terms and conditions set out in Resolution No. 00-256 will remain unchanged.

I recommend that the Board adopt the resolution and amend Resolution No. 00-256

Attachment (Resolution No. 00-256)

cc: John Jacobs w/attachment
Elaine Tannenbaum w/attachment

Agenda item 6a

Introduced by the Human Services, Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE A 0-3 SECONDARY PREVENTION GRANT WITH THE FAMILY INDEPENDENCE AGENCY FOR 2000-2001

RESOLUTION #00-256

WHEREAS, staff from the Ingham County Health Department has worked with persons representing other public agencies and community organizations to develop a proposal in response to a Family Independence Agency request for a proposal, intended to develop services to reduce child abuse and neglect in Ingham County; and

WHEREAS, the coalition has recommended and the Ingham County Human Services Committee has supported, the continuation of the JumpStart Program operated by the Health Department; and

WHEREAS, the Family Independence Agency has advised Ingham County that the proposal has been funded for the period October 1, 2000 through September 30, 2001; and

WHEREAS, the Health Officer has recommended that the Board of Commissioners accept the grant award and authorize the grant agreement with the Family Independence Agency and advises the Board that the local cash and local in-kind funds are already available in the Health Department's FY 2001 budget and have been committed by Sparrow Health System and Ingham Regional Medical Center.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes a 0-3 Secondary Prevention Grant Agreement with the Michigan Family Independence Agency for Fiscal Year 2000-2001.

BE IT FURTHER RESOLVED, that the period of the agreement shall be October 1, 2000 through September 30, 2001, and that the total project budget shall be \$250,000 with the Family Independence Agency to reimburse Ingham County for up to \$200,000 in expenditures consistent with the budget and plan and with \$50,000 to be provided as in-kind and local cash match from Ingham County, Sparrow Health System and Ingham Regional Medical Center.

BE IT FURTHER RESOLVED, that the grant funding will continue to support a part-time JumpStart Project Coordinator and three Maternal-Infant Outreach Advocate positions.

BE IT FURTHER RESOLVED, that a new, part-time Community Health Representative II position is authorized for the duration of the agreement.

BE IT FURTHER RESOLVED, that a subcontract is authorized with the Child Abuse Prevention Services, Inc., for up to \$46,167 for the October 1, 2000 through September 30, 2001 period.

BE IT FURTHER RESOLVED, that the Controller is authorized to amend the Health Department's 2001 budget to facilitate the implementation of this resolution and the JumpStart Project.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign the agreement and the subcontract after review by the County Attorney.

Agenda item 6a

Introduced by the Human Services, Administrative Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AMEND RESOLUTION # 00-256

WHEREAS, the Board of Commissioners authorized a 0-3 Secondary Prevention Grant for 2000-2001 in Resolution No. 00-256; and

WHEREAS, Resolution No. 00-256 identifies the grantor agency as the Michigan Family Independence Agency; and

WHEREAS, the state has clarified that there are three state agencies contributing funds to this initiative (Department of Education; Department of Community Health and the Family Independence Agency) and that the contract will be with the Children's Trust Fund; and

WHEREAS, the Health Officer has recommended that the Board of Commissioners authorize an amendment to Resolution No. 00-256 to change the grantor agency from the Michigan Family Independence Agency to The Children's Trust Fund.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby amends Resolution No. 00-256 to clarify that the grantor agency is The Children's Trust Fund, which is acting on behalf of three state funding agencies: Department of Education; Department of Community Health; Family Independence Agency.

BE IT FURTHER RESOLVED, that all other terms and conditions of Resolution No. 00-256 shall remain unchanged.

Agenda item 6b

MEMORANDUM

TO: Human Services Committee
Administrative Services/Personnel Committee
Finance Committee

FROM: Bruce Bragg

DATE: January 5, 2001

SUBJECT: OYC Agreement with the Department of Consumer and Industry Services

For many years, the State of Michigan has helped fund the Office for Young Children through Community Coordinated Child Care (4C) Agreements. In the past, this funding has come from the Michigan Department of Social Services, and more recently the Michigan Family Independence Agency. Incorporated into these 4C Agreements have been Child Day Care Licensing support services. Beginning last year, the State of Michigan decided to purchase these Licensing support services from OYC in a separate Agreement directly with the Department of Consumer and Industry Services. This year, the State is offering a funding level of \$12,858 to provide Licensing support services for the State Fiscal Year 2001 (October 1, 2000 through September 30, 2001).

The Office for Young Children has assessed its current resources and capabilities. The OYC proposes to use existing professional and clerical staff to deliver services called for in the Agreement. The funding from this Agreement was anticipated in the OYC FY2001 budget. The funding included with the Agreement will cover the expenses of delivering the contracted services - no County revenues will be needed to support this contract.

Attached is a resolution to authorize a Licensing Support Services Agreement with the Michigan Department of Consumer & Industry Services, and authorizing budget adjustments to provide these services for FY2001. I recommend that the Board adopt the resolution and authorize the Agreement.

Attachment

c: John Jacobs w/attachment
Ken Sperber w/attachment

Agenda item 6b

Introduced by the Human Services, Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE A 2000-2001 LICENSING SUPPORT SERVICES AGREEMENT WITH THE DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

WHEREAS, the Office for Young Children provides information and referral, training, and other services to day care organizations and to parents of children in Ingham, Clinton, Eaton and Shiawassee Counties; and

WHEREAS, the State of Michigan has provided financial support for these services for many years through State departments, previously through the Family Independence Agency, and now additionally through the Department of Consumer & Industry Services; and

WHEREAS, an Agreement with the Michigan Department of Consumer & Industry Services has been authorized in Ingham County Resolution #00-014 for Office for Young Children services through the State Fiscal Year 1999-2000; and

WHEREAS, the Michigan Department of Consumer & Industry Services is now proposing an Agreement for continuing services from the Office for Young Children through the State Fiscal Year 2000-2001; and

WHEREAS, the Health Officer recommends that the Board of Commissioners authorize the proposed Agreement with the Department of Consumer & Industry Services for Child Day Care Licensing support services.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby authorizes an Agreement for FY2000-2001 with the Michigan Department of Consumer & Industry Services.

BE IT FURTHER RESOLVED, that the period of the Agreement shall be extended from October 1, 2000 through September 30, 2001 and that the State of Michigan shall reimburse Ingham County up to \$12,858 for 2000-2001 Fiscal Year for expenses related to the scope and units of service included in the Agreement.

BE IT FURTHER RESOLVED, that the County Controller is authorized to amend the Health Department's FY2001 budget to include budget adjustments to implement this resolution, and that the Board Chairperson is authorized to sign the Agreement after review by the County Attorney.

Agenda item 7a

RESOLUTION STAFF REVIEW:

DATE: December 27, 2000

Agenda Item Title: Resolution Recommending An Adjustment To the Parks Department Seasonal Employee Wage Schedule

Submitted By: Bob Moore, Parks Manager

Committees: Ad.Ser/Per X, H.S.____, Law & Cts____, Fin. X

Summary of Proposed Action: This resolution would increase wage rates for seasonal employees by three percent.

Financial Implications: Money is within the Parks Budget

Other Implications: None.

Staff Recommendation: JA____ DE____ JN____ HH X

This resolution should be approved.

Agenda item 7a

Introduced by the Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION RECOMMENDING AN ADJUSTMENT TO THE PARKS DEPARTMENT
SEASONAL EMPLOYEE WAGE SCHEDULE**

WHEREAS, the Ingham County Parks Board has recommended an increase in the seasonal wage rates in order to remain competitive within the temporary job market; and

WHEREAS, the wage rates for permanent employees were increased by 3% for 2001; and

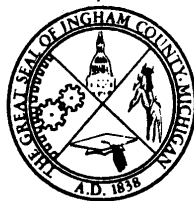
WHEREAS, it is desirable to retain exceptional seasonal employees for the entire season to provide a continuous high level of service to the public.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners adopt the following wage rates to be effective with the pay period beginning February 9, 2001 as recommended by the Parks Board:

	<u>1st year</u>	<u>2nd year</u>
Park Police Officers	9.85	11.02
Naturalist	9.45	10.08
Lifeguard Supervisor	10.15	to 14.77
Management Intern		
Chief Ranger II	9.13	9.62
Chief Ranger I,	8.51	9.58
Lifeguard	8.51	9.58
Clerk	7.48	8.55
Ranger, Bus Driver,	6.79	7.61
Shop Crew,		
Boat Launch Attendant,		
Playground Supervisor,		
Boat Rental Operators,		
Entrance Booth Personnel,		
Ski Rental Operators,		
Food Concession,		
Naturalist Assistant		

County of Ingham

State of Michigan



HAROLD HAILEY
Director
Human Resources Department

Ingham County Human Resources
5303 S. Cedar St., 2nd floor, Suite 2102
Lansing, Michigan 48911-3895
Phone: (517) 887-4327
Fax: (517) 887-4396
Internet: www.ingham.org

MEMORANDUM

DATE: January 3, 2001
TO: Administrative Services/Personnel Committee
FROM: Harold Hailey, Human Resources Director *H. Hailey*
RE: Severance Pay for Nancy O'Shea

Human Resources is in support of this request.

HH/daj
Enclosures

cc: Jody Kranz

MEMORANDUM

TO: Mr. Harold Hailey, Human Resources Director
FROM: Nancy O'Shea, Judicial Assistant to Judge Carolyn Stell *nos*
RE: Letter of Petition for the January 16, 2001
Administrative Services Personnel Committee Agenda
DATE: December 28, 2000

Attached is my letter of petition for Administrative Services Personnel Committee to consider at their January 16, 2000 meeting. I understand you are my liaison to this committee, and I would request your assistance in getting this matter on their January 16 agenda.

If you need additional information from me, please feel free to contact me (via Joli Collett, ext. 6506).

MEMORANDUM

TO: Administrative Services Personnel Committee
FROM: Nancy O'Shea, J.A. to Judge Carolyn Stell *nos*
RE: Letter of Petition for your Jan. 16, 2001 agenda
DATE: December 28, 2000

For the last six years I have been the Judicial Assistant to Judge Carolyn Stell. Judge Stell's term ends at noon on January 1, 2001, and another judge will be filling her position. The new judges have hired staff and my employment will be terminated. Therefore, please consider this request for 90 calendar days of salary and health insurance continuation and 60 calendar days of life insurance continuation commencing January 18, 2001.

If approved by your Committee, I will be eligible to draw severance pay as of January 18, 2001 pursuant to the Managerial/Confidential Personnel Manual.

Thank you for your consideration. If anything further is needed from me, please let me know. (You may reach me through Joli Collett at 483-6506).

RECEIVED
JAN 02 2001
INGHAM COUNTY
HUMAN RESOURCES

K. SEVERANCE PAY

1. Status. Managers and Confidential employees do not have seniority, bumping and/or recall rights and are employees at will.

2. Sick Leave Severance Pay. Upon termination of employment, for other than retirement, death or involuntary discharge, an employee covered by this Manual will receive a portion of his/her accumulation of sick leave as listed below:

Less than 1 year	-	0%
1 to 5	-	15%
5 to 10	-	25%
10 and above	-	35%

In no case will the amount in this section exceed forty-five (45) days.



3. Severance Pay.

a. Subject to the provisions stated herein, if a manager or confidential employee is laid off due to elimination of his/her position and he/she has been employed for three (3) consecutive years or more, the Employer will continue that person's salary for three (3) months; continue to pay the premium for health insurance for three (3) months; and will continue to pay the premium for life insurance coverage for three (3) months. The payments will be made on a bi-weekly basis, and continue for the period of time stated above provided the employee does not obtain other employment nor receive unemployment compensation during that time. This compensation may be extended, as well as the above fringe benefits, at the sole discretion of the Administrative Services/Personnel Committee for up to an additional ninety (90) days. The above

payments will be subject to normal tax withholdings. Employees employed for less than three (3) years who are laid off in accordance with this section, shall receive one (1) month's salary and the Employer will continue to pay the premium for health insurance for two (2) months. The payments will be made on a bi-weekly basis, and continue for the period of the time stated above provided the employee does not obtain other employment nor receive unemployment benefits during that time. Payment is subject to normal tax withholdings.

b. A Manager or Confidential employee's employment and compensation can be terminated for any reason, at any time, at the option of either the Employer or employee. If a Manager or Confidential employee's employment is terminated by other than death, being laid off, retirement or involuntary discharge, the Manager or Confidential employee may petition the Administrative Services/Personnel Committee for salary and health insurance continuation for a period not to exceed ninety (90) days, and life insurance continuation for a period not to exceed sixty (60) days. If granted by the Administrative Services/Personnel Committee, the payments will be made on a bi-weekly basis, subject to normal withholding of taxes. In addition, such salary and fringe benefit continuation is subject to and contingent upon the employee not being employed elsewhere nor receiving unemployment compensation during that time. The decision to grant or deny the same is within the sole discretion of the Administrative Services/Personnel

Committee. For full-time employees who have been employed for four
(4) or more consecutive years, the Administrative
Services/Personnel Committee may grant up to an additional ninety
(90) days salary and health insurance continuation under the same
terms and conditions noted above.

MEMORANDUM

January 5, 2001

TO: Administrative Services/ Personnel Committee

From: Jerry Ambrose
Controller

RE: Starting Salary for MIS Director

It is my pleasure to announce the selection of Mr. Rodney Taylor for the position of MIS Director. Rod has been employed by the City of East Lansing as their Information Systems Director since 1995. He has a BA in business and is currently pursuing a Masters degree.

During the course of his employment in East Lansing, Rod has overseen several significant improvements to the city's technology resources, including the purchase and installation of a governmental information system; installation of an internal network utilizing Group Wise and Corel Office Suite, and development of the City of East Lansing's Web site. He has worked with the various city departments, including the police department and library, as well as the District Court.

I am requesting committee approval to start Mr. Taylor at Step 2 of the established salary range for the MIS Director. This is necessary in order to provide Mr. Taylor with a compensation package which surpasses his proposed compensation package with East Lansing.

Thank you for your consideration and please join me in welcoming Rod to his new position with Ingham County.

Agenda item 8

RESOLUTION STAFF REVIEW

DATE January 11, 2001

Agenda Item Title Resolution to Increase Per Diem Payments for the Board of Canvassers, Economic Development Corporation Board of Directors, Board of Election Commissioners, Fair Board, Family Independence Agency Board, Jury Board, Parks Board, Plat Board, and Veterans Affairs

Submitted by Board of Commissioners

Committees: Ad.Ser/Pers. *, H.S. _, Law & Cts. _, Fin. *

Summary of Proposed Action This resolution would authorize the increase of per diem payments to the above Ingham County boards and commissions from \$45 to \$50 for 2001 and from \$50 to \$55 in 2002. This increase would make per diem rates consistent with those received by the Board of Commissioners.

Financial Implications The increase in per diem payments for 2001 is estimated to be at approximately \$1,889, given the actual expenses for 2000. For 2002, the increased cost would be approximately \$1,906 over the projected increased cost for 2001. (See Attached Schedule)

Other Implications None

Staff Recommendation: JA ___ DE X JN ___ HH ___
Staff recommends the approval of this resolution.

Agenda Item 8

EFFECT OF PER DIEM INCREASE ON COUNTY BUDGET

	2000 County Cost	2001 Estimated Cost with Increase	Increased Cost
Board of Canvassers	0	0	0
Economic Development Board of Directors	0	0	0
Board of Election Commissioners	3,672	4,076	404
Fair Board	1,404	1,558	154
Family Indecence Agency Board	0	0	0
Jury Board	900	999	99
Michigan Mid-South Substance Abuse Commission	3,205	3,558	353
Parks Board	6,725	7,465	740
Plat Board	0	0	0
Veterans Affairs	1,260	1,399	139
Total	17,166	19,055	1,889

This estimate of increased cost is calculated by using the percentage increase in the per diem rate (increase from \$45 to \$50, or 11.11%) and applying it to the actual 2000 expenses. If we used the same calculation for 2002 (increase from \$50 to \$55, or 10%), the increased cost over 2001 would be \$1,906.

Agenda item 8

Introduced by the Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO INCREASE PER DIEM PAYMENTS FOR THE BOARD OF CANVASSERS, ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS, BOARD OF ELECTION COMMISSIONERS, FAIR BOARD, FAMILY INDEPENDENCE AGENCY BOARD, JURY BOARD, PARKS BOARD, PLAT BOARD AND VETERANS AFFAIRS

WHEREAS, Resolution #00-293 increased the amount of per diem payments for Ingham County Commissioners attending each officially called Standing Committee and Board meeting from \$45 to \$50 for 2001 and from \$50 to \$55 in 2002; and

WHEREAS, the Board of Commissioners also establishes per diem rates for several Ingham County boards and commissions; and

WHEREAS, per diems paid to members of Ingham County boards and commissions have not been adjusted in several years.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby increase the per diem rates of the following Ingham County boards and commissions from \$45 to \$50 for 2001 and from \$50 to \$55 in 2002, consistent with the per diem rates to be received by Ingham County Commissioners:

Board of Canvassers
Economic Development Corporation Board of Directors
Board of Election Commissioners
Fair Board
Family Independence Agency Board
Jury Board
Michigan Mid-South Substance Abuse Commission
Parks Board
Plat Board
Veterans Affairs

BE IT FURTHER RESOLVED, that the effective January 1, 2001 per diem rates will be increased to \$50.

BE IT FURTHER RESOLVED, that effective January 1, 2002 per diem rates will be increased to \$55.

BE IT FURTHER RESOLVED, that the Community Mental Health Board will be notified of the increase in per diems rates so that they may adjust their per diem rates, if desired.

OADE, STROUD & KLEIMAN
ATTORNEYS AT LAW
PROFESSIONAL CORPORATION

AGENDA ITEM # 2

GERALD L. OADE
TED W. STROUD
RANDALL B. KLEIMAN
NICOLE R. GRAF
MATTHEW T. SMITH

200 WOODLAND PASS, BOX 1296
EAST LANSING, MICHIGAN 48826
(517) 351-3550
FAX (517) 351-9428

December 14, 2000

OF COUNSEL
RONALD G. MORGAN

Ingham County Board of Commissioners
P.O. Box 319
Mason, MI 48854

Re: Pollok Gravel Pit
Section 10, Ingham Township, Ingham County

Dear Commissioners:

This office represents Donna Weaver who has contacted us regarding a problem with title to certain property located in Ingham Township. The facts as we understand them are as follows.

In December of 1924 a Mr. and Mrs. Pollok executed a conveyance in favor of the County for certain property located in Section 10, Ingham Township. After describing the property by metes and bounds, the instrument stated:

This deed is made for the purpose of conveying all gravel in, upon or under said described land, and when said second party shall have removed all of said gravel that it cares to remove from said land the remainder of said land shall revert to said first parties, and said second party will then execute a sufficient conveyance of said land to said first parties, their heirs or assigns, to re-invest them with the remainder of the land herein described. It being understood and agreed by the parties hereto that said second party is not limited as to time in removing said gravel.

I am enclosing a copy of that document with this letter.

In October, 1923, Mr. and Mrs. Pollok had conveyed a contiguous parcel to the Ingham County Road Commission. That conveyance contained the following language:

Ingham County Board of Commissioners
December 14, 2000
Page 2

It is agreed that when the gravel in the above property is exhausted, that the party of the second part will deed the property to the party of the first part, their heirs or assigns without the payment of consideration.

I am enclosing a copy of that document with this letter.

The two parcels have been used over the years by the Road Commission as a gravel pit and are commonly known as the Pollok gravel pit.

Between 1924 and the present, there have been a number of conveyances which included the subject property ending with a deed to my client. Those deeds typically contain language such as:

Subject, however, to the rights of the County of Ingham and the Board of County, Road Commissioners of said County of Ingham under two certain deeds one dated December 10, 1923 recorded in Liber 278 of Deeds at Page 91 and the other at Liber 279 of Deeds at Page 639.

I have enclosed those deeds numbered 3 through 12 for your reference.

In 1996 the Road Commission determined that it had mined all of the gravel that it wanted from the subject property and the contiguous property which collectively made up the gravel pit. For reasons we do not fully understand, the Road Commission filed a quiet title law suit to quiet title to both pieces of property (the parcel conveyed to the County in 1924 and the parcel conveyed to the Road Commission in 1923) to a Mr. and Mrs. Robert Battige. No notice of that law suit was given to our client, Donna Weaver, even though she was the last Grantee in the chain title for the subject property. I am enclosing a copy of that law suit and the Judgment entered in that law suit.

Donna Weaver is now attempting to secure title to the property conveyed to the County in 1924. We are pursuing a similar request with the Road Commission with respect to the contiguous property conveyed to the Road Commission in 1923. It is the purpose of this letter to ask that the County quit claim the property conveyed to the County in 1923 to Donna Weaver. The Grantee on that deed should be Donna Weaver, a single woman, whose address is:

729 Williamston Road, Dansville, Michigan 48819

We are not asking that the County address in any way the effect of the Road Commission's quiet title law suit and/or the Judgment entered in that law suit. We intend to deal with those issues separately. We are only asking that the County convey whatever interest it has in the property to our client.

Ingham County Board of Commissioners
December 14, 2000
Page 3

I might also note that the attorney for Mr. and Mrs. Battige has taken the position that the two deeds (one to the County and one to the Road Commission) created a right of reverter which reverter was extinguished under the common law rule that the attempted conveyance of a right of reverter destroys the right. We will pursue that with Mr. and Mrs. Battige because we do not believe that either deed created a reverter. It is our position that the deeds are clear in their intent that what was conveyed was a profit à prendre so that there was no reverter to be extinguished by the conveyances. Moreover, even if the original instruments in favor of the County and Road Commission are interpreted to convey something other than a profit, then the language of the deeds makes clear that there is no condition subsequent (thereby creating the reversionary interest) but rather the deeds contain either covenants or conditional limitations but not a right of reverter. In any event, we intend to deal with the Road Commission and Mr. and Mrs. Battige separately. We are, in this letter, only seeking the cooperation of the County with respect to the 1924 conveyance to it.

If, after your consideration of the matter, it is the County's position that it will not quit claim to Donna Weaver, then I would ask that you confirm that with me in writing.

Your consideration of this request is appreciated.

Sincerely,

OADE, STROUD & KLEIMAN, P.C.

Ted W. Stroud



TWS/clb
enclosures

cc Donna Weaver (w/o encs.)
F:\CLB\Weaver\Gravel Pit\Board of Commissioners.ltr.wpd