

CHAIRPERSON  
DEBBIE DE LEON

VICE-CHAIRPERSON  
DALE COPEEDGE

VICE-CHAIRPERSON PRO-TEM  
RANDY SCHAFFER

FINANCE COMMITTEE  
MARK GREBNER, CHAIR  
DEB NOLAN  
REBECCA BAHAR-COOK  
TODD TENNIS  
LAURA DAVIS  
STEVE DOUGAN

## INGHAM COUNTY BOARD OF COMMISSIONERS

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

THE FINANCE COMMITTEE WILL MEET ON MONDAY, APRIL 13, 2009 AT  
6:00 P.M., IN THE PERSONNEL CONFERENCE ROOM (D & E), HUMAN SERVICES  
BUILDING, 5303 S. CEDAR, LANSING.

**NOTE CHANGE IN DATE**

### Agenda

Call to Order

Additions to the Agenda

Limited Public Comment

1. Prosecuting Attorney's Office - Presentation from Stuart Dunning, Prosecutor
  - a. Council of State Report
  - b. Preliminary Exams
  - c. 54-A District Court
  - d. Paperless Project
2. Ingham County Clerk - Resolution to Transfer the [Jury Administration](#) Duties from the Ingham County Management Information Systems Department to the Ingham County Clerk/Circuit Court Clerk Mike Bryanton and to Appoint Him as the Ingham County Jury Administrator
3. Sheriff's Office
  - a. Resolution to Accept the 2009 Michigan Association of [Chief's of Police](#) Award Grant from the Office of Highway Safety Planning
  - b. Resolution to Continue the Project [Safe Neighborhoods](#) Grant with the Lansing Police Department
  - c. Resolution to Accept a [MMRMA RAP](#) (Risk Avoidance Program) Grant for the Ingham County Safe Schools Initiative and 2009 Area "Active Shooter Training"
  - d. Resolution to Accept a Grant from the State of Michigan, District One Homeland Security Planning Board for a Perimeter [Security Camera](#) System for the Sheriff's Office
  - e. Resolution to Enter into an Agreement with ID Solutions to Purchase and Install an All Weather, Digital Perimeter [Security Camera](#) System at the Ingham County Sheriff's Office
4. Treasurer's Office
  - a. Resolution Authorizing [2009 Administrative Fund](#)
  - b. [2009 Borrowing](#) Resolution (2008 Delinquent Taxes)
5. Economic Development Corporation - Resolution Authorizing Acceptance of a \$250,000 Community Development Block Grant from the Michigan Economic Development Corporation for [Electric Infrastructure](#) to Advance the Jackson National Life Insurance Company Economic Development Expansion Project

6. Health Department
  - a. Resolution to Authorize Acceptance of a [New Access Point](#) Federal Assistance Award from the United States Department of Health and Human Services
  - b. Resolution to Authorize an [Amendment to Resolution #08-358](#) Authorizing Acceptance of a Federal Assistance Award for Health Care Services for the Homeless
  - c. Resolution to Authorize Acceptance of an [Increased Demand](#) for Services Federal Assistance Award from the United States Department of Health and Human Services
  
7. Housing Commission - Resolution Accepting 2009 Community Development Block Grant Funding from the [Michigan State Housing](#) Development Authority in the Amount of \$50,000
  
8. Human Resources Department - Resolution Rejecting the Tentative Agreement with the [Michigan Association of Police](#)
  
9. Mid-South Substance Abuse Commission - Resolution Authorizing the Transfer of Funds to the Mid-South Substance Abuse Commission and a 2009 [Contract for Accounting](#) with Respect Thereto
  
10. Ingham County Parks & Recreation Commission
  - a. Parks Line Item Transfer Requests – [Lion Exhibit Renovation](#) and Purchase of Golf Carts and Segway
  - b. Resolution Authorizing a Fund Transfer to the Potter Park [Zoological Society](#)
  
11. Purchasing Department - Resolution Authorizing a Three-Year Agreement with Waste Management Inc. for [Waste Removal and Recycling](#) Services
  
12. County Services Committee - Resolution to [Amend Resolution #02-178](#) by Reducing the Maximum Amount Allowed for Short Form Authorization and the Purchase of Goods and Services
  
13. Controller's Office
  - a. Resolution to Amend the 2008 Budget by Transferring Funds from the Juvenile Justice Millage to the [State Wards Account](#) within the Child Care Fund
  - b. Resolution to Extend the Legal Services Agreement with Cohl, Stoker, Toskey & McGlinchey, P.C. (*Material to be distributed at the meeting.*)

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

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

RESOLUTION STAFF REVIEW

DATE March 27, 2009

Agenda Item Title: Resolution to Transfer the Jury Administration Duties from the Ingham County Management Information Systems Department to the Ingham County Clerk/Circuit Court Clerk Mike Bryanton and to Appoint Him as the Ingham County Jury Administrator

Submitted by: Ingham County Clerk

Committees: LE \_\_\_\_, JD \_\_\_\_, HS \_\_\_\_, CS X\_\_, Finance X\_\_

Summary of Proposed Action: This Resolution will transfer the duties of Jury Administration from the MIS Department to the Office of the Clerk. It will also appoint the Clerk as the Ingham County Jury Administrator.

Financial Implications: Because the duties of Jury Administration were ½ of a full time position in MIS, two ½ time positions will be hired. One of the positions will be transferred to the Office of the Clerk and the other ½ time position will remain with MIS. It is anticipated that the efficiency of the transfer will result in a savings to the County. There will be no increase in cost to the County for FTEs.

Other Implications: The Jury Administration duties will be physically transferred to the Veterans Memorial Courthouse (VMC) and will provide greater efficiency for the Courts.

Staff Recommendation: MJM X JN \_\_\_\_ TL \_\_\_\_ TM \_\_\_\_ JC \_\_\_\_  
Staff recommends approval of the resolution.

## Agenda Item 2

Introduced by the County Services and Finance Committees of the:

### INGHAM COUNTY BOARD OF COMMISSIONERS

#### **RESOLUTION TO TRANSFER THE JURY ADMINISTRATION DUTIES FROM THE INGHAM COUNTY MANAGEMENT INFORMATION SYSTEMS DEPARTMENT TO THE INGHAM COUNTY CLERK/CIRCUIT COURT CLERK MIKE BRYANTON AND TO APPOINT HIM AS THE INGHAM COUNTY JURY ADMINISTRATOR**

WHEREAS, the Board of Commissioners has the authority, under MCL 600.1303, to appoint assistants to the County Jury Board; and

WHEREAS, the Jury Administration has been assigned to the County Management Information Systems Department (MIS) and one of the primary staff members involved in this function has recently retired; and

WHEREAS, the County Controller/Administrator has recommended reassigning these responsibilities to the Clerk of the Circuit Court, being County Clerk Mike Bryanton, as a more efficient method of fulfilling these functions; and

WHEREAS, County Clerk/Circuit Court Clerk Mike Bryanton is agreeable to assuming these responsibilities.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby appoints County Clerk/Circuit Court Clerk Mike Bryanton as the Ingham County Jury Administrator, with all the duties and responsibilities inherent in that position, effective as of the date of this Resolution.

BE IT FURTHER RESOLVED, that Clerk Bryanton, and those Deputy Clerks that Clerk Bryanton may designate, is authorized to assist the County Jury Board and administer the County jury system as may be required by law.

BE IT FURTHER RESOLVED, that a .5 FTE position shall be transferred to the Clerk's Office from the MIS Department to provide staffing for these additional responsibilities in the Clerk's Office, and the Controller/Administrator is hereby authorized to transfer the budget allocated to the Jury Board from the MIS Department to the Clerk's Office.

RESOLUTION STAFF REVIEW

DATE: March 18, 2009

Agenda Item Title: Resolution to Accept the 2009 Michigan Association of Chief's of Police Award Grant from the Office of Highway Safety Planning

Submitted by: Sheriff's Office

Committees: LE\_X, JD\_\_\_, HS\_\_\_, CS \_\_\_, Finance \_X\_

Summary of Proposed Action: This resolution will authorize the Sheriff's Office to accept this Michigan Association of Chief's of Police (MACP) Award Grant and to enter into contract with the Office of Highway Safety Planning.

Financial Implications:

There are no new positions created and no match requirement for this award grant.

Office of Highway Safety Planning MACP Award Grant:
Equipment - \$1948 Total Cost

EQUIPMENT

Table with 4 columns: DESCRIPTION, UNIT PRICE, QUANTITY, TOTAL. Rows include items like 5.11 Storm Jacket, Hatch NS430 Specialist Gloves, etc.

TOTAL EQUIPMENT COSTS \$1,948

Other Implications:

This MACP Award grant will benefit the Ingham County Sheriff's Office Traffic Unit with securing additional traffic safety equipment for the Traffic Officers.

Staff Recommendation: MJM\_\_\_ JN\_X TL \_\_\_ TM\_\_\_ JC \_\_\_

Staff recommends approval of the resolution.

cc: Allan Spyke

**Agenda Item 3a**

Introduced by the Law Enforcement and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO ACCEPT THE 2009 MICHIGAN ASSOCIATION OF CHIEF'S OF POLICE AWARD GRANT FROM THE OFFICE OF HIGHWAY SAFETY PLANNING**

WHEREAS, Ingham County Sheriff's Office applied to receive a MACP Traffic Safety Award from the through the Michigan Association of Chief's of Police; and

WHEREAS, the purpose of the award grant is to equip the Traffic Officers with enhanced traffic safety equipment; and

WHEREAS, the amount of the grant is \$1,948.00, with no required match; and

WHEREAS, \$1,948 of the 2009 MACP Award Grant is for traffic safety equipment.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners approves the acceptance of the 2009 MACP Award Grant from the Office of Highway Safety Planning in the amount of \$1,948, for the time period of January 1, 2009 through December 31, 2009.

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

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners directs the Controller/Administrator to make the necessary budget adjustments in the Ingham County Sheriff's Office 2009 Budget.

**RESOLUTION STAFF REVIEW**

**DATE:** March 23, 2009

**Agenda Item Title:** Resolution to Continue the Project Safe Neighborhoods Grant with the Lansing Police Department

**Submitted by:** Sheriff's Office

**Committees:** LE X, JD\_\_\_\_, HS\_\_\_\_, CS \_\_\_\_, Finance X

**Summary of Proposed Action:** This resolution will authorize the Sheriff's Office to accept from the Lansing Police Department reimbursement for the Ingham County Sheriff's Department, for the Project Safe Neighborhoods Grant funds for the Sheriff Deputies' overtime wages and personnel costs, not to exceed \$15,000.00.

**Financial Implications:**  
100% of the costs for the Sheriff Deputies' eligible overtime wages and personnel costs up to \$15,000 are being covered by the Project Safe Neighborhoods Grant.

**Other Implications:** This is a continuation grant from the 2008 program.

**Staff Recommendation:** MJM\_\_\_\_ JN X TL \_\_\_\_ TM\_\_\_\_ JC \_\_\_\_  
Staff recommends approval of the resolution.

Introduced by the Law Enforcement and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO CONTINUE THE PROJECT SAFE NEIGHBORHOODS GRANT  
WITH THE LANSING POLICE DEPARTMENT**

WHEREAS, the Lansing Police Department entered into a Project Safe Neighborhoods Grant Agreement with the US Department of Justice, Office of Justice Programs; and

WHEREAS, the purpose of the grant is to provide enforcement action and problem solving strategies against gangs, guns, and drugs throughout Ingham County; and

WHEREAS, the Ingham County Sheriff's Office wishes to participate with the Lansing Police Department in the operation of the Project Safe Neighborhoods grant acquired by the Lansing Police Department; and

WHEREAS, the Lansing Police Department shall reimburse Ingham County from the grant funds for the Sheriff Deputies' overtime wages and personnel costs, not to exceed \$15,000.00.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby authorizes the Ingham County Sheriff's Office to participate with the Lansing Police Department in the Project Safe Neighborhoods grant for an amount up to \$15,000.00, for the time period of January 1, 2009 through December 31, 2009.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Ingham County Sheriff's Office 2009 Budget in accordance with this resolution.

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

RESOLUTION STAFF REVIEW

DATE: March 23, 2009

**Agenda Item Title:** Resolution to Accept a MMRMA RAP Grant for the Ingham County Safe Schools Initiative and 2009 Area “Active Shooter Training”

**Submitted by:** Sheriff’s Office

**Committees:** LE  X , JD  , HS  , CS  , Finance  X

**Summary of Proposed Action:** This resolution will authorize the Sheriff’s Office to accept up to \$500.00 from Michigan Municipal Risk Management Association (MMRMA) for the Ingham County Safe Schools Initiative. The RAP grant would reimburse the Ingham County Sheriff’s Office 50% funding, up to \$500.00 for training materials for area police officers who attend the “Active Shooter” training in 2009.

**Financial Implications:** 50% of the funds up to \$500 are coming from the MMRMA RAP grant, and the matching funds up to \$500 are coming from individual officer registration fees for this training.

Total cost is up to \$500.

**Other Implications:** None.

**Staff Recommendation:** MJM   JN  X  TL   TM   JC    
Staff recommends approval of the resolution.

Introduced by the Law Enforcement and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO ACCEPT A MMRMA RAP GRANT FOR THE INGHAM COUNTY SAFE SCHOOLS INITIATIVE AND 2009 AREA “ACTIVE SHOOTER TRAINING”**

WHEREAS, in late fall of 2007, leaders of law enforcement officials in Ingham County and Ingham County School officials agreed to form a committee, whose task was to create a county-wide procedure and protocols for all Ingham County Schools, both private and public, concerning active violence in schools; and

WHEREAS, for over a year this committee met at the Ingham County Sheriff’s Office and did create a county-wide protocol for active violence in schools as well as a training DVD for all schools in the County; and

WHEREAS, while the Ingham County Safe Schools initiative was working on protocols for active violence in county schools, a second committee was formed made up of Tri-County area police officers including Ingham County Deputies, to create a training curriculum for all Tri-County police officers on how to respond to an active violence situation in any school; and

WHEREAS, the Ingham County Sheriff’s Office is hosting the Tri-County “Active Shooter Training” for area trainers in May and June of 2009; these two (2), two-day “Train the Trainers” will require training materials for each participant; and

WHEREAS, this grant, 50% of the actual costs for training materials up to \$500, is being paid for by a MMRMA RAP grant; and

WHEREAS, the matching costs for this grant will be covered by registration fees by attendees attending the two day, “Train the Trainer” classes.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners approves the Tri-County “Active Shooter Training” program and budget.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners accepts the MMRMA RAP Grant for the time period of March 1, 2009 through March 1, 2010 for up to \$500, and the corresponding registration fees of up to \$500, for a total budget of up to \$1,000.

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

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners directs the Controller/Administrator to make the necessary budget adjustments in the Ingham County Sheriff’s Office 2009 and 2010 Budgets.

RESOLUTION STAFF REVIEW

DATE: March 23, 2009

**Agenda Item Title:** Resolution to Accept a Grant from the State of Michigan, District One Homeland Security Planning Board for a Perimeter Security Camera System for the Sheriff's Office

**Submitted by:** Sheriff's Office

**Committees:** LE X, JD \_\_\_\_\_, HS \_\_\_\_\_, CS \_\_\_\_\_, Finance X

**Summary of Proposed Action:** The Region One Homeland Security Planning Board has approved through the Law Enforcement Terrorism Prevention Program (LETPP), a grant to the Ingham County Sheriff's Office in the amount of \$45,000.00, to be used to purchase a new outdoor digital camera system that will provide security for the outside perimeter of the Sheriff's Office compound.

**Financial Implications:** This grant has no matching requirements. The grant is allotted for up to \$45,000.00 to purchase and install an outdoor digital camera system for the Ingham County Sheriff's Office.

**Other Implications:** A companion resolution "Resolution to Enter into an Agreement with ID Solutions to Purchase and Install an All Weather Digital Perimeter Security Camera System at the Ingham County Sheriff's Office" is also being submitted to this committee to purchase and install the security camera system.

**Staff Recommendation:** MJM \_\_\_\_\_ JN X TL \_\_\_\_\_ TM \_\_\_\_\_ JC \_\_\_\_\_  
Staff recommends approval of the resolution.

Introduced by the Law Enforcement and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO ACCEPT A GRANT FROM THE STATE OF MICHIGAN,  
DISTRICT ONE HOMELAND SECURITY PLANNING BOARD FOR A PERIMETER  
SECURITY CAMERA SYSTEM FOR THE SHERIFF'S OFFICE**

WHEREAS, currently the Ingham County Sheriff's Office does not have any cameras at this time to monitor the grounds around the Sheriff's Office compound for any potential crimes, liability incidents as well as for inmate escapes; and

WHEREAS, the Ingham County Sheriff's Office requested a \$45,000.00 grant from the Region One Homeland Security Planning Board to purchase a new, state of the art, outdoor digital camera system; and

WHEREAS, the Ingham County Sheriff's Office was granted a \$45,000.00 grant by the Region One Homeland Security Planning Board for the above new camera system.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the Ingham County Sheriff's Office to accept the \$45,000.00 grant from the Region One Homeland Security Planning Board for Department of Homeland Security Grant funds through the Law Enforcement Terrorism Prevention Program (LETPP).

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

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners directs the Controller/Administrator to make the necessary budget adjustments in the Ingham County Sheriff's Office 2009 Budget.

**RESOLUTION STAFF REVIEW**

**DATE:** March 23, 2009

**Agenda Item Title:** Resolution to Enter into an Agreement with ID Solutions to Purchase and Install an All Weather Digital Perimeter Security Camera System at the Ingham County Sheriff's Office

**Submitted by:** Sheriff's Office

**Committees:** LE X, JD\_\_\_\_, HS\_\_\_\_, CS \_\_\_\_, Finance X

**Summary of Proposed Action:** Working with MIS, this resolution will authorize the Sheriff's Office to purchase an exterior IP based network cameras to connect to the existing county-owned enterprise Network Video Recorder Solution. The cameras will be able to be accessed by utilizing the NetDVMS software that is currently in place in the County. The cameras will be secured from viewing with user names and passwords so only authorized individuals will be able to view the images. The cameras will be processed and archived for future retrieval by utilizing the County MIS virtual servers and be totally contained on the county network.

The proposed cameras will all be rated for outdoor use with heaters for cold temperatures and blowers for hot days. All cameras have the ability to turn to black and white when the lighting conditions determine this. The six PTZ cameras (there are 2 other fixed cameras) will have the ability to be put on tours and go from preset to preset or scan based on the customers needs. Each camera will have the ability to zoom in up to 26 optical zoom.

**Financial Implications:** The Sheriff's Office plans to purchase these eight new outdoor digital cameras to be placed outside in various areas of the facilities through a \$45,000.00 grant from Homeland Security. The total camera project will not exceed the above grant amount.

**Other Implications:** The price includes one year of maintenance services during the warranty period. The total cost reflects pricing from the State of Michigan Purchase Contract and shipping costs.

**Staff Recommendation:** MJM\_\_ JN X TL \_\_ TM\_\_ JC \_\_  
Staff recommends approval of the resolution.

Introduced by the Law Enforcement and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH ID SOLUTIONS TO PURCHASE AND INSTALL AN ALL WEATHER DIGITAL PERIMETER SECURITY CAMERA SYSTEM AT THE INGHAM COUNTY SHERIFF'S OFFICE**

WHEREAS, currently the Ingham County Sheriff's Office does not have any cameras to monitor the grounds around the Sheriff's Office compound for any potential crimes, liability incidents as well as for inmate escapes; and

WHEREAS, the Ingham County Sheriff's Office has secured a \$45,000.00 grant under Homeland Security to purchase and install eight (8) state of the art outdoor digital camera system; and

WHEREAS, the Ingham County Sheriff's Office intends, through the above Homeland Security Grant, to install eight new DVMS outdoor cameras at eight locations on the exterior of the Sheriff's Office; and

WHEREAS, the Ingham County Sheriff's Office by installing these new DVMS outdoor cameras would benefit the citizens of Ingham County by enhancing the security of the Ingham County Jail and protecting the citizens when they are doing business at the Ingham County Sheriff's Office; and

WHEREAS, by installing the new DVMS outdoor cameras, the Sheriff's Office will be able to access via MIS computers, the camera system and to retrieve information via the cameras to assist with any investigation or a crime or incident; and

WHEREAS, the Ingham County Sheriff's Office would like to enter into a purchasing agreement with ID Solutions to equip the Sheriff's Office with eight (8) outdoor cameras to monitor the grounds at one time; and

WHEREAS, the Ingham County Sheriff's Office, working with MIS, believes that by installing this Sheriff's Office Perimeter Security Camera System would improve security and reduce possible liability exposure to the County at the Jail complex via the ability to monitor the parking lots and entrances.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the Ingham County Sheriff's Office to accept the ID Solutions proposal and to purchase and install the above outdoor digital camera system, at a cost not to exceed \$45,000.00 and to be completed by July 31, 2009.

BE IT FURTHER RESOLVED, the Controller's Office is authorized to make the necessary budget adjustments and the Purchasing Department is authorized to issue the necessary purchase order or purchase documents needed.

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

Introduced by the Finance Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING 2009 ADMINISTRATIVE FUND**

**RESOLUTION # \_\_\_\_\_**

A \_\_\_\_\_ meeting of the Board of Commissioners of the County of Ingham, Michigan (the "County"), was held in Mason, Michigan, on \_\_\_\_\_, \_\_\_\_\_. The following Commissioners were

PRESENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_

**RESOLUTION AUTHORIZING 2009 ADMINISTRATIVE FUND**

IT IS RESOLVED BY THE INGHAM COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

The County Treasurer, pursuant to Section 87c, Subsection (2), of Act 206, is designated as Agent for the County, and the Treasurer's office shall receive all such sums as are provided in Section 87c, Subsection (3), to cover administrative expenses so long as Treasurer waives right to receive such sums as would be payable to his under Section 87c, Subsection (3).

Discussion followed. A vote was thereupon taken on the foregoing resolution and was as follows:

AYES:

\_\_\_\_\_  
\_\_\_\_\_

NAYS:

\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN:

A sufficient majority having voted therefor, the resolution appearing above was adopted.

Introduced by the Finance Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**2009 BORROWING RESOLUTION  
(2008 DELINQUENT TAXES)**

**RESOLUTION # \_\_\_\_\_**

A \_\_\_\_\_ meeting of the Board of Commissioners of the County of Ingham, Michigan (the "County"), was held in Mason, Michigan, on \_\_\_\_\_, \_\_\_\_\_. The following Commissioners were

PRESENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_

The preambles and resolution set forth below were offered by Commissioner \_\_\_\_\_ and were seconded by Commissioner \_\_\_\_\_.

**2009 BORROWING RESOLUTION  
(2008 DELINQUENT TAXES)**

WHEREAS, ad valorem real property taxes are imposed by the County and the local taxing units within the County on July 1 and/or December 1 of each year; and

WHEREAS, a certain portion of these taxes remain unpaid and uncollected on March 1 of the year following assessment, at which time they are returned delinquent to the County's treasurer (the "Treasurer"); and

WHEREAS, the Treasurer is bound to collect all delinquent taxes, interest and property tax administration fees which would otherwise be payable to the local taxing units within the County; and

WHEREAS, the statutes of the State of Michigan authorize the County to establish a fund, in whole or in part from borrowed proceeds, to pay local taxing units within the County their respective shares of delinquent ad valorem real property

taxes in anticipation of the collection of those taxes by the Treasurer; and

WHEREAS, the County Board of Commissioners (the "Board") has adopted a resolution authorizing the County's Delinquent Tax Revolving Fund (the "Revolving Fund Program"), pursuant to Section 87b of Act No. 206, Michigan Public Acts of 1893, as amended ("Act 206"); and

WHEREAS, such fund has been established to provide a source of monies from which the Treasurer may pay any or all delinquent ad valorem real property taxes which are due the County, and any city, township, school district, intermediate school district, community college district, special assessment district, drainage district, or other political unit within the geographical boundaries of the County participating in the County's Revolving Fund Program pursuant to Act 206 ("local units"); and

WHEREAS, the Treasurer is authorized under Act 206, and has been directed by the Board, to make such payments with respect to delinquent ad valorem real property taxes (including the property tax administration fees assessed under subsection (6) of Section 44 of Act 206) owed in 2008 to the County and the local units (collectively, the "taxing units") which will have remained unpaid on March 1, 2009 and the Treasurer is authorized to pledge these amounts in addition to any amounts not already pledged for repayment of prior series of notes (or after such prior series of notes are returned as a secondary pledge) all as the Treasurer shall specify in an order when the notes authorized hereunder are issued (the "Delinquent Taxes"); and

WHEREAS, the Board has determined that in order to raise sufficient monies to adequately fund the Revolving Fund Program, the County must issue its General Obligation Limited Tax Notes, Series 2009 in one or more series, in accordance with Sections 87c, 87d, 87g and 89 of Act 206 and on the terms and conditions set forth below.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD AS FOLLOWS:

**I.  
GENERAL PROVISIONS**

101. Establishment of 2009 Revolving Fund. In order to implement the continuation of the Revolving Fund Program and in accordance with Act 206, the County hereby establishes a 2009 Delinquent Tax Revolving Fund (the "Revolving Fund") as a separate and segregated fund within the existing Delinquent Tax Revolving Fund of the County previously established by the Board pursuant to Section 87b of Act 206.

102. Issuance of Notes. The County shall issue its General Obligation Limited Tax Notes, Series 2009 in one or more series (the "Notes"), in accordance with this Resolution and Sections 87c, 87d, 87e, 87f, 87g and 89 of Act 206, payable in whole or in part from the Delinquent Taxes and/or from the other sources specified below.

103. Aggregate Amount of Notes.

(a) The Notes shall be issued in an aggregate amount to be determined in accordance with this Section by the Treasurer.

(b) The aggregate amount of the Notes shall not be less than the amount by which the actual or estimated Delinquent Taxes exceeds (i) the County's participating share of Delinquent Taxes, and (ii) any sums otherwise available to fund the Tax Payment Account established under Section 702 (including any monies held in respect of Section 704(c)).

(c) The aggregate amount of the Notes shall not be greater than the sum of (i) the actual amount of the Delinquent Taxes pledged to the payment of debt service on the Notes, plus (ii) the amount determined by the Treasurer to be allocated to a reserve fund. Original proceeds of the Notes devoted to a reserve fund shall not exceed the lesser of (A) the amount reasonably required for those of the Notes secured by the reserve fund, (B) 10% of the proceeds of such Notes, (C) the maximum amount of annual debt service on such Notes, or (D) 125% of average annual debt service on such Notes.

(d) The aggregate amount of the Notes shall be designated by the Treasurer by written order after (i) the amount of the Delinquent Taxes, or the amount of Delinquent Taxes to be funded by the issuance of the Notes, has been estimated or determined, and (ii) the amount of the reasonably required reserve fund has been calculated. Delinquent Taxes shall be estimated based on delinquencies experienced during the past three fiscal years and on demographic and economic data relevant to the current tax year, and shall be determined based on certification from each of the taxing units. The amount of the reasonably required reserve fund shall be calculated pursuant to such analyses and certificates as the Treasurer may request.

104. Proceeds. If the Notes are issued and sold before the Treasurer has received certification from the taxing units of the amount of the Delinquent Taxes and if such certification is not reasonably anticipated to occur to allow distribution of the proceeds of the Notes within 20 days after the date of issue, the proceeds of the Notes shall be deposited in the County's 2009 Delinquent Tax Project Account and thereafter used to fund the whole or a part of the County's 2009 Tax Payment Account, 2009 Note Reserve Account and/or 2009 Note Payment

Account, subject to and in accordance with Article VII. If the Notes are issued and sold on or after such time, the proceeds of the Notes shall be deposited directly into the County's 2009 Tax Payment Account, 2009 Note Reserve Account and/or 2009 Note Payment Account, as provided in Article VII.

105. Treasurer's Order Authorizing Notes and Establishing Delinquent Taxes. At or prior to the time any Notes are issued pursuant to this resolution, the Treasurer, as authorized by Act 206, may issue a written order specifying the amount and character of the Delinquent Taxes, the Article or Articles under which the Notes are being issued and any other matters subject to the Treasurers control under either this resolution or Act 206.

## II.

### FIXED MATURITY NOTES

201. Authority. At the option of the Treasurer, exercisable by written order, the Notes may be issued in accordance with this Article II. All reference to "Notes" in Article II refers only to Notes issued pursuant to Article II, unless otherwise specified.

202. Date. The Notes shall be dated as of the date of issue or as of such earlier date specified by written order of the Treasurer.

203. Maturity and Amounts. Notes issued pursuant to this Article II shall be structured in accordance with subsections (a) or (b) below as determined by the Treasurer pursuant to written order.

(a) The first maturity of the Notes or of a series of the Notes shall be determined by the Treasurer pursuant to written order, but shall not be later than two years after the date of issue. Later maturities of the Notes shall be on the first anniversary of the preceding maturity or on such earlier date as the Treasurer may specify by written order. The Notes shall be structured with the number of maturities determined by the Treasurer to be necessary or appropriate, and the last maturity shall be scheduled for no later than the fourth anniversary of the date of issue. The amount of each maturity shall be set by the Treasurer when the amount of Delinquent Taxes is determined by the Treasurer or when a reliable estimate of the Delinquent Taxes is available to the Treasurer. In determining the exact amount of each maturity the Treasurer shall consider the schedule of delinquent tax collections prepared for the tax years ending December 31, 2008, and the corollary schedule setting forth the anticipated rate of collection of those Delinquent Taxes which are pledged to the repayment of the Notes. The amount of each maturity and the scheduled maturity dates of the Notes shall be established to take into account the dates on which the Treasurer reasonably

anticipates the collection of such Delinquent Taxes and shall allow for no more than a 10% variance between the debt service payable on each maturity date, the Notes, and the anticipated amount of pledged monies available on such maturity date to make payment of such debt service.

(b) Alternatively, the Notes or a series of the Notes may be structured with a single stated maturity falling not later than the fourth anniversary of the date of issue. Notes issued under this subsection (b) shall be subject to redemption on such terms consistent with Section 209 as shall be ordered by the Treasurer, but in no event shall such Notes be subject to redemption less frequently than annually.

204. Interest Rate and Date of Record.

(a) Except as otherwise provided in this paragraph, Notes issued pursuant to subsection (a) of Section 203 shall bear interest payable semi-annually, with the first interest payment to be payable (i) on the first date, after issuance, corresponding to the day and month on which the maturity of such Notes falls, or (ii) if the Treasurer so orders, six months before such date. In the event (i) any maturity of the Notes arises either less than six months before the succeeding maturity date or less than six months after the preceding maturity date and (ii) the Treasurer so orders in writing, interest on the Notes shall be payable on such succeeding or preceding maturity date. Subject to the following sentence, Notes issued pursuant to subsection (b) of Section 203 shall, pursuant to written order of the Treasurer, bear interest monthly, quarterly, or semiannually, as provided by written order of the Treasurer. If Notes issued under this Article II are sold with a variable rate feature as provided in Article IV, such Notes may, pursuant to written order of the Treasurer, bear interest weekly, monthly, quarterly or on any put date, or any combination of the foregoing, as provided by written order of the Treasurer.

(b) Interest shall not exceed the maximum rate permitted by law.

(c) Interest shall be mailed by first class mail to the registered owner of each Note as of the applicable date of record, provided, however, that the Treasurer may agree with the Registrar (as defined below) on a different method of payment.

(d) Subject to Section 403 in the case of variable rate Notes, the date of record shall be not fewer than 14 nor more than 31 days before the date of payment, as designated by the Treasurer prior to the sale of the Notes.

205. Note Form. The form of Note shall be consistent with the prescriptions of this Resolution and shall reflect all material terms of the Notes. Unless the Treasurer shall by

written order specify the contrary, the Notes shall be issued in fully registered form both as to principal and interest, regrettable upon the books of a note registrar (the "Registrar") to be named by the Treasurer. If the Notes are issued in bearer form the Treasurer shall appoint a paying agent (the "Paying Agent"). (The Registrar or Paying Agent so named may be any bank or trust company or other entity, including the County, offering the necessary services pertaining to the registration and transfer of negotiable securities.)

206. Denominations and Numbers. The Notes shall be issued in one or more denomination or denominations of \$1,000 each or any integral multiple of \$1,000 in excess of \$1,000, as determined by the Treasurer. Notwithstanding the foregoing, however, in the event the Notes are deposited under a book entry depository trust arrangement pursuant to Section 208, the Notes shall, if required by the depository trustee, be issued in denominations of \$5,000 each or any integral multiple of \$5,000. The Notes shall be numbered from one upwards, regardless of maturity, in such order as the Registrar shall determine.

207. Transfer or Exchange of Notes.

(a) Notes issued in registered form shall be transferable on a note register maintained with respect to the Notes upon surrender of the transferred Note, together with an assignment executed by the registered owner or his or her duly authorized attorney-in-fact in form satisfactory to the Registrar. Upon receipt of a properly assigned Note, the Registrar shall authenticate and deliver a new Note or Notes in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

(b) Notes may likewise be exchanged for one or more other Notes with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Note or Notes being exchanged, upon surrender of the Note or Notes and the submission of written instructions to the Registrar or, in the case of bearer Notes, to the Paying Agent. Upon receipt of a Note with proper written instructions the Registrar or Paying Agent shall authenticate and deliver a new Note or Notes to the owner thereof or to the owner's attorney-in-fact.

(c) Any service charge made by the Registrar or Paying Agent for any such registration, transfer or exchange shall be paid for by the County as an expense of borrowing, unless otherwise agreed by the Treasurer and the Registrar or Paying Agent. The Registrar or Paying Agent may, however, require payment by a knotholes of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

208. Book Entry Depository Trust. At the option of the Treasurer, and notwithstanding any contrary provision of Section 212, the Notes may be deposited, in whole or in part, with a depository trustee designated by the Treasurer who shall transfer ownership of interests in the Notes by book entry and who shall issue depository trust receipts or acknowledgments to owners of interests in the Notes. Such book entry depository trust arrangement, and the form of depository trust receipts or acknowledgments, shall be as determined by the Treasurer after consultation with the depository trustee. The Treasurer is authorized to enter into any depository trust agreement on behalf of the County upon such terms and conditions as the Treasurer shall deem appropriate and not otherwise prohibited by the terms of this Resolution. The depository trustee may be the same as the Registrar otherwise named by the Treasurer, and the Notes may be transferred in part by depository trust and in part by transfer of physical certificates as the Treasurer may determine.

209. Redemption.

(a) Subject to the authority granted the Treasurer pursuant to subsection (c) of this Section (in the case of fixed rate Notes) and to the authority granted the Treasurer pursuant to Section 404 (in the case of variable rate Notes), the Notes or any maturity or maturities of the Notes shall be subject to redemption prior to maturity on the terms set forth in subsection (b) below.

(b) Notes scheduled to mature after the first date on which any Notes of the series are scheduled to mature shall be subject to redemption, in inverse order of maturity, on each interest payment date arising after the date of issue.

(c) If the Treasurer shall determine such action necessary to enhance the marketability of the Notes or to reduce the interest rate to be offered by prospective purchasers on any maturity of the Notes, the Treasurer may, by written order prior to the issuance of such Notes, (i) designate some or all of the Notes as non-callable, regardless of their maturity date, and/or (ii) delay the first date on which the redemption of callable Notes would otherwise be authorized under subsection (b) above.

(d) Notes of any maturity subject to redemption may be redeemed before their scheduled maturity date, in whole or in part, on any permitted redemption date or dates, subject to the written order of the Treasurer. Notes called for redemption shall be redeemed at par, plus accrued interest to the redemption date, plus, if the Treasurer so orders, a premium of not more than 1%. Redemption may be made by lot or pro rata, as shall be determined by the Treasurer.

(e) With respect to partial redemptions, any portion of a Note outstanding in a denomination larger than the minimum

authorized denomination may be redeemed, provided such portion as well as the amount not being redeemed constitute authorized denominations. In the event less than the entire principal amount of a Note is called for redemption, the Registrar or Paying Agent shall, upon surrender of the Note by the owner thereof, authenticate and deliver to the owner a new Note in the principal amount of the principal portion not redeemed.

(f) Notice of redemption shall be by first class mail 30 days prior to the date fixed for redemption, or such shorter time prior to the date fixed for redemption as may be consented to by the holders of all outstanding Notes to be called for redemption. Such notice shall fix the date of record with respect to the redemption if different than otherwise provided in this Resolution. Any defect in any notice shall not affect the validity of the redemption proceedings. Notes so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with a paying agent to redeem the same.

210. Discount. At the option of the Treasurer, the Notes may be offered for sale at a discount not to exceed 2%.

211. Public or Private Sale. The Treasurer may, at the Treasurer's option, conduct a public sale of the Notes after which sale the Treasurer shall either award the Notes to the lowest bidder or reject all bids. The conditions of sale shall be as specified in a published Notice of Sale prepared by the Treasurer announcing the principal terms of the Notes and the offering. Alternatively, the Treasurer may, at the Treasurer's option, negotiate a private sale of the Notes as provided in Act 206. If required by law, or if otherwise determined by the Treasurer to be in the best interest of the County, (a) the Notes shall be rated by a national rating agency selected by the Treasurer, (b) a good faith deposit shall be required of the winning bidder, and/or (c) CUSP numbers shall be assigned to the Notes. If a public sale is conducted or if otherwise required by law or the purchaser of the Notes, the Treasurer shall prepare or cause to be prepared and disseminated an offering memorandum or official statement containing all material terms of the offer and sale of the Notes. Pursuant to any sale of the Notes, the County shall make such filings, shall solicit such information and shall obtain such governmental approvals as shall be required pursuant to any state or federal law respecting back-up income tax withholding, securities regulation, original issue discount or other regulated matter.

212. Execution and Delivery. The Treasurer is authorized and directed to execute the Notes on behalf of the County by manual or facsimile signature, provided that if the facsimile signature is used the Notes shall be authenticated by the Registrar or any tender agent as may be appointed pursuant to Section 801(c). The Notes shall be sealed with the County seal or imprinted with a facsimile of such seal. The Treasurer is

authorized and directed to then deliver the Notes to the purchaser thereof upon receipt of the purchase price. The Notes shall be delivered at the expense of the County in such city or cities as may be designated by the Treasurer.

213. Renewal, Refunding or Advance Refunding Notes. If at any time it appears to be in the best interests of the County, the Treasurer, by written order, may authorize the issuance of renewal, refunding or advance refunding Notes. The terms of such Notes, and the procedures incidental to their issuance, shall be set subject to Section 309 and, in appropriate cases, Article X.

### III.

#### SHORT TERM RENEWABLE NOTES

301. Authority. At the option of the Treasurer, exercisable by written order, Notes may be issued in accordance with this Article III. All references to "Notes" in Article III refer only to Notes issued pursuant to Article III, unless otherwise specified.

302. Date and Maturity. The Notes shall be dated as of their date of issuance or any prior date selected by the Treasurer, and each issuance thereof shall mature on such date or dates not exceeding one year from the date of their issuance as may be specified by written order of the Treasurer.

303. Interest and Date of Record. The Notes shall bear interest payable at maturity at such rate or rates as may be determined by the Treasurer not exceeding the maximum rate of interest permitted by law on the date the Notes are issued. The date of record shall be not fewer than two nor more than 31 days before the date of payment, as designated by the Treasurer prior to the sale of the Notes.

304. Note Form. The form of Note shall be consistent with the prescriptions of this Resolution and shall reflect all material terms of the Notes. The Notes shall, in the discretion of the Treasurer and consistent with Section 205, either be payable to bearer or be issued in registered form. If issued in registered form, the Notes may be constituted as book-entry securities consistent with Section 208, notwithstanding any contrary provision of Section 308.

305. Denomination and Numbers. The Notes shall be issued in one or more denomination or denominations, as determined by the Treasurer. The Notes shall be numbered from one upwards in such order as the Treasurer determines.

306. Redemption. The Notes shall not be subject to redemption prior to maturity.

307. Sale of Notes. The authority and obligations of the Treasurer set forth in Sections 210 and 211 respecting Fixed Maturity Notes shall apply also to Notes issued under Article III.

308. Execution and Delivery. The authority and obligations of the Treasurer set forth in Section 212 respecting Fixed Maturity Notes shall also apply to Notes issued under Article III.

309. Renewal or Refunding Notes.

(a) The Treasurer may by written order authorize the issuance of renewal or refunding Notes (collectively the "Renewal Notes"). Renewal Notes shall be sold on the maturity date of, and the proceeds applied to the payment of debt service on, the Notes to be renewed. The maturities and repayment terms of the Renewal Notes shall be set by written order of the Treasurer.

(b) In the order authorizing Renewal Notes, the Treasurer shall specify whether the Notes shall be issued in accordance with this Article III, in which event the provisions of Article III shall govern the issuance of the Notes, or whether the Notes shall be issued in accordance with Article II, in which event the provisions of Article II shall govern the issuance of the Notes. The order shall also provide for and shall also govern with respect to:

- (i) the aggregate amount of the Renewal Notes;
- (ii) the date of the Renewal Notes;
- (iii) the denominations of the Renewal Notes;
- (iv) the interest payment dates of the Renewal Notes;
- (v) the maturity or maturities of the Renewal Notes;
- (vi) the terms of sale of the Renewal Notes;
- (vii) whether any Renewal Notes issued in accordance with Article II shall be subject to redemption and, if so, the terms thereof; and
- (viii) any other terms of the Renewal Notes consistent with, but not specified in, Article II or Article III.

(c) Regardless of whether Renewal Notes need be approved by prior order of the Department of Treasury, the Treasurer, pursuant to Section 89(5)(d) of Act 206, shall

promptly report to the Department of Treasury the issuance of any Renewal Notes.

#### IV. VARIABLE INTEREST RATE

401. Variable Rate Option. At the option of the Treasurer, exercisable by written order, the Notes, whether issued pursuant to Article II or Article III, may be issued with a variable interest rate, provided that the rate shall not exceed the maximum rate of interest permitted by law.

402. Determination of Rate. The order of the Treasurer shall provide how often the variable interest rate shall be subject to recalculation, the formula or procedure for determining the variable interest rate, whether and on what terms the rate shall be determined by a remarketing agent in the case of demand obligations consistent with Section 801(d), and whether and on what terms a fixed rate of interest may be converted to or from a variable rate of interest. Such formula or procedure shall be as determined by the Treasurer, but shall track or float within a specified percentage band around the rates generated by any one or more of the following indices:

(i) Publicly reported prices or yields of obligations of the United States of America;

(ii) An index of municipal obligations periodically reported by a nationally recognized source;

(iii) The prime lending rate from time to time set by any bank or trust company in the United States with unimpaired capital and surplus exceeding \$40,000,000;

(iv) Any other rate or index that may be designated by order of the Treasurer provided such rate or index is set or reported by a source which is independent of and not controlled by the Treasurer or the County.

The procedure for determining the variable rate may involve one or more of the above indices as alternatives or may involve the setting of the rate by a municipal bond specialist provided such rate shall be within a stated percentage range of one or more of the indices set forth above.

403. Date of Record. The Date of Record shall be not fewer than one nor more than 31 days before the date of payment, as designated by written order of the Treasurer.

404. Redemption. Notwithstanding any contrary provision of subsections (b) and (c) of Section 209, but subject to the last sentence of this Section 404, Notes bearing interest at a variable rate may be subject to redemption by the County and/or put by the holder at any time or times and in any order, as may

be determined pursuant to written order of the Treasurer. Notes shall not be subject to redemption more frequently than monthly.

405. Remarketing, Repurchase and Resale.

(a) In the event Notes issued under this Article IV are constituted as demand obligations, the interest rate on the Notes shall be governed by, and shall be subject to, remarketing by a remarketing agent appointed in accordance with Section 801(c), under the terms of a put agreement employed in accordance with Section 801(d).

(b) The County shall be authorized, consistent with Act 206 and pursuant to order of the Treasurer, to participate in the repurchase and resale of Notes in order to reduce the cost of, or increase the revenue, attendant to the establishment of the Revolving Fund and the issuance and discharge of the Notes. Any purchase of Notes pursuant to this subsection (b) shall be made with unpledged monies drawn from revolving funds established by the County in connection with retired general obligation limited tax notes.

**V.  
MULTIPLE SERIES**

501. Issuance of Multiple Series. At the option of the Treasurer, exercisable by written order, the Notes issued under Articles II, Article III or Article X may be issued in two or more individually designated series. Each series shall bear its own rate of interest, which may be fixed or variable in accordance with Article IV. Various series need not be issued at the same time and may be issued from time to time in the discretion of the Treasurer exercisable by written order. In determining the dates of issuance of the respective series, the Treasurer shall consider, among other pertinent factors, the impact the dates selected may have on the marketability, rating and/or qualification for credit support or liquidity support for, or insurance of, the Notes. The Notes of each such series shall be issued according to this Resolution in all respects (and the term "Notes" shall be deemed to include each series of Notes throughout this Resolution), provided that:

(a) The aggregate principal amount of the Notes of all series shall not exceed the maximum aggregate amount permitted under Section 103;

(b) Each series shall be issued pursuant to Article II or Article III, and different series may be issued pursuant to different Articles;

(c) Each series shall be issued pursuant to Section 502 or Section 503, and different series may be issued pursuant to different Sections;

(d) A series may be issued under Article II for one, two, or three of the annual maturities set forth in Article II with the balance of the annual maturities being issued under Article II or under Article III in one or more other series, provided that the minimum annual maturities set forth in Section 203 shall be reduced and applied pro rata to all Notes so issued; and

(e) The Notes of all series issued pursuant to Article II above shall not, in aggregate, mature in amounts or on dates exceeding the maximum authorized maturities set forth in Section 203.

502. Series Secured Pari Passu. If the Notes are issued in multiple series pursuant to this Article V, each series of Notes may, by written order of the Treasurer, be secured *pari passu* with the other by the security described in and the amounts pledged by Article VII below. Moreover, such security may, pursuant to further written order of the Treasurer, be segregated in accordance with the following provisions.

(a) The Treasurer may by written order establish separate sub-accounts in the County's 2009 Note Reserve Account for each series of Notes, into which shall be deposited the amount borrowed for the Note Reserve Account for each such series.

(b) The Treasurer may by written order establish separate sub-accounts in the County's 2009 Note Payment Account for each series of Notes, and all amounts deposited in the Note Payment Account shall be allocated to the sub-accounts.

(c)(i) In the event separate sub-accounts are established pursuant to subsection (b) above, and subject to Paragraph (ii) below, the percentage of deposits to the County's 2009 Note Payment Account allocated to each sub-account may be set equal to the percentage that Notes issued in the corresponding series bears to all Notes issued under this Resolution or to any other percentage designated by the Treasurer pursuant to written order; provided that if the various series are issued at different times or if the various series are structured with different maturity dates, (I) sums deposited in the Note Payment Account prior to the issuance of one or more series may upon the issuance of each such series be reallocated among the various sub-accounts established under Subsection (b) above to achieve a balance among the sub-accounts proportionate to the designated percentage allocation, and/or (II) deposits to the Note Payment Account may be allocated among the sub-accounts according to the total amount of debt service that will actually be paid from the respective sub-accounts.

(ii) Alternatively, the Treasurer may, by written order, rank the sub-accounts established under Subsection (b)

above in order of priority, and specify that each such sub-account shall receive deposits only after all sub-accounts having a higher priority have received deposits sufficient to discharge all (or any specified percentage of) Notes whose series corresponds to any of the sub-accounts having priority.

(d) In the absence of a written order of the Treasurer to the contrary, the amounts in each sub-account established pursuant to this Section 502 shall secure only the Notes issued in the series for which such sub-account was established, until such Notes and interest on such Notes are paid in full, after which the amounts in such sub-account may, pursuant to written order of the Treasurer, be added pro rata to the amounts in the other sub-accounts and thereafter used as part of such other sub-accounts to secure all Notes and interest on such Notes for which such other sub-accounts were created, until paid in full. Alternatively, amounts held in two or more sub-accounts within either the Note Reserve Account or the Note Payment Account may be commingled, and if commingled shall be held *pari passu* for the benefit of the holders of each series of Notes pertaining to the relevant sub-accounts.

503. Series Independently Secured. If the Notes are issued in multiple series pursuant to this Article V, each series of Notes may, by written order of the Treasurer, be independently secured in accordance with this Section 503.

(a) Each series of Notes shall pertain to one or more taxing units, as designated by the Treasurer pursuant to written order, and no two series of Notes shall pertain to the same taxing unit. A school district, intermediate school district, or community college district extending beyond the boundaries of a city in which it is located may, pursuant to written order of the Treasurer, be subdivided along the boundaries of one or more cities and each such subdivision shall be deemed a taxing unit for purposes of this Section 503.

(b) Separate sub-accounts shall be established in the County's 2009 Tax Payment Account. Each sub-account shall receive the proceeds of one and only one series of Notes, and amounts shall be disbursed from the sub-account to only those taxing units designated as being in that series.

(c) In the event Notes are issued for deposit into the Project Account established under Section 701, separate sub-accounts shall be established in the Project Account. Each sub-account shall receive the proceeds of one and only one series of Notes, and amounts shall be disbursed from the sub-account only to accounts, sub-accounts and/or taxing units designated as being in the series corresponding to the sub-account from which disbursement is being made.

(d) A separate sub-account shall be established in the County's 2009 Note Reserve Account for each series of Notes,

into which shall be deposited the amount determined by the Treasurer under Section 103 or Section 703 with respect to the series. Each sub-account shall secure one and only one series.

(e) A separate sub-account shall be established in the County's 2009 Note Payment Account for each series of Notes. Each sub-account shall be allocated only those amounts described in Section 704 which pertain to the taxing units included in the series corresponding to the sub-account. Chargebacks received from a taxing unit pursuant to Section 905 shall be deposited in the sub-account corresponding to the series in which the taxing unit is included. Amounts held in each sub-account shall secure the debt represented by only those Notes included in the series corresponding to the sub-account, and disbursements from each sub-account may be applied toward the payment of only those Notes included in the series corresponding to the sub-account.

(f) The amounts in each sub-account established pursuant to this Section 503 shall secure only the Notes issued in the series for which such sub-account was established until such Notes and interest on such Notes are paid in full, after which any amounts remaining in such sub-account shall accrue to the County and shall no longer be pledged toward payment of the Notes.

## VI. TAXABILITY OF INTEREST

601. Federal Tax. The County acknowledges that the current state of Federal law mandates that the Notes be structured as taxable obligations. Consequently, the Notes shall, subject to Article X, be issued as obligations the interest on which is not excluded from gross income for purposes of Federal income tax.

602. State of Michigan Tax. Consistent with the treatment accorded all obligations issued pursuant to Act 206, interest on the Notes shall be exempt from the imposition of the State of Michigan income tax and the State of Michigan single business tax, and the Notes shall not be subject to the State of Michigan intangibles tax.

603. Change in Federal Tax Status. In the event there is a change in the Federal tax law or regulations, or a ruling by the U.S. Department of Treasury or Internal Revenue Service establishes that the Notes may be issued as exempt from Federal income taxes or a change in Michigan law causes the Notes in the opinion of counsel to be exempt from federal income taxes, the Notes may be so issued.

## VII. FUNDS AND SECURITY

701. Delinquent Tax Project Account. If the Notes are issued and sold before the Treasurer has received certification from the taxing units of the amount of the Delinquent Taxes and if such certification is not reasonably anticipated in time to allow distribution of the proceeds of the Notes within 20 days after the date of issue, a 2009 Delinquent Tax Project Account (the "Project Account") shall be established by the Treasurer as a separate and distinct fund of the County within its general fund. The Project Account shall receive all proceeds from the sale of the Notes, including any premium or accrued interest received at the time of sale. The Project Account shall be held in trust by an escrow agent until the monies therein are disbursed in accordance with this Article VII. The escrow agent shall be a commercial bank, shall be located in Michigan, shall have authority to exercise trust powers, and shall have a net worth in excess of \$25,000,000. The form and content of the agreement between the County and the escrow agent shall be approved by the Treasurer. Subject to the following sentence, monies deposited in the Project Account shall be expended only (i) for the purpose of funding the Tax Payment Account established under Section 702 and (ii) to the extent permitted by Act 206, for the purpose of paying the expenses of the offering of the Notes. In the event the Treasurer by written order so directs, additional funding of the Project Account may be undertaken, and any surplus proceeds remaining in the Project Account after the Treasurer has completed the funding of the Tax Payment Account may be transferred to either the 2009 Note Reserve Account created under Section 703 or the 2009 Note Payment Account created under Section 704. Monies in the Project Account may be disbursed by the escrow agent to the County's 2009 Tax Payment Account at any time and from time to time, upon receipt of a written requisition signed by the Treasurer.

702. 2009 Tax Payment Account. The County's 2009 Tax Payment Account (the "Tax Payment Account") is hereby established as a distinct account within the Revolving Fund. The Treasurer shall designate all or a portion of the proceeds of the Notes, not to exceed the amount of Delinquent Taxes, for deposit in the Tax Payment Account. If, however, the proceeds of the Notes are initially deposited in the Project Account pursuant to Section 701, the Treasurer is instead authorized and directed to transfer monies included in the Project Account in accordance with the procedures set forth in Section 701. The County shall apply the monies in the Tax Payment Account to the payment of the Delinquent Taxes or expenses of the borrowing in accordance with Act 206. The allocation of monies from the Tax Payment Account may be made pursuant to a single, comprehensive disbursement or may instead be made from time to time, within the time constraints of Act 206, to particular taxing units as monies are paid into the Tax Payment Account, such that the source of the monies (whether from the County's own funds, from the proceeds of a tax exempt borrowing or from the proceeds of a

taxable borrowing) may be traced to the particular taxing unit receiving the funds. Moreover, and regardless of whether multiple series of Notes are issued, the Tax Payment Account may be divided into separate sub-accounts in order to allow the Treasurer to designate which taxing units shall receive borrowed funds and which shall receive funds otherwise contributed by the County.

703. 2009 Note Reserve Account. In the event funding is provided as described in this Section 703, the Treasurer shall establish a 2009 Note Reserve Account (the "Note Reserve Account") as a distinct account within the Revolving Fund. After depositing all of the monies to fund the Tax Payment Account pursuant to Section 702, the Treasurer shall next transfer to the Note Reserve Account, either from the Project Account or directly from the proceeds of Notes, any proceeds remaining from the initial issuance of the Notes. In addition, the Treasurer may transfer unpledged monies from other County sources to the Note Reserve Account in an amount which, when added to any other amounts to be deposited in the Note Reserve Account, does not exceed the amount reasonably required for the Notes secured by the Reserve Account or, if less, 20% of the total amount of the Notes secured by the Reserve Account. Except as provided below, all monies in the Note Reserve Account shall be used solely for payment of principal of, premium, if any, and interest on the Notes to the extent that monies required for such payment are not available in the County's 2009 Note Payment Account. Monies in the Note Reserve Account shall be withdrawn first for payment of principal of, premium, if any, and interest on the Notes before County general funds are used to make the payments. All income or interest earned by, or increment to, the Note Reserve Account due to its investment or reinvestment shall be deposited in the Note Reserve Account. When the Note Reserve Account is sufficient to retire the Notes and accrued interest thereon, the Treasurer may order that the Note Reserve Account be used to purchase the Notes on the market, or, if the Notes are not available, to retire the Notes when due. If so ordered by the Treasurer, all or any specified portion of the Note Reserve Account may be applied toward the redemption of any Notes designated for redemption in accordance with Section 209.

704. 2009 Note Payment Account.

(a) The County's 2009 Note Payment Account is hereby established as a distinct account within the Revolving Fund. (The County's 2009 Note Payment Account, as supplemented by monies held in any interim account that are designated for transfer to the 2009 Note Payment Account, is herein referred to as the "Note Payment Account".) The Treasurer is directed to deposit into the Note Payment Account, promptly on receipt, those amounts described below in Paragraphs (i), (ii), (iv), and (v) that are not excluded pursuant to Subsection (c) below. Furthermore, the Treasurer may, by written order, deposit into

the Note Payment Account all or any portion of the amounts described below in Paragraph (iii).

(i) All Delinquent Taxes.

(ii) All statutory interest on the Delinquent Taxes.

(iii) All property tax administration fees on the Delinquent Taxes, net of any amounts applied toward the expenses of this borrowing.

(iv) Any amounts which are received by the Treasurer from the taxing units within the County because of the unacceptability of the Delinquent Taxes.

(v) Any amounts remaining in the Project Account after the transfers to the Tax Payment Account and Note Reserve Account have been made as specified in Sections 702 and 703.

(b) Monies in the Note Payment Account shall be used by the County to pay principal of, premium, if any, and interest on the Notes as the same become due and payable.

(c)(i) The Treasurer may by written order provide that only a portion of the sums described above in Subsection (a) shall be deposited into the Note Payment Account and applied toward the payment of debt service on the Notes, in which event those sums which are withheld from the Note Payment Account shall be deposited into the Tax Payment Account or, pursuant to further order of the Treasurer, applied toward any other purpose consistent with Act 206. The portion of any sums described in Subsection (a) which are withheld from the Note Payment Account pursuant to this Subsection shall be determined in accordance with the following Paragraph.

(ii) Prior to the issuance of the Notes, the Treasurer may by written order specify a cut-off date not earlier than March 1, 2009, and only those sums payable to the Note Payment Account and received by the County after the cut-off date shall be applied to the Note Payment Account.

(d) The Treasurer may by written order provide that at such time as sufficient funds shall have been deposited into the Note Payment Account to pay all remaining amounts owed under the Notes the pledge on any additional monies otherwise payable to the Note Payment Account shall be discharged and such monies shall not be deposited into the Note Payment Account or otherwise pledged toward payment of the Notes.

(e) The Treasurer may by written order provide that in the event Notes are issued pursuant to Article III, amounts which would otherwise be included in the Note Payment Account or the Note Reserve Account (or any sub-account therein for a particular series of Notes) shall not include any amounts

received by the County prior to the latest maturity date of any series of Notes previously issued under Article II and/or Article III.

705. Limited Tax General Obligation and Pledge.

(a) The Notes shall be the general obligation of the County, backed by the County's full faith and credit, the County's tax obligation (within applicable constitutional and statutory limits) and the County's general funds. The County budget shall provide that if the pledged monies are not collected in sufficient amounts to meet the payments of the principal and interest due on the Notes, the County, before paying any other budgeted amounts, shall promptly advance from its general funds sufficient monies to pay such principal and interest.

(b) In addition, the monies listed below are pledged to the repayment of the Notes and, subject to Section 901, shall be used solely for repayment of the Notes until the principal of, premium, if any, and interest on the Notes are paid in full:

(i) All amounts deposited or earned in any Project Account, until disbursed in accordance with Section 701;

(ii) All net proceeds from the sale of the Notes deposited or earned in the Tax Payment Account, until disbursed in accordance with Section 702;

(iii) All amounts deposited in the Note Payment Account pursuant to Section 704(a);

(iv) All amounts deposited in the Note Reserve Account;

(v) All amounts earned from the investment of monies held in the Note Payment Account or the Note Reserve Account; and

(vi) Any supplemental monies placed in the Note Payment Account and drawn in the discretion of the Treasurer from unpledged sums in the revolving funds which pledge shall be subject to such limitations or exceptions as shall be set forth in the written order of the Treasurer.

(c) If the Notes shall be issued in various series pursuant to Article V, this pledge shall in the case of any independently secured series extend only to monies in accounts or sub-accounts pertaining to the particular series.

(d) If the amounts so pledged are not sufficient to pay the principal and interest when due, the County shall pay the same from its general funds or other available sources. Pursuant to written order of the Treasurer, the County may later

reimburse itself for such payments from the Delinquent Taxes collected.

706. Security for Renewal, Refunding or Advance Refunding Notes. Renewal, refunding, or advance refunding Notes shall be secured by all or any portion of the same security securing the Notes being renewed, refunded or advance refunded. The monies pledged in Section 705 for the repayment of the Notes are also pledged for the repayment of the principal of, premium, if any, and interest on any renewal, refunding, or advance refunding Notes issued pursuant to this Resolution, and any such renewal, refunding, or advance refunding Notes shall be the general obligation of the County, backed by its full faith and credit, which shall include the tax obligation of the County, within applicable constitutional and statutory limits.

707. Use of Funds after Full Payment or Provision for Payment. After all principal of, premium, if any, and interest on the Notes have been paid in full or provision made therefor by investments of pledged amounts in direct noncallable obligations of the United States of America in amounts and with maturities sufficient to pay all such principal, premium, if any, and interest when due, any further collection of Delinquent Taxes and all excess monies in any fund or account of the Revolving Fund, and any interest or income on any such amounts, may, pursuant to written order of the Treasurer and subject to Article V, be used for any proper purpose within the Revolving Fund including the securing of subsequent issues of notes.

#### VIII. SUPPLEMENTAL AGREEMENTS

801. Supplemental Agreements and Documents. The Treasurer, on behalf of the County, is authorized to enter into any or all of the following agreements or commitments as may, in the Treasurer's discretion, be necessary, desirable or beneficial in connection with the issuance of the Notes, upon such terms and conditions as the Treasurer may determine appropriate:

(a) A letter of credit, line of credit, repurchase agreement, note insurance, or similar instrument, providing backup liquidity and/or credit support for the Notes;

(b) A reimbursement agreement, revolving credit agreement, revolving credit note, or similar instrument, setting forth repayments of and security for amounts drawn under the letter of credit, line of credit, repurchase agreement or similar instrument;

(c) A marketing, remarketing, placement, authenticating, paying or tender agent agreement or dealer agreement designating a marketing, remarketing, authenticating,

paying, tender or placement agent or dealer and prescribing the duties of such person or persons with respect to the Notes; and

(d) A put agreement or provision allowing the purchaser of the Notes to require the County to repurchase the Notes upon demand at such times as may be provided in such put agreement or provision.

(e) An agreement to use amounts formerly pledged to other years borrowings as security for the Notes when no longer so pledged.

802. Revolving Credit Notes. If the Treasurer enters into a revolving credit agreement (the "Agreement") pursuant to Section 801 above, the Agreement may call for the issuance of one or more revolving credit notes (the "Revolving Credit Notes") for the purpose of renewing all or part of maturing Notes or Notes that have been put pursuant to a put agreement or provision. Such Revolving Credit Notes shall be issued pursuant to Article II or III, as appropriate, and in accordance with the following provisions:

(a) Interest on the Revolving Credit Notes may be payable on maturity, on prior redemption, monthly, bimonthly, quarterly, or as otherwise provided in the Agreement.

(b) The Revolving Credit Notes may mature on one or more date or dates not later than the final maturity date of the Notes, as provided in the Agreement.

(c) The Treasurer may, at the time of the original issuance of the Notes, execute and deliver one Revolving Credit Note in a maximum principal amount not exceeding the lending commitment under the Agreement from time to time in force (and may substitute one such Note in a lesser principal amount for another in the event the lending commitment is reduced), provided that a schedule shall be attached to such Note on which loans and repayments of principal and interest are evidenced and further provided that the making of a loan and the evidencing of such loan on the schedule of any such Note shall constitute the issuance of a renewal Note for the purposes of this Resolution.

## **IX. MISCELLANEOUS PROVISIONS**

901. Expenses. Expenses incurred in connection with the Notes shall be paid from the property tax administration fees collected on the Delinquent Taxes and, if so ordered by the Treasurer, from any earnings on the proceeds of the offering or from other monies available to the County.

902. Bond Counsel. The Notes (and any renewal, refunding or advance refunding Notes) shall be delivered with the

unqualified opinion of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, bond counsel chosen by the Treasurer, which selection may, at the option of the Treasurer, be for one or more years.

903. Financial Consultants. Stauder, BARCH & ASSOCIATES, Inc., Ann Arbor, Michigan, is hereby retained to act as financial consultant and advisor to the County in connection with the sale and delivery of the Notes.

904. Complete Records. The Treasurer shall keep full and complete records of all deposits to and withdrawals from each of the funds and accounts in the Revolving Fund and any account or sub-account created pursuant to this Resolution and of all other transactions relating to such funds, accounts and sub-accounts, including investments of money in, and gain derived from, such funds and accounts.

905. Chargebacks. If, by the date which is three months prior to the final maturity date of the Notes, sufficient monies are not on deposit in the Note Payment Account and the Note Reserve Account to pay all principal of and interest on the Notes when due, Delinquent Taxes not then paid or recovered at or prior to the latest tax sale transacted two or more months before the final maturity of the Notes shall, if necessary to ensure full and timely payment on the date of final maturity, be charged back to the local units in such fashion as the Treasurer may determine, and, subject to Article V, the proceeds of such chargebacks shall be deposited into the County's 2009 Note Payment Account no later than five weeks prior to the final maturity of the Notes. This Section 905 shall not be construed to limit the authority of the Treasurer under State law to charge back under other circumstances or at other times.

906. Investments. The Treasurer is authorized to invest all monies in the Project Account, in the Revolving Fund or in any account or sub-account therein which is established pursuant to this Resolution in any one or more of the investments authorized as lawful investments for counties under Act No. 20, Public Acts of 1943, as amended. The Treasurer is further authorized to enter into a contract on behalf of the County under the Surplus Funds Investment Pool Act, Act No. 367, Michigan Public Acts of 1982, as amended, and to invest in any investment pool created thereby monies held in the Project Account, in the Revolving Fund, or in any account or sub-account therein which is established pursuant to this Resolution.

907. Mutilated, Lost, Stolen or Destroyed Notes. In the event any Note is mutilated, lost, stolen, or destroyed, the Treasurer may, on behalf of the County, execute and deliver, or order the Registrar or Paying Agent to authenticate and deliver, a new Note having a number not then outstanding, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed. In the case of a mutilated Note, a replacement Note

shall not be delivered unless and until such mutilated Note is surrendered to the Treasurer or the Registrar or Paying Agent. In the case of a lost, stolen, or destroyed Note, a replacement Note shall not be delivered unless and until the Treasurer and the Registrar or Paying Agent shall have received such proof of ownership and loss and indemnity as they determine to be sufficient.

**ARTICLE X.**  
**TAX-EXEMPT NOTES OR REFUNDING**

1001. Refunding of Taxable Debt or Issuance of Tax-Exempt Debt. The County acknowledges that the current state of Federal law precludes the issuance of the Notes as obligations the interest on which is exempt from Federal income tax. However, the County presently contemplates either that anticipated amendments to the Internal Revenue Code of 1986 (the "Code") and/or the Treasury Regulations issued thereunder (the "Regulations") or a change in Michigan law changing the character of the Notes may in the future permit the issuance of general obligation limited tax notes on a tax-exempt basis, and, in view of this expectation, the County, through the offices of the Treasurer, shall issue tax-exempt notes or issue obligations to refund any or all outstanding Notes issued as taxable obligations, at the time, on the terms, and to the extent set forth in this Article X.

1002. Timing of Refunding. The aforementioned refunding obligations (the "Refunding Notes") shall be issued after the effective date of any change in the Code, Regulations, Internal Revenue Service pronouncements or judicial rulings which, as confirmed by the written opinion of bond counsel, permit the refunding of all or some of the outstanding Notes with proceeds from obligations the interest on which is excluded from gross income for purposes of Federal income tax.

1003. Extent of Refunding. Subject to the other provisions of this Section 1003, the Refunding Notes shall refund all Notes outstanding at or after the effective date of any change in the law described in Section 1002. This Section 1003 shall not, however, be construed to require the refunding of any Note prior to the time such Note may be refunded on a tax-exempt basis, nor shall this Section 1003 be construed to require the refunding of any Note, if that refunding would result in greater cost to the County (including interest expense, professional fees and administrative outlays) than would arise if the Note were to remain outstanding.

1004. Confirmatory Action. Subsequent to any change in the law described in Section 1002, the Board shall convene to consider any terms of the Refunding Notes requiring specific ratification by the Board.

1005. Arbitrary Covenant and Tax Law Compliance. In the event tax-exempt Notes or Refunding Notes are issued pursuant to this Article X, the following covenants shall be observed by the County:

(i) the County will make no use of the proceeds of the Notes or Refunding Notes and will undertake no other intentional act with respect to the Notes or Refunding Notes which, if such use or act had been reasonably expected on the date of issuance of the Notes or Refunding Notes or if such use or act were intentionally made or undertaken after the date of issuance of the Notes or Refunding Notes, would cause the Notes or Refunding Notes to be "arbitrary bonds," as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), in the Regulations promulgated under Sections 103 and 148 of the Code or in any successor or supplementary provision of law hereinafter promulgated,

(ii) the County will undertake all actions as shall be necessary to maintain the Notes or Refunding Notes as obligations the interest on which qualifies for the tax exemption provided by Section 103(a) of the Code, including, where appropriate and without limitation, filing informational returns with the Secretary of Treasury, keeping accurate account of all monies earned in any fund, account or sub-account authorized by this Resolution or any resolution adopted in accordance with Section 1004 above, certifying cumulative cash flow deficits of the County and the local units, and investing any required portion of the gross proceeds of the Notes or Refunding Notes, whether on behalf of the County or the local units, in tax-exempt obligations or State and Local Government Series obligations, and

(iii) the County will make timely payment to the United States of any investment earnings, realized by the County on the gross proceeds of the Notes or Refunding Notes, as may be subject to rebate under Section 148(f) of the Code, and, to the extent required under applicable law or deemed by the Treasurer to be in the best interest of the County pursuant to written order, the County's obligation to make such payment to the United States shall also account for excess investment earnings realized by local units on all or a portion of the gross proceeds distributed to, and held by, the local units pursuant to Section 702.

(iv) the Treasurer shall be directed to take such actions and to enter into such agreements and certifications, on behalf of the County, as the Treasurer shall deem necessary or appropriate to comply with the foregoing covenants.

1006. Undertaking to Provide Continuing Disclosure. If necessary, this Board of Commissioners, for and on behalf of the County of Ingham, hereby covenants and agrees, for the benefit of the beneficial owners of the Notes to be issued by the

County, to enter into a written undertaking (the "Undertaking") required by Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be substantially in the form as approved by the Underwriter of the Notes. The Undertaking shall be enforceable by the beneficial owners of Notes or by the Underwriter on behalf of such beneficial owners (provided that the Underwriter's right to enforce the provisions of the Undertaking shall be limited to a right to obtain specific enforcement of the County's obligations hereunder and under the Undertaking), and any failure by the County to comply with the provisions of the Undertaking shall not be deemed a default with respect to the Notes.

The County Treasurer or other officer of the County charged with the responsibility for issuing the Notes shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the terms of the County's Undertaking.

Discussion followed. A vote was thereupon taken on the foregoing resolution and was as follows:

AYES:

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NAYS:

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ABSTAIN:

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A sufficient majority having voted therefor, the resolution appearing above was adopted.

**Agenda Item 5**

**RESOLUTION STAFF REVIEW**

**DATE** March 23, 2009

**Agenda Item Title:** Resolution Authorizing Acceptance of a \$250,000 Community Development Block Grant from the Michigan Economic Development Corporation for Electric Infrastructure to Advance the Jackson National Life Insurance Company Economic Development Expansion Project

**Submitted by:** Economic Development Corporation

**Committees:** LE \_\_\_\_, JD \_\_\_\_, HS \_\_\_\_, CS X\_\_, Finance X\_\_

**Summary of Proposed Action:** This Resolution authorizes the acceptance of a \$250,000 Community Development Block Grant from the Michigan Economic Development Corporation for Electric Infrastructure from the Lansing Board of Water and Light to advance the Jackson National Life Insurance Company Economic Development Expansion Project.

**Financial Implications:** There are no costs to the Ingham County General Fund.

**Other Implications:** With the expansion project, Jackson National Life will be expanding facilities and hiring additional staff, creating new jobs in Ingham County.

**Staff Recommendation:** MJM X JN \_\_ TL \_\_ TM \_\_ JC \_\_  
Staff recommends approval of the resolution.

## *MEMO*

To: Ingham County Commissioners

From: Ingham County Economic Development Corporation  
Susan Pigg, MSUE Economic Development Educator

RE: Community Development Block Grant Award

Date: March 23, 2009

With the Commissioners approval (resolution # 08-256) in September 2008, I submitted an application for of Community Development Block Grant (CDBG) funds from the State of Michigan Economic Development Corporation (MEDC). The MEDC has now notified us that a \$250,000 grant is awarded to Ingham County. The funds are designated to assist in extending an additional power line (13.2kV) to the Jackson National Life Insurance Company's headquarters area. The increased and redundant power source will meet Jackson National's needs as they grow and hire more people. Per the grant award, at least new 25 jobs will be created directly in response to this grant funded assistance. The positions will be offered to low to moderate income persons. The Lansing Board of Water and Light committed to contributing more than half the costs (\$505,000) for this \$755,000 project to serve as matching funds for the grant.

I have attached a resolution to formalize the County's acceptance of the grant and provide for the needed contracts and agreements with the Board of Water and Light and the MEDC to implement this project. Thank you for considering it during the next round of Commissioner Committee meetings for County Services (4/7/09), County Finance (4/8/09) and the Commission meeting on April 14, 2009.

I apologize that I will be unable to attend the 4/7 and 4/8 committee meetings in person, but I am pleased to respond to any questions or concerns beforehand, or by cell phone at 517-881-9659. Congratulations on this award.

**Agenda Item 5**

Introduced by the County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION AUTHORIZING ACCEPTANCE OF A \$250,000 COMMUNITY  
DEVELOPMENT BLOCK GRANT FROM THE MICHIGAN ECONOMIC  
DEVELOPMENT CORPORATION FOR  
ELECTRIC INFRASTRUCTURE TO ADVANCE THE JACKSON NATIONAL LIFE  
INSURANCE COMPANY ECONOMIC DEVELOPMENT EXPANSION PROJECT**

WHEREAS, Ingham County government has long-term objectives to foster economic well being and assist citizens in meeting basic needs; and

WHEREAS, on September 23, 2008, the Ingham County Commissioners authorized (Resolution #08-256) the submission of an application to the Michigan Economic Development Corporation for a Community Development Block Grant (CDBG) for public infrastructure (electric) to advance the expansion of Jackson National Life Insurance Company in Lansing, Ingham County, Michigan; and

WHEREAS, the State of Michigan has notified Ingham County that it has awarded the requested grant funds of \$250,000 for this project; and

WHEREAS, the Lansing Board of Water and Light will contribute more than half the cost to extend and improve electrical service as a match to the CDBG State of Michigan grant; and

WHEREAS, the extension and improvement of public utilities, specifically a 13.2kV electrical line, to the service area that includes Jackson National Life Insurance Company would support their expansion and creation of 25 new jobs of which at least 51% of the beneficiaries will be low to moderate income persons; and

WHEREAS, notice of a public hearing was published and a public hearing was held before the application submission that provided citizens opportunity to review and comment on the application.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby authorizes acceptance of the \$250,000 CDBG grant funds to improve electric infrastructure along with matching funds provided by the Lansing Board of Water and Light to support the creation of new jobs by Jackson National Life Insurance Company.

BE IT FURTHER RESOLVED, that the expenses incurred by the County in preparation and administration of this grant will be reimbursed through the grant.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign contracts and agreements to implement this project as recommended by the County Controller/Administrator, and approved as to form by the County Attorney.

**RESOLUTION STAFF REVIEW**

**DATE** March 26, 2009

**Agenda Item Title:** Resolution to Authorize Acceptance of a New Access Point Federal Assistance Award from the United States Department of Health and Human Services

**Submitted by:** Health Department

**Committees:** LE\_\_\_\_, JD\_\_\_\_, HS\_X\_\_, CS\_X\_\_, Finance\_X\_\_

**Summary of Proposed Action:**

This resolution authorizes acceptance of a federal assistance award (grant) with the United States Department of Health and Human Services (HHS) for the Community Health Center Network's Cedar Community Health Center, Healthy Smiles Dental Clinic, St. Lawrence Community Health Center, and the Well Child Health Center.

The direct federal assistance and the resultant associated program income will enable the Health Department to increase its services to an additional 4,766 unduplicated users by the end of year two. This increased capacity is projected to result in an additional 18,426 health care encounters per year by the end of year two.

**Financial Implications:**

The federal award is \$1,300,000 for the time period of March 1, 2009 through February 28, 2011.

The following 17 positions are established by this resolution:

- 5.0 FTE full time Community Health Representative II Positions (UAW D)
- 2.0 FTE full time Clinical Assistant I Positions (UAW D)
- 2.0 FTE full time Dental Assistant Positions (UAW D)
- 1.0 FTE full time Dental Hygienist Position (UAW 15)
- 2.0 FTE full time Health Center Nurse Positions (MNA 1)
- 1.0 FTE full time Nurse Practitioner (MNA 6)
- 1.0 FTE full time Nurse Case Manager (MNA 3)
- 1.0 FTE full time Physician Position (MCF C)
- 2.0 FTE full time Dentist Positions (MCF 14)

The total annual cost of these new positions will range from approximately \$1.2 million to \$1.5 million, partially funded by grant dollars, with the remainder to be funded by patient derived reimbursements to include third-party insurance (Medicaid, Medicare, Commercial Insurance). There will be no additional cost to the County's General Fund.

In addition, this grant award also provides funding for behavioral health services to be provided directly within the Department's Health Centers. Consequently, the Health Department proposes to execute a Behavioral Health Services Agreement with the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties. This agreement will not exceed \$320,000.

\$100,000 of the federal assistance award during year one will be expended toward renovations of the Cedar Community Health Center.

**Other Implications:**

In addition to the direct federal assistance provided through this Notice of Grant Award (NGA), the sites included in the Health Department's grant application are now authorized as Section 330(e) Federally Qualified Health Centers under the Public Health Services Act. As a consequence, Cedar Community Health Center, Healthy Smiles Dental Clinic, St. Lawrence Community Health Center, and the Well Child Health Center are now 330(e) Federally Qualified Health Centers. The Health Department's Sparrow Community Health Center remains a 330(h) Federally Qualified Health Center and both Otto and Willow Community Health Centers remain Federally Qualified Health Center Look-Alikes.

**Staff Recommendation:** MJM \_\_\_ JN \_\_\_ TL \_\_\_ TM \_\_\_ JC X  
Staff recommends approval of the resolution.

## MEMORANDUM

To: Human Services Committee  
County Services Committee  
Finance Committee

From: Dean Sienko, M.D., M.S., Health Officer/Medical Director

Date: April 2, 2009

Subject: Recommendation to Authorize Acceptance of a New Access Point Federal Assistance Award from the U.S. Department of Health and Human Services

This is a recommendation to authorize acceptance of a federal assistance award (grant) with the United States Department of Health and Human Services (HHS) for the Community Health Center Network's Cedar Community Health Center, Healthy Smiles Dental Clinic, St. Lawrence Community Health Center, and the Well Child Health Center.

In December 2007, the Health Department responded to a competitive grant opportunity through HHS' Health Resources and Services Administration (HRSA) to establish a New Access Point (NAP) Federally Qualified Health Center operation. In September 2008, due to limitations in HRSA's funding appropriations, ICHD's application was not funded. However, HRSA notified the Health Department that its application would be held in active status for a year and would be considered for future funding if funds became available.

On March 2, 2009 the Health Department received notification that its New Access Point grant application was funded and that it would receive \$1,300,000 over two years. This award was a consequence of the passage of the American Recovery and Reinvestment Act of 2009 (ARRA). Part of this Act appropriated funds to support the establishment of additional Community Health Centers in the nation's most distressed communities.

In addition to the direct federal assistance provided through this Notice of Grant Award (NGA), the sites included in the Health Department's grant application are now authorized as Section 330(e) Federally Qualified Health Centers under the Public Health Services Act. As a consequence, Cedar Community Health Center, Healthy Smiles Dental Clinic, St. Lawrence Community Health Center, and the Well Child Health Center are now 330(e) Federally Qualified Health Centers. The Department's Sparrow Community Health Center remains a 330(h) Federally Qualified Health Center and both Otto and Willow Community Health Centers remain Federally Qualified Health Center Look-Alikes.

The purpose of the ARRA New Access Point awards is to increase the number of medically vulnerable patients who have access to a health care home and to create new jobs. In ICHD's case, the awarded funds will be directed toward providing care to Ingham County's medically vulnerable populations with a target population of those at or below 200% of the federal poverty level who reside in Census Tracts 2-8, 12-16, 19-21, 32, 33.01, 36.02, 37 and 65. More specifically, the direct

federal assistance and the resultant associated program income will enable the Health Department to increase its services to an additional 4,766 unduplicated users by the end of Year 2. This increased capacity is projected to result in an additional 18,426 health care encounters per year by the end of Year 2. This increased capacity will be accomplished through the addition of eighteen new staff members as follows:

1. Provider Staff: 2.0 FTE Physician (1.0 FTE to be secured via contract), 1.0 FTE Nurse Practitioner, 2.0 FTE Dentists, 1.0 FTE Dental Hygienist, Total 6.0 of FTE.
2. Health Center Support Staff: 5.0 FTE Administrative Support Staff, 2.0 FTE Nurses, 2.0 FTE Clinical Support Staff, 2.0 FTE Dental Assistants, and 1.0 FTE Case Manager. Total 12 of FTE.

This two year agreement will not exceed \$320,000. This grant award also provides funding for behavioral health services to be provided directly within the Department's Health Centers. Consequently, the Health Department proposes to execute a Behavioral Health Services Agreement with the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties. This agreement will not exceed \$160,000.

The Notice of Grant Award also communicates a two year project (March 1, 2009 – February 28, 2011) which is less than previous New Access Point FQHCs funded through HHS' appropriations. This reduced project period is attributable to the authorizing legislation (ARRA) being restricted to two years. This is of significant concern as there is no expectation that ARRA will be continued beyond this two year period (i.e. one time authorization). However, ongoing appropriations are a concern for all HRSA funded Health Centers with annual funding contingent on HHS' appropriations. Consequently, there is no guarantee of continued funding for all FQHCs. In addition, the Bureau of Primary Health Care has communicated to Congress, HHS, and the Office of Management and Budget that there will be a need for sustained funding in 2011 for the 126 organization funded through ARRA's New Access Point. Advocacy will be important in securing secure resources through the standard HHS' appropriations process.

In addition, the Ingham Community Health Center Board has reviewed, authorized (as your FQHC Co-applicant Board), and recommends the acceptance of the ARRA New Access Point Federal Assistance.

As a consequence, I recommend that the Board adopt the attached resolution and authorize acceptance of a federal assistance award in the amount of \$1,300,000 that will support increased capacity within four of the Health Department's Health Centers and that will establish these Health Centers as Federally Qualified Health Centers.

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

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE ACCEPTANCE OF A NEW ACCESS POINT  
FEDERAL ASSISTANCE AWARD FROM THE UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

WHEREAS, the Ingham County Health Department responded to a competitive federal grant opportunity in December 2007 to increase access to care within Ingham County and to establish four of its Health Centers as Federally Qualified Health Centers (FQHC); and

WHEREAS, the Ingham County Health Department has long served as a safety net primary care provider for Ingham County's uninsured and underinsured with over 25,000 individuals currently finding a health care home with the County's Health Centers; and

WHEREAS, the United States Department of Health and Human Services has provided a Notice of Grant Award in the amount \$1,300,000, for the period of March 1, 2009 through February 28, 2011; and

WHEREAS, the Notice of Grant Award provides direct operational support to increase primary health care services to 4,766 new patients within four of the Health Department's Community Health Centers; and

WHEREAS, the Health Department proposes to use this federal assistance in support of primary care, dental, mental health, substance abuse, and supportive services for Ingham County's uninsured and underinsured; and

WHEREAS, the Ingham Community Health Center Board, as the Board of Commissioners FQHC Co-applicant Board, has reviewed and recommends the acceptance of this New Access Point Federal Assistance Award; and

WHEREAS, the Deputy Health Officer for Community Health Care Services has indicated that the following positions must be established in order to operationalize this federal grant award:

- Establish 5.0 FTE full time Community Health Representative II Positions (UAW D)
- Establish 2.0 FTE full time Clinical Assistant I Positions (UAW D)
- Establish 2.0 FTE full time Dental Assistant Positions (UAW D)
- Establish 1.0 FTE full time Dental Hygienist Position (UAW 15)
- Establish 2.0 FTE full time Health Center Nurse Positions (MNA 1)
- Establish 1.0 FTE full time Nurse Case Manager (MNA 3)
- Establish 1.0 FTE full time Nurse Practitioner (MNA 6)
- Establish 1.0 FTE full time Physician Position (MCF C)
- Establish 2.0 FTE full time Dentist Positions (MCF 14)

WHEREAS, the Notice of Grant Award provides funding for behavioral health services and the Health Department proposes to provide these services within the Health Centers through a contractual agreement with (CEI CMH) Community Mental Health Authority of Clinton, Eaton, and Ingham Counties; and

WHEREAS, the Notice of Grant Award provides funding for a 1.0 FTE Pediatric Physician and the Health Department will secure this position through a future Ingham Board County Board of Commissioners authorized contractual agreement; and

WHEREAS, the Notice of Grant Award provides \$100,000 for renovation expenditures for the Cedar Community Health Center in year one; and

WHEREAS, the Health Officer has advised the Board of Commissioners that this federal assistance award and the associated projected program income (reimbursement) will financially offset the direct personnel expenditures and the CEI CMH contractual expenditure; and

WHEREAS the Health Officer recommends that the Board of Commissioners authorize and accept this federal assistance award in the amount of \$1,300,000.

THEREFORE BE IT RESOLVED, that the Board of Commissioners accepts the \$1,300,000 in federal assistance for the period of March 1, 2009 through February 28, 2011.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the establishment of the following positions:

- 5.0 FTE full time Community Health Representative II Positions (UAW D)
- 2.0 FTE full time Clinical Assistant I Positions (UAW D)
- 2.0 FTE full time Dental Assistant Positions (UAW D)
- 1.0 FTE full time Dental Hygienist Position (UAW 15)
- 2.0 FTE full time Health Center Nurse Positions (MNA 1)
- 1.0 FTE full time Nurse Practitioner (MNA 6)
- 1.0 FTE full time Nurse Case Manager (MNA 3)
- 1.0 FTE full time Physician Position (MCF C)
- 2.0 FTE full time Dentist Positions (MCF 14)

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the execution of a Behavioral Health Services Agreement with Community Mental Health Authority of Clinton, Eaton and Ingham Counties for behavioral health services not to exceed \$320,000, through February 28, 2011 following legal review.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes \$100,000 of the federal assistance award during year one to be expended toward renovations of the Cedar Community Health Center.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Health Department's FY 2009 Budget incorporating the receipt of this federal assistance award.

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

RESOLUTION STAFF REVIEW

DATE March 26, 2009

Agenda Item Title: Resolution to Authorize an Amendment to Resolution #08-358 Authorizing Acceptance of a Federal Assistance Award for Health Care Services for the Homeless

Submitted by: Health Department

Committees: LE\_\_\_\_, JD\_\_\_\_, HS X, CS\_\_\_\_, Finance X

**Summary of Proposed Action:**

This resolution authorizes an amendment to Resolution #08-358 that authorized acceptance of a federal assistance award (grant) with the United States Department of Health and Human Services (HHS) for the Health Department's Health Care for the Homeless Project. That resolution reflected the initial Notice of Grant Award (NGA) received from HHS, which authorized funding for the Health Department's Health Care for the Homeless Program at fifty percent of the target Fiscal Year 2009 funding level. With the recent passage of the Omnibus Appropriation Act of 2009, the Health Department has received notification that its federal assistance award for the Health Care for the Homeless Program has been restored.

**Financial Implications:**

The resolution accepts an additional \$80,091 in federal assistance for the period of November 1, 2008 through October 31, 2009. This additional funding restores the Health Care for the Homeless Program to the County's budgeted level of \$160,181.

**Other Implications:** None.

**Staff Recommendation:** MJM\_\_\_\_ JN\_\_\_\_ TL\_\_\_\_ TM\_\_\_\_ JC X  
Staff recommends approval of the resolution.

## MEMORANDUM

To: Human Services Committee  
Finance Committee

From: Dean Sienko, M.D, M.S., Health Officer/Medical Director

Date: April 2, 2009

Subject: Recommendation to Authorize an Amendment to Resolution 08-358  
Authorizing Acceptance of a Federal Assistance Award for Health Care  
Services for the Homeless

This is a recommendation to amend Resolution #08-358 that authorized acceptance of a federal assistance award (grant) with the United States Department of Health and Human Services (HHS) for the Health Department's Health Care for the Homeless Project.

On December 9, 2008 the Ingham County Board of Commissioners authorized acceptance of a federal assistance award in the amount of \$80,091. This award provides funding for the Health Department's Health Care for the Homeless Program, a program which has provided health care services to Ingham County's homeless population since 1987.

Unfortunately, the initial Notice of Grant Award (NGA) received from HHS authorized funding for Health Department's Health Care for the Homeless Program at fifty percent of the target Fiscal Year 2009 funding level. This was reduction was a result of Congress' passage of a Continuing Resolution that provided appropriations for the operation of nine federal agencies (including HHS) through March 6, 2009. With the recent passage of the Omnibus Appropriation Act of 2009 Congress has appropriated \$2.2 billion for the Health Cluster Program which represents a \$125 million increase for Health Centers compared to FY 2008. As a consequence of this Congressional action, the Health Department has received notification that its federal assistance award for the Health Care for the Homeless Program has been restored to the County's budgeted level of \$160,181.

I recommend that the Board adopt the attached resolution and authorize an amendment to Resolution #08-358 authorizing acceptance of a federal assistance award for Health Care Services for the Homeless to reflect a grant award of \$160,181.

### Attachment

c: Jaeson Fournier, DC, MPH, Deputy Health Officer w/attachment  
John Jacobs, CPA, Chief Financial Officer w/attachment  
Barbara Watts Mastin, MA, Chief Operating Officer w/attachment  
Philip Wilkinson, MSW, Health Center Administrator w/attachment

Introduced by the Human Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE AN AMENDMENT TO RESOLUTION #08-358  
AUTHORIZING ACCEPTANCE OF A FEDERAL ASSISTANCE AWARD FOR  
HEALTH CARE SERVICES FOR THE HOMELESS**

WHEREAS, the Ingham County Health Department has provided medical and outreach services continuously to Ingham County's homeless population since 1987; and

WHEREAS, the Ingham County Board of Commissioners authorized acceptance of a federal assistance award for Health Care Services for the Homeless (Resolution #08-358); and

WHEREAS, the original Notice of Grant Award from the United States Department of Health and Human Services (HHS) provided fifty percent of the Health Department's anticipated award, with this reduction attributable to Congress' enactment of a continuing resolution (H.R.2638) that provided budget authority for federal agencies and programs for only six months (through March 6, 2009); and

WHEREAS, the Omnibus Appropriation Act of 2009 was passed in February 2009, and included within the Labor, Health and Education appropriations was funding for the Health Cluster Program at \$2.2 billion, which represents a \$125 million increase for the nation's Health Centers; and

WHEREAS, the United States Department of Health and Human Services provided a revised Notice of Grant Award on March 27, 2009 in the amount \$160,181 for the period of November 1, 2008 through October 31, 2009; and

WHEREAS, the Health Department proposes to use this federal assistance in support of primary care, outreach, case management, and supportive services for Ingham County's homeless population; and

WHEREAS, the Health Officer has advised the Board of Commissioners that this federal assistance award is included in the Health Department's 2009 adopted budget, and recommends that the Board of Commissioners authorize and accept this revised federal assistance award in the amount of \$160,181.

THEREFORE BE IT RESOLVED, that the Board of Commissioners accepts the additional \$80,091 in federal assistance for the period of November 1, 2008 through October 31, 2009.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Health Department's FY 2009 Budget incorporating the receipt of this federal assistance award.

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

**RESOLUTION STAFF REVIEW**

**DATE** March 26, 2009

**Agenda Item Title:** Resolution to Authorize Acceptance of an Increased Demand for Services Federal Assistance Award from the United States Department of Health and Human Services

**Submitted by:** Health Department

**Committees:** LE\_\_\_\_, JD\_\_\_\_, HS X, CS\_\_\_\_, Finance X

**Summary of Proposed Action:**

This resolution authorizes acceptance of an Increased Demand for Services federal assistance award (grant) with the United States Department of Health and Human Services (HHS) to increase mental health services within the Health Department's Federally Qualified Health Centers.

The Health Department proposed to co-locate behavioral health services within its Health Centers with emphasis on these services being directed to the homeless. Consequently, the Health Department proposes to execute a Behavioral Health Services Agreement with the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties.

**Financial Implications:**

The Health Department received a Notice of Grant Award on March 27, 2009 indicating that its request for supplemental funding through HHS' Increased Demand for Services for Health Centers was awarded. As a result, the Health Department will receive \$140,956 to increase mental health services through its FQHCs with a project period of March 27, 2009 through March 26, 2011.

This resolution also authorizes the execution of a two-year Behavioral Health Services Agreement with Community Mental Health Authority of Clinton, Eaton and Ingham Counties for behavioral health services not to exceed \$160,000, with grant funds and the associated reimbursement for services will cover this contractual expenditure.

**Other Implications:** None.

**Staff Recommendation:** MJM\_\_\_\_ JN \_\_\_\_ TL \_\_\_\_ TM\_\_\_\_ JC X  
Staff recommends approval of the resolution.

## MEMORANDUM

To: Human Services Committee  
Finance Committee

From: Dean Sienko, M.D., M.S., Health Officer/Medical Director

Date: April 2, 2009

Subject: Acceptance of an Increased Demand for Services Federal Assistance Award from the United States Department of Health and Human Services

This is a recommendation to authorize acceptance of an Increased Demand for Services federal assistance award (grant) with the United States Department of Health and Human Services (HHS).

The enactment of the American Recovery and Reinvestment Act of 2009 (ARRA) recognized the substantial need for increased appropriations to support the nation's Federally Qualified Health Centers (FQHCs) and the patients served by these health centers. Specifically, the ARRA provides \$1.5 Billion for construction, renovation, equipment, and acquisition of Health Information Technology for Section 330 funded health centers (i.e. FQHCs). The stimulus package also includes \$500 Million for health center operations with this additional funding to provide supplemental payments to existing health centers addressing spikes in uninsured patients during the economic downturn, as well as to fund new sites and additional services at existing sites.

As you are aware, the Ingham County Health Department has been awarded \$1.3 Million out of the \$155 Million disbursed to fund new FQHCs across the Union. In addition, the Health Department received a Notice of Grant Award on March 27, 2009 indicating that its request for supplemental funding through HHS' Increased Demand for Services for Health Centers was awarded. As a result, the Health Department will receive \$140,956 to increase mental health services through its FQHCs with a project period of March 27, 2009 through March 26, 2011.

In submitting its response to this funding opportunity, the Health Department proposed to co-locate behavioral health services within its Health Centers with emphasis on these services being directed to the homeless. Consequently, the Health Department proposes to execute a Behavioral Health Services Agreement with the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties. This agreement will not exceed \$160,000 and the grant funds and the associated reimbursement for services will cover this contractual expenditure.

I recommend that the Board adopt the attached resolution and authorize acceptance of a federal assistance award in the amount of \$140,956 that will increase mental health services within the Health Department's Federally Qualified Health Centers.

Attachment

c: Jaeson Fournier, DC, MPH, Deputy Health Officer w/attachment  
John Jacobs, CPA, Chief Financial Officer w/attachment  
Barbara Watts Mastin, MA, Chief Operating Officer w/attachment

Introduced by the Human Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE ACCEPTANCE OF AN INCREASED DEMAND FOR SERVICES FEDERAL ASSISTANCE AWARD FROM THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES**

WHEREAS, the United States Congress passed the American Recovery and Reinvestment Act of 2009 on February 13, 2009 and President Obama signed this act into law on February 19, 2009; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 provided \$2 Billion for Community Health Centers funded through the Health Center Cluster Program authorized through Section 330 of the Public Health Services Act with \$500 Million available to fund new Health Centers and to provide supplemental payments to existing Health Centers to address spikes in uninsured patients during the economic downturn; and

WHEREAS, the United States Department of Health and Human Services notified existing Federally Qualified Health Centers, including the Ingham County Health Department, on March 9, 2009 that they were eligible for a supplemental grant opportunity entitled “Increased Demand for Services”; and

WHEREAS, the Ingham County Health Department submitted a grant application to the United States Department of Health and Human Services on March 16, 2009, requesting funding through the Increased Demand for Services Supplement; and

WHEREAS, the Ingham County Health Department proposed through its application to increase mental health services through its Federally Qualified Health Center operations with service emphasis placed on the homeless population; and

WHEREAS, the Ingham County Health Department has long served as a safety net primary care provider for Ingham County’s uninsured and underinsured with over 25,000 individuals currently finding a health care home with the County’s Health Centers; and

WHEREAS, the United States Department of Health and Human Services has provided a Notice of Grant Award in the amount \$140,956 for the period of March 27, 2009 through March 26, 2011; and

WHEREAS, the Health Department proposes to provide these services within its Federally Qualified Health Centers and its mobile medical vehicle through a contractual agreement with Community Mental Health Authority of Clinton, Eaton, and Ingham Counties; and

WHEREAS, the Health Officer has advised the Board of Commissioners that this federal assistance award and the associated projected program income (reimbursement) will financially offset the contractual expenditures; and

WHEREAS the Health Officer recommends that the Board of Commissioners authorize and accept this federal assistance award in the amount of \$140,956.

THEREFORE BE IT RESOLVED, that the Board of Commissioners accepts the \$140,956 in federal assistance for the period of March 27, 2009 through March 26, 2011.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the execution of a two-year Behavioral Health Services Agreement with Community Mental Health Authority of Clinton, Eaton and Ingham Counties for behavioral health services not to exceed \$160,000 following legal review.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to amend the Health Department's FY 2009 Budget incorporating the receipt of this federal assistance award.

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

**Agenda Item 7**

**RESOLUTION STAFF REVIEW**

**DATE** March 26, 2009

**Agenda Item Title:** Resolution Accepting 2009 Community Development Block Grant Funding from the Michigan State Housing Development Authority in the Amount of \$50,000

**Submitted by:** Housing Commission

**Committees:** LE\_\_\_\_, JD\_\_\_\_, HS\_\_\_\_, CS\_\_X\_\_, Finance\_\_X\_\_

**Summary of Proposed Action:** This Resolution will authorize the Housing Commission to accept a Community Development Block Grant from the Michigan State Housing Development Authority in the amount of \$50,000.

**Financial Implications:** None – there is no match requirement of General Fund dollars.

**Other Implications:** None.

**Staff Recommendation:** MJM\_\_X\_\_ JN\_\_\_\_ TL\_\_\_\_ TM\_\_\_\_ JC\_\_\_\_  
Staff recommends approval of the resolution.

Introduced by the County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION ACCEPTING 2009 COMMUNITY DEVELOPMENT BLOCK GRANT  
FUNDING FROM THE MICHIGAN STATE HOUSING DEVELOPMENT  
AUTHORITY IN THE AMOUNT OF \$50,000**

WHEREAS, the Ingham County Housing Commission has applied for Community Development Block Grant funding on behalf of Ingham County from the Michigan State Housing Development Authority; and

WHEREAS, the Michigan State Housing Development Authority has granted Ingham County \$50,000 for Homeowner Rehabilitation for residents of Ingham County, excluding those in the Cities of Lansing and East Lansing; and

WHEREAS, the Ingham County Housing Commission through its Resolution No. 2009-02 has recommended that the grant be accepted.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners accepts the Community Development Block Grant of \$50,000 from the Michigan State Housing Development Authority, on behalf of the Ingham County Housing Commission, to utilize the funds as designated in the grant agreement.

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

## Agenda Item 8

### RESOLUTION STAFF REVIEW

**DATE** March 24, 2009

**Agenda Item Title:** Resolution Rejecting the Tentative Agreement with the Michigan Association of Police

**Submitted by:** T. A. Lindsey, Human Resources Director

**Committees:** LE\_\_\_, JD\_\_\_, HS\_\_\_, CS\_X\_, Finance\_X\_

### **Summary of the Tentative Agreement:**

1. **Duration:** January 1, 2008, through December 31, 2010.
2. **Longevity:** Longevity bonus shall be computed as a percentage of the employee's annual base salary or wage. Base salary for computations increased from eighteen to twenty thousand Dollars.
3. **Health Insurance:**

#### Premiums

Effective	<u>Jan. 1, 2008</u>	<u>Jan. 1, 2009</u>
Full Family	\$772.75	\$795.93
2-Person	\$688.48	\$709.13
Single	\$328.83	\$338.69
Retirees	\$346.70	\$357.10

#### Waiver

Full Family	=	\$ 201.85 if participating prior to 1/1/2007
2-Person	=	\$ 179.65 if participating prior to 1/1/2007
Single	=	\$ 106.09 if participating prior to 1/1/2007
New enrollment on or after 1/1/2007	=	\$ 106.09

Effective as soon as practicable, the Coalition of Public Safety (COPS) Employees Health Trust Plan shall be offered as an option to employees so long as the implementation and/or selection of the COPS Trust Plan by any bargaining unit member does not result in an increase in health insurance costs to the County or any of its employees. Additional costs, if any, above the benchmarks for the COPS Trust Plan shall be paid by the employee through payroll deduction.

**Dual Coverage.** For employees participating in the waiver plan prior to January 1, 2007, the spouse receiving the waiver payment will receive **\$106.09** per month as taxable compensation. For newly formed couples either through marriage or new employment on or after January 1, 2007, there will be no eligibility for health waiver payments.

4. **SALARY SCHEDULES**

January 1, 2008 - 3% increase  
January 1, 2009 - 2% increase  
January 1, 2010 - 2% increase

**Financial Implications:** The cost for modifications was included in the 2008 and 2009 Budget only.

**Other Implications:** None.

**Staff Recommendation:** MM \_\_\_ JN \_\_\_ TL X TM \_\_\_ JC \_\_\_  
Staff recommends **rejection** of the resolution.

While the parties negotiated in good faith, changed circumstances (Ingham County's rapidly changing negative economic projection) does not support implementation of wages for 2010.

**Agenda Item 8**

Introduced by the County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION REJECTING THE TENTATIVE AGREEMENT WITH THE  
MICHIGAN ASSOCIATION OF POLICE**

WHEREAS, the County Board of Commissioners had directed its bargaining team to negotiate a successor labor contract within certain economic parameters with the Michigan Association of Police; and

WHEREAS, a tentative agreement was reached in good faith between representatives of Ingham County and the Michigan Association of Police within the parameters established by the County Board for the period of January 1, 2008 through December 31, 2010; and

WHEREAS, the tentative agreement has been ratified by the employees within the bargaining unit; and

WHEREAS, the County's bargaining team recommended the employer's ratification of the tentative agreement; and

WHEREAS, between the time the tentative agreement was reached and the present, unforeseen, adverse economic conditions to the County have occurred; and

WHEREAS, these conditions have obviated the economic parameters previously established by the County Board of Commissioners and made part of the tentative agreement.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby rejects the tentative agreement with Ingham County and the Michigan Association of Police.

BE IT FURTHER RESOLVED, that the County's bargaining team is directed to notify the Michigan Association of Police of the reasons for the County's rejection of the tentative agreement and is further directed to attempt to reach a successor labor contract based on the changed economic circumstances and the new economic parameters established by the County Board of Commissioners.

**Agenda Item 9**

**RESOLUTION STAFF REVIEW**

**DATE:** March 25, 2009

**Agenda Item Title:** Resolution Authorizing the Transfer of Funds to the Mid-South Substance Abuse Commission and a 2009 Contract for Accounting with Respect Thereto

**Submitted by:** Mid-South Substance Abuse Commission

**Committees:** LE \_\_\_\_, JD \_\_\_\_, HS X\_\_, CS \_\_\_\_, Finance X

**Summary of Proposed Action:** This resolution will authorize the transfer of State Liquor Tax Funds to Mid-South Substance Abuse Commission to use these funds for substance abuse prevention and treatment programs per the terms of the state statute, along with the accounting and auditing requirements. MCL 211.24(e), commonly known as the State Liquor Tax Law, allows Ingham County the option of retaining the entire amount of liquor tax revenue provided that these monies be used to offset property tax revenues by an equal amount, or the option of retaining one-half of the revenues and distributing the other half to the County's designated coordinating agency for substance abuse prevention and treatment services. The Board of Commissioners chose to keep one-half of the funds for the General Fund budget in 2009, and is now required to give the other half to the Mid-South Substance Abuse Commission for their use as described above.

**Financial Implications:** The expected/budgeted total distribution for 2009 is \$1,699,280, with Mid-South Substance Abuse Commission receiving \$849,640 and the County General Fund receiving the other half.

2009 marks the second year that distributions are now made quarterly. This resolution authorizes a contract for the distributions made in 2009 up to an amount not to exceed \$849,640. Should the total distribution for 2009 differ from the amount budgeted, it will be addressed in the final quarterly budget adjustment of 2009.

**Other Implications:** None.

**Staff Recommendation:** MJM\_\_\_\_ JN \_\_\_\_ TL \_\_\_\_ TM\_\_\_\_ JC X  
Staff recommends this resolution for approval.

Introduced by the Human Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO THE MID-SOUTH  
SUBSTANCE ABUSE COMMISSION AND A 2009 CONTRACT FOR ACCOUNTING  
WITH RESPECT THERETO**

WHEREAS, MCL 211.24(e), commonly known as the State Liquor Tax Law, allowed Ingham County the option of retaining the entire amount of liquor tax revenue provided that these monies be used to offset property tax revenues by an equal amount, or the option of retaining one-half of the revenues and distributing the other half to the County's designated coordinating agency for substance abuse prevention and treatment; and

WHEREAS, the Ingham County Board of Commissioners, during the 2009 budget process, chose to retain one-half of these liquor tax revenues for the General Fund and is now required to distribute the other one-half of these revenues to the designated coordinating agency, the Mid-South Substance Abuse Commission, to use said funds for substance abuse prevention and treatment programs in Ingham County; and

WHEREAS, the statute requires the Mid-South Substance Abuse Commission to use said funds for substance abuse prevention and treatment programs in Ingham County; and

WHEREAS, the Department of Treasury has recommended certain accounting and/or auditing procedures to be used with respect thereto.

THEREFORE BE IT RESOLVED, that a contract be entered into with the Mid-South Substance Abuse Commission in an amount not to exceed \$849,640 for the time period of January 1, 2009 through December 31, 2009, which provides that the Mid-South Substance Abuse Commission will provide Ingham County with substance abuse services and accounting and audit reports consistent with the requirements of the Michigan Department of Treasury, demonstrating its use of funds received from Ingham County from liquor tax revenues, which use shall be in accordance with the requirements of MCL. 211.24(e).

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

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

**Agenda Item 10a**

MEMORANDUM

March 26, 2009

TO: County Services and Finance Committees

FROM: Teri Morton, Budget Director

RE: Parks Line Item Transfer Requests – Lion Exhibit Renovation and Purchase of Golf Carts and Segway

Please see attached line item transfer requests for your approval. The first request would transfer \$5,200 from the Zoo contingency account to a capital project account to perform an upgrade to the Lion Exhibit. On March 17, this was approved as an emergency purchase due to safety concerns. Please note, the zoo contingency account is entirely separate from the general fund contingency account and is funded by the Potter Park Zoo millage. The budget for this account is \$40,600.

The second request would transfer \$15,000 budgeted for a police car to instead purchase two golf carts and one segway. The Parks Department has determined that since the police patrol within the parks, the golf carts and segway are more economical, practical for trail patrol, and environmentally friendly choices compared to a police car.

Because of the dollar amount (more than \$5,000 and less than \$25,000), these transfer requests require approval by the County Services and Finance Committees. Your approval of these transfer requests is recommended.

**LINE ITEM TRANSFER REQUEST**

Department	ZOO	03/17/09	
Auth. Code	PARKSMB	Contact Karen	342-2771
Reason for Transfer (explain fully)	Transfer from contingency to Lion Renovation. Exhibit is being upgraded due to safety concerns.		
	From	Amount	To
Acct	258-69200-969220 (contingency)	5,200.00	Acct 258-69900-977000-0922Z (leasehold improvements)
Acct			Acct
	Total	\$5,200.00	Total
<b>BUDGET OFFICE VERIFICATION BELOW THIS LINE</b> *****			
Transfer Action Required	5		
Description	Equipment Transfers over \$5,000 but less than \$25,000		
Budget Office	TM	Date	3/17/09
Input Done		Date	
Controller		Date	
Liaison Comm		Date	
Resolution #		Date	

**LINE ITEM TRANSFER REQUEST**

Department	PARKS	03/23/09	
Auth. Code	PARKSMB	Contact Karen	244-7186
Reason for Transfer (explain fully)	Transfer CIP funds for a police car purchase to the purchase of two golf carts and one segway. Given that the police patrol in the parks these are economical as well as practical for trail patrol and environmentally friendly choices.		

	From	Amount		To	Amount
Acct	664-80000-978010-C7529 (machinery – cars & trucks)	15,000.00	Acct	664-75299-978000 (machinery & equipment)	15,000.00
Acct			Acct		
Acct			Acct		
Acct			Acct		
Acct			Acct		
Acct			Acct		
Acct			Acct		
	Total	\$15,000.00		Total	\$15,000.00

**BUDGET OFFICE VERIFICATION BELOW THIS LINE**  
 \*\*\*\*\*

Transfer Action Required	5		
Description	Equipment Transfers over \$5,000 but less than \$25,000		
Budget Office	TM	Date	3/26/09
Input Done		Date	
Controller		Date	
Liaison Committee		Date	
Resolution #		Date	

**Agenda Item 10b**

**RESOLUTION STAFF REVIEW**

**DATE** March 25, 2009

**Agenda Item Title:** Resolution Authorizing a Fund Transfer to the Potter Park Zoological Society

**Submitted by:** Ingham County Parks & Recreation Commission

**Committees:** LE\_\_\_\_, JD\_\_\_\_, HS\_\_\_\_, CS\_\_X\_\_, Finance \_\_X\_\_

**Summary of Proposed Action:**

This resolution would appropriate \$40,000 to the Potter Park Zoological Society to be used to promote the Potter Park Zoo. It is intended that the appropriation will be in addition to funds (\$20,000) already budgeted by the Zoological Society for this purpose. The Potter Park Zoological Society is a private 501(c) 3 non-profit organization whose sole function is to raise funds for, and to support, the Zoo.

The Zoo Board, in cooperation with the Zoological Society, has established a committee of volunteer professionals with expertise in this area to oversee expanded efforts to advise the public what the Zoo has to offer.

Although this appropriation is very similar to other community agency appropriations within the budget, it will differ in two ways. First, the funds will come from the Zoo millage budget and not require any General Fund appropriation. Second, the level of oversight will be greater since the Zoological Society works on a daily basis with Zoo and Parks staff with offices located at the Zoo. The Potter Park Zoological Society will, on a monthly basis, supply the county with invoices detailing the expenditures and county staff will, on a monthly basis, include with monthly financial reports a marketing expense report to the Zoo Board.

**Financial Implications:**

Funds in the amount of \$40,000 will be transferred from the Potter Park Zoo Fund to the Potter Park Zoological Society contingent upon development of a contract.

**Other Implications:** None.

**Staff Recommendation:** MJM\_\_X\_\_ JN\_\_ \_\_ TL\_\_ \_\_ TM\_\_ \_\_ JC\_\_ \_\_

Staff recommends approval of the resolution.

Introduced by the County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION AUTHORIZING A FUND TRANSFER  
TO THE POTTER PARK ZOOLOGICAL SOCIETY**

WHEREAS, the electorate of Ingham County overwhelmingly approved the millage proposal in November of 2006 to fund the operation and improvement of Potter Park and the Potter Park Zoo; and

WHEREAS, the Potter Park Zoological Society is a private, 501c(3) nonprofit, fundraising organization that raises the funds to support the Zoo; and

WHEREAS, in that capacity, the Zoological Society supports: the Education Department, which provides over 500 programs per year that reach almost 25,000 students; the Docent Association, that currently has over 120 volunteers; the Teen Zookeeper Program, enrolling over 100 students each year; the Zookambi summer school program, a program that educates over 400 students per summer; and

WHEREAS, the Zoological Society operates the concession stands, gift shop, and pony rides; and sponsors special events with the help of over 35 seasonal employees; and

WHEREAS, the Zoological Society operates on a \$900,000 budget, over \$600,000 of this is spent on supporting the Potter Park Zoo through educational programming, special events, operating costs, and capital improvements; and

WHEREAS, the Potter Park Zoological Society Board of Directors is comprised of 16 enthusiastic community leaders; and

WHEREAS, a member of the Potter Park Zoological Society Board and a member of the Potter Park Zoo Board compose a Public Relations & Marketing sub-committee to raise community awareness and interest in the Potter Park Zoo; and

WHEREAS, the Ingham County Board of Commissioners approved the transfer of \$40,000 from the proceeds of the Potter Park Zoo Millage to the Potter Park Zoological Society for 2008 marketing purposes; and

WHEREAS, the Potter Park Zoological Society Board has approved within their 2009 Society budget \$20,000 for promotion and printing; and

WHEREAS, the Potter Park Zoological Society has agreed to provide, on a monthly basis, invoices detailing spending of all marketing funds; and

WHEREAS, county staff will, on a monthly basis, include with monthly financial reports a marketing expense report to the Zoo Board; and

WHEREAS, the Ingham County Potter Park Zoo Board (Resolution #02-09) and the Parks & Recreation Commission (Resolution #17-09) recommend that the Board of Commissioners authorize the transfer of \$40,000 to be used by the Potter Park Zoological Society for 2009 marketing purposes.

THEREFORE BE IT RESOLVED, the Ingham County Parks & Recreation Commission recommends that the Board of Commissioners authorize a transfer of \$40,000 from the proceeds of the Potter Park Zoo Millage to be used by the Potter Park Zoological Society for 2009 marketing purposes.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the County Attorney to prepare the necessary documents.

RESOLUTION STAFF REVIEW

DATE March 26, 2009

Agenda Item Title: Resolution Authorizing a Three-Year Agreement with Waste Management, Inc. for Waste Removal and Recycling Services

Submitted by: Purchasing Department

Committees: LE\_\_\_\_, JD\_\_\_\_, HS\_\_\_\_, CS\_\_X\_\_, Finance\_\_X\_\_

Summary of Proposed Action: This resolution authorizes Ingham County and the Facilities Department to enter into a three year contract with “Waste Management Inc.” for waste removal and recycling services to all County Facilities with the exception of Ingham County Parks.

Financial Implications: The first year of the contract is for \$30,749.00. The second and third year of the contract will increase based on Consumer Price Index (CPI) or 5%, which ever is less.

Other Implications: Six vendors were contacted and three submitted bids. No bids were received from Ingham County vendors. Waste Management, Inc. is located in Clinton County with a Lansing address. The Parks waste removal and recycling had previously been bid and awarded.

Staff Recommendation: MJM\_\_X\_\_ JN\_\_ TL\_\_ TM\_\_ JC\_\_

Staff recommends approval of the resolution. As required by the Board Ethics Policy, the role of the Board is to accept or reject the recommendation. If the recommendation is rejected, the committee should state the reason(s) for the rejection and instruct the staff to review the recommendation.

# COUNTY OF INGHAM

## Purchasing Department

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121 East Maple Street  
Mason, Michigan 48854  
Telephone: 517-676-7307  
Fax: 517-676-7230  
[jvalentine@ingham.org](mailto:jvalentine@ingham.org)

**TO:** County Services and Finance Committee  
**FROM:** Janeil Valentine  
**DATE:** March 26, 2009  
**SUBJECT:** Bid Summary – Waste Removal and Recycling Services

Project: The project involved soliciting bids for waste removal and recycling services for all County facilities excluding the County Parks.

Bid Summary:

Vendors Contacted: 6                      Local: 0  
Vendors Responding: 3                    Local: 0

The following firms submitted bids:

<u>Firm</u>	<u>Location</u>	<u>Base Bid</u>
Waste Management	Lansing (Clinton County)	\$30,749.00
Republic/Allied Waste	Kalamazoo	\$35,992.00
Granger Container Service, Inc.	Lansing (Clinton County)	\$43,608.00

Recommendation: It is the recommendation of the Purchasing Department in concurrence with the Fair and Facilities Department to award a contract to Waste Management Inc., for waste and recycling services for County facilities excluding the County Parks.

Advertisement:

Vendors notified by US Mail, advertisement in Lansing State Journal, The Chronicle, and posted on the Ingham County Purchasing website.

**Agenda Item 11**

Introduced by the County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH WASTE MANAGEMENT, INC. FOR WASTE REMOVAL AND RECYCLING SERVICES**

WHEREAS, Ingham County has a need for waste removal and recycling services at all County facilities excluding County Parks; and

WHEREAS, the Purchasing Department solicited bids for these services and pricing information for multiple years; and

WHEREAS, an evaluation team comprised of representatives from the Facilities, Fair, and Purchasing Departments, has jointly recommended accepting the bid submitted by Waste Management, Inc., who submitted the lowest and most responsible bid; and

WHEREAS, Waste Management, Inc. offered a 36-month term, where the costs for the first year are fixed and the maximum rate increase for years 2 and 3 shall be based on the Consumer Price Index (CPI) or 5% whichever is less.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a three-year agreement with Waste Management, Inc. for waste removal and recycling services according to the bid response received from Waste Management, Inc.

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

**Agenda Item 12**

**RESOLUTION STAFF REVIEW**

**DATE** March 31, 2009

**Agenda Item Title:** Resolution to Amend Resolution #02-178 by Reducing the Maximum Amount Allowed For Short Form Authorization and the Purchase of Goods and Services

**Submitted by:** County Services Committee

**Committees:** LE\_\_\_\_, JD\_\_\_\_, HS\_\_\_\_, CS\_\_X\_\_, Finance\_\_X\_\_

**Summary of Proposed Action:** This resolution will lower the authorization to enter into contracts and purchase goods and services from \$25,000 to \$5,000.

**Financial Implications:** Contracts and the purchase of goods and services over \$5,000 will require full Board approval through the Resolution process.

**Other Implications:** This Resolution was submitted through the Board Office and will allow the full Board of Commissioners to review all Contracts and the purchase of goods and services over \$5,000. The purchase of food, medicine and medical supplies are exempt from this policy.

**Staff Recommendation:** MJM\_\_X\_\_ JN\_\_ TL\_\_ TM\_\_ JC\_\_  
Staff recommends approval of the resolution.

## INGHAM COUNTY BOARD OF COMMISSIONERS

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P.O. Box 319 ● Mason, MI. 48854 ● Phone: (517) 676-7200 ● Fax: (517) 676-7264

**TO:** County Services and Finance Committees

**FROM:** Becky Bennett  
Board Coordinator

**SUBJECT:** Resolution to Amend Resolution #02-178 by Reducing the Maximum Amount Allowed For Short Form Authorization and the Purchase of Goods and Services

**DATE:** March 30, 2009

The Board of Commissioners previously approved a Short Form Authorization procedure which allows departments to enter into contracts in the amount of \$25,000 or less with the approval of the Purchasing Director, Controller/Administrator, and chairs of the Liaison Committee, Finance Committee and Full Board. Departments are also authorized to purchase goods and services up to \$25,000. Contracts purchases over \$25,000 require a Board resolution.

However, due to the difficult financial situation the County is facing, there is a desire to reduce the maximum amount allowed for the Short Form Authorization, and the purchase of goods and services from \$25,000 to \$5,000. The purchase of food, medicine and medical supplies are exempt from this policy.

The resolution also clarifies that the intent of the Short Form Authorization is to enter into contracts for services. This procedure is not to be used to amend dollar amounts previously approved by Board resolution.

**ADOPTED - JULY 23, 2002**  
**Agenda Item No. 8**

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

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AMENDING RESOLUTION # 01-313 TO CHANGE THE COUNTY'S  
PURCHASING POLICIES AND PROCEDURES**

**RESOLUTION #02-178**

WHEREAS, in 2001 the Ingham County Board of Commissioners amended policies and procedures regarding the purchase of goods and services for County funded Departments; and

WHEREAS, specific changes to purchasing policies and procedures have been recommended to reflect increases in dollar values as a result of inflation, and other changing circumstances; and

WHEREAS, these recommended changes will facilitate the operation of the Purchasing Department by streamlining various approval processes; and

WHEREAS, these recommended changes are consistent with the purchasing policies and procedures of other city and county governmental organizations within the State of Michigan.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby amends Resolution No. 01-313 in accordance with the following:

- a. The minimum dollar level at which a County purchase order is required is increased from \$500 to \$2,500; and
- b. Goods and services shall be competitively procured where the anticipated cost exceeds \$2,500; and
- c. Three (3) written quotes shall be obtained when the anticipated cost is at least \$2,500 but less than \$10,000 with final approval from the Purchasing Director; and
- d. Three (3) written quotes shall be obtained when the anticipated cost is at least \$10,000 but less than \$25,000 with final approval from the County Controller and the Purchasing Director; and
- e. Formal sealed advertised bids and proposals shall be obtained by the Purchasing Department when the anticipated cost is over \$25,000 with final approval by the Board of Commissioners; and
- f. The maximum dollar amount for which the Short Form Authorization (service contracts) can be used is increased from \$20,000 to \$25,000. Approval of the Purchasing

Director, Controller, Liaison Chairperson and Finance Chairperson is required. A contract over \$25,000 requires approval by Board Resolution. All contracts must be approved as to form by the County Attorney.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby authorize the Purchasing Department to proceed with implementing a procurement card program.

BE IT FURTHER RESOLVED, that the competitive bidding requirement shall not be applicable to any transactions between Ingham County and any other governmental units, nor to emergency repairs or services, professional services, real estate and sole source purchases.

BE IT FURTHER RESOLVED, that the purchase of goods and services through Cooperative Purchasing Agreements, such as the State of Michigan Extending Purchasing Program, which selects its vendors through an open competitive process, shall not be subject to the aforementioned purchasing policy.

**ADMINISTRATIVE SERVICES/PERSONNEL: Yeas:** Swope, De Leon, Celentino, Severino

**Nays:** None **Absent:** Lynch **Approved 7/16/02**

**FINANCE: Yeas:** Grebner, Stid, Swope, Krause, Hertel, Schafer

**Nays:** None **Absent:** Minter **Approved 7/17/02**

## Agenda Item 12

Introduced by the County Services and Finance Committees of the:

### INGHAM COUNTY BOARD OF COMMISSIONERS

#### **RESOLUTION TO AMEND RESOLUTION #02-178 BY REDUCING THE MAXIMUM AMOUNT ALLOWED FOR SHORT FORM AUTHORIZATION AND THE PURCHASE OF GOODS AND SERVICES**

WHEREAS, Resolution #02-178 amended the policies and procedures regarding the purchase of goods and services for County funded departments by increasing the maximum amount for goods and services and the Short Form Authorizations for contracts from \$20,000 to \$25,000; and

WHEREAS, departments may use the Short Form Authorization to enter into contracts in the amount of \$25,000 or less with the approval of the Purchasing Director, Department Head, Controller/Administrator, and chairs of the Liaison Committee, Finance Committee and Full Board.

WHEREAS, due to difficult financial times facing Ingham County, the Board wishes to reduce the maximum dollar amount allowed for the Short Form Authorization and the purchase of goods and services without a Board resolution from \$25,000 to \$5,000.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby amends Resolution #02-178 in accordance with the following:

Three (3) written quotes shall be obtained when the anticipated cost is at least \$2,500 but less than \$5,000 with final approval from the Purchasing Director and Controller/Administrator. The purchase of goods and services over \$5,000 requires approval by Board resolution. The purchase of food, medicine and medical supplies are exempt from this policy.

The maximum dollar amount for which the Short Form Authorization (service contracts) can be used is \$5,000. Approval of the Purchasing Director, Controller/Administrator, Liaison Chairperson, Finance Chairperson, and the Chairperson of the Board of Commissioners is required. A contract over \$5,000 requires approval by Board resolution. All contracts must be approved as to form by the County Attorney.

BE IT FURTHER RESOLVED, that the intent of the Short Form Authorization is to enter into contracts for services, this process is not to be used to amend dollar amounts previously approved by Board resolution.

**RESOLUTION STAFF REVIEW**

**DATE** March 24, 2009

**Agenda Item Title:** Resolution to Amend the 2008 Budget by Transferring Funds from the Juvenile Justice Millage to the State Wards Account within the Child Care Fund

**Submitted by:** Controller's Office

**Committees:** LE \_\_\_\_, JD X, HS \_\_\_\_, CS \_\_\_\_, Finance X

**Summary of Proposed Action:** In 2008, the state wards account within the Child Care Fund was overbudget by \$654,926. The adopted General Fund budget was \$1,529,515 and the actual amount was \$2,184,441. This resolution will authorize the transfer of \$654,926 in 2008 from the Juvenile Justice Millage to cover this budget shortfall. This resolution will also establish separate accounts for neglect and delinquent state wards to ensure that Juvenile Justice Millage Funds are not used for neglect expenses.

**Financial Implications:** The Juvenile Justice Millage (JJM) is anticipated to have a fund balance of approximately \$4.9 million at the end of 2008. This resolution will decrease that fund balance by \$654,926, to approximately \$4.25 million. If this resolution is not approved, the shortfall will be covered from the undesignated fund balance within the General Fund. (See the attached caseload data on costs and Act 150 delinquent/Act 220 neglect cases, this amount differs from the Budget Office numbers in the resolution and is due to other factors, but it is illustrative of the caseload percentage).

Act 150 delinquent costs:	\$1,734,418	77.5 %
Act 220 neglect costs:	<u>\$503,740</u>	22.5 %
Total	\$2,238,158	100 %

This is compared to the amount of funds proposed to come from the amount of General Fund dollars budgeted in 2008 and the amount of funds proposed to come from JJM funds.

2008 State Wards Budgeted General Funds	\$1,529,515	70 %
Proposed use of JJM funds	<u>\$654,926</u>	30 %
Total	\$2,184,441	100 %

**Other Implications:** Ingham County is responsible for 50% of the cost of placements for delinquent and permanent neglect wards who have been committed to the State Department of Human Services, which is paid out of the state wards account within the Child Care Fund. The County monitors the placements monthly to assure that youth are being charged to the correct account, but the County does not have discretion in how these placements are made.

A similar resolution was presented at the last round of committees. The original resolution proposed an additional transfer of up to \$700,000 from the Juvenile Justice Millage in order to cover the anticipated 2009 budget shortfall. In this resolution, no budget adjustment is proposed for 2009 at this time, as the Circuit Court Family Division has a plan to reduce the number of state wards. The expenses will be evaluated toward the end of the 2009 fiscal year to determine what budget action will need to be taken. This resolution also adds a provision to create separate accounts for delinquent and neglect state wards. By tracking these expenses separately, it will be possible to verify that Juvenile Justice Millage Funds are not being spent on neglect expenses.

In order to close the County's 2008 books in a timely fashion, if funds are to be transferred from the Juvenile Justice Millage to the Child Care Fund, approval must be granted during this round of committee meetings. Otherwise, the shortfall will be covered by a draw down of fund balance from the General Fund.

**Staff Recommendation:** MJM \_\_\_ JN X TL \_\_\_ TM \_\_\_ JC \_\_\_  
Staff recommends approval of this resolution.

# MEMORANDUM

TO: John Neilsen  
FROM: Maureen Winslow  
DATE: March 26, 2009  
RE: 2007-2008 Stateward Chargebacks

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The Juvenile Division has completed an analysis of the stateward chargebacks for the fiscal year 2007/2008. This analysis consisted of identifying the number of youth that were committed to the state under Act 150, as well as Act 220. Additionally, the total costs associated with each Act have been calculated. All totals are noted below.

<u>Act 220 Youth</u> 138	<u>Act 220 Cost</u> \$503,740.33
<u>Act 150 Youth</u> 47	<u>Act 150 Cost</u> \$1,734,417.94

**ACT 150 WARDS**

Public Act 150 was enacted in 1974. The Act is contained at MCL 800.301 et seq.

An Act 150 ward is a permanent public ward rather than a temporary court ward. In order for a juvenile to become an Act 150 ward there must be commitment to the Department of Human Services by the court. Once the court commits a juvenile to the Department of Human Services, the agency determines the appropriate placement.

The purpose of committing a juvenile to the Department of Human Services under Act 150 is to provide the juvenile state sponsored services that are not available to the court. Juvenile state sponsored services are generally state training schools or state licensed facilities.

Act 150 is available for juveniles at least 12 years of age through age 17. If a juvenile is committed under Act 150, the commitment remains until the juvenile reaches the age of 19, unless the commitment is extended to age 21 due to special circumstances (certain types of criminal offenses, ex. CSC).

Juveniles committed under Act 150 usually involve long term care and most juveniles age out of the commitment. Usually, the basis for a commitment under Act 150 is the juvenile has exhausted court resources, has a serious or escalating juvenile history, or has committed a serious offense.

**ACT 220 WARDS**

Public Act 220 was enacted in 1935. The Act is contained at MCL 400.201 et seq. The act created the Michigan Children's Institute in order for the state to exercise the duty and obligation to children whose parents' rights have been terminated by the Court.

In order for a child to become an Act 220 ward there must be a commitment to the Department of Human Services by the court after a termination of parental rights. The termination of parental rights is achieved by permanent wardship trial under the child protection law.

The commitment continues until the child reaches the age of 19. The agency determines the appropriate placement of the child. The agency is responsible for the maintenance, health, instruction, and training of the child. The superintendent of the Michigan Children's Institute may consent to the adoption, marriage, or emancipation of the child. In essence, the Michigan Children's Institute acts as the guardian for the child. The wardship ceases once consent is given and the adoption, marriage, or emancipation is complete.

In Act 220 cases, the court does not dismiss the neglect action. The court maintains an open neglect file and conducts post termination review hearings every 91 days for the first year and every 182 days thereafter. Thus, the court retains the ability to direct placement if necessary.

Introduced by the Judiciary and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AMEND THE 2008 BUDGET BY TRANSFERING FUNDS FROM  
THE JUVENILE JUSTICE MILLAGE TO THE STATE WARDS ACCOUNT WITHIN  
THE CHILD CARE FUND**

WHEREAS, Ingham County and the State of Michigan are each responsible for 50% of the cost of placements for delinquent and permanent neglect wards who have been committed to the State Department of Human Services; and

WHEREAS, the actual cost of these placements greatly exceeded the budget in 2008; and

WHEREAS, the portion of these costs spent on delinquent wards are eligible for reimbursement from the proceeds of the Juvenile Justice Millage; and

WHEREAS, in order to ensure that Juvenile Justice Millage Funds are not used for neglect expenses, the stateward expenses should be accounted for in separate accounts for delinquent and neglect; and

WHEREAS, the Juvenile Justice Millage Fund is anticipated to have a fund balance of approximately \$4.9 million at the end of 2008.

THEREFORE BE IT RESOLVED, that account 29266213 832500, "state ward," be renamed "state ward - delinquent", and account 29266213 832600, "state ward – neglect," be established.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the 2008 transfer of \$654,926 from the Juvenile Justice Millage to the state wards - delinquent account within the Child Care Fund.

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