THE COUNTY SERVICES COMMITTEE WILL MEET ON TUESDAY, OCTOBER 21, 2003 AT 7:00 P.M. IN THE PERSONNEL CONFERENCE ROOM, (D & E) OF THE HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

Agenda

Call to Order
Approval of the October 7, 2003 Minutes
Additions to the Agenda
Limited Public Comment

1. Presentation - Leonard Stuttman - Resolution Supporting the Kirtland’s Warbler Initiative Replacing the Robin with the Kirtland’s Warbler as Michigan’s State Bird

2. Ingham County Youth Commission - Interviews

3. Presentation - Ingham County Historical Commission

4. Treasurer’s Office - Update on the Status of the Accommodation Tax Audit /Williamston Inn

5. Health Department
   a. Resolution to Authorize Administrative Service and Medical Service Agreements with the Ingham Health Plan Corporation
   b. Resolution to Appoint Dennis Jurczak, M. D. as Deputy Medical Director and Chief Deputy Medical Examiner and to Authorize an Employment Contract

6. 55th District Court - Resolution to Authorize Budget Amendments Within 55th District Court

7. Parks Board - Resolution to Authorize an Appropriation to be Used for the Construction of the Proposed City of Lansing Dog Park

8. Financial Services Department - Resolution Extending an Agreement with the Accident Fund for Administration of the Self-Funded Workers’ Compensation Program

9. Human Resources Department - Review of County Compensation Structure
10. **Board of Commissioners** - Resolution Supporting the Lansing School District Bond Proposals on the November 4, 2003 **General Election Ballot**

11. **Board Referral** - Letter of Transmittal from the Michigan Department of Consumer and Industry Services, Forwarding the **Sixth Legislative Report** for the State Survey and Remonumentation Section

Announcements
Public Comment
Adjournment

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

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854  Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting.
COUNTY SERVICES
October 7, 2003
Minutes

Members Present: Victor Celentino, Dianne Holman, Debbie DeLeón, Andy Schor, Mike Severino, John Nevin and Board Chairperson Lynch

Members Absent: None

Others Present: Jerry Ambrose, Harold Hailey, Bruce Bragg, Bob Moore, Rodney Taylor, Janiell Valentine, Jared Cypher, Jim Hudgins, Karen Abramczyk, Bill Bixby, and others

The meeting was called to order by Chairperson Celentino at 7:04 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

Approval of the September 4 and September 16, Minutes
MOVED BY COMM. SCHOR, SUPPORTED BY COMM. NEVIN, TO APPROVE THE SEPTEMBER 4 MINUTES AS AMENDED AND THE SEPTEMBER 16 MINUTES AS AMENDED. MOTION CARRIED UNANIMOUSLY.

Additions to the Agenda
1. Additional Information
2a. Substitute Resolution
2b. Item Pulled from the Agenda
H. Item Pulled from the Agenda
I. Item Pulled from the Agenda

Limited Public Comment
Ms. Abramczyk addressed the Committee regarding her efforts to replace the sewer lead on her property. She communicated this matter to the Ingham County Road Commission prior to their construction on St. Joseph Street. She tried to arrange for the replacement of her lead once the pavement was removed and before it was replaced. This would save her a significant amount of money. She requested the Road Commission contact her regarding when her project may be conducted.

After several phone calls for several weeks, the Commission did not respond to her requests. She finally received an answer approximately one week prior to the start of the St. Joseph Street project. The Commission’s written response informed her the City of Lansing has to conduct the proposed repairs on her property. Private parties may not conduct this type of repair. Based on the Commission’s response, Ms. Abramczyk believed she was not to conduct this repair.

Two days prior to the repaving, Ms. Abramczyk’s drain layer informed her he could not conduct her repair. The drain layer was also employed on the St. Joseph Street project. Ms. Abramczyk tried to locate another drain layer. After several telephone calls, she was informed by the companies the
work could not be done due to the time issue. Currently, she has a bid of $17,135 from a company to tear up the new pavement, conduct the repair and then replace the pavement, along with all other necessary activities to complete this project.

Ms. Abramczyk stated if she had received timely responses from the Road Commission, her project could have been completed by this time.

Chairperson Celentino informed the Committee that he received a telephone call from Ms. Abramczyk in mid-August to inform him of her unfortunate situation. The City of Lansing, Lansing Township and the Road Commission have all denied responsibility for the project. Chairperson Celentino stated he spoke with Mr. Midgley on Thursday. He faxed a letter dated October 2, 2003 to the Board Office. The letter was addressed to Ms. Abramczyk. This letter was distributed to the Commissioners.

Chairperson Celentino stated the Road Commission’s letter does not answer many of Ms. Abramczyk’s questions. However, Chairperson Celentino stated Mr. Midgley is willing to discuss this issue with him and Ms. Abramczyk. Comm. DeLeon stated she would inquire as to the City’s possible role in this matter.

A resident of Meridian Township, his name was not legible, addressed the Committee regarding the proposed Resolution Supporting the USA Patriot Act. The resident expressed his serious concerns regarding the Act. He encouraged the Committee to read the fine print and to pay attention to the press coverage of this issue. The resident believes the Act is a fundamental violation of our civil liberties. A resolution will be submitted to this Committee in the near future supporting his position on this matter.

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

2a. Parks Board - Substitute Resolution Authorizing Entering into Easement Agreements for the Lake Lansing Trail

3. Health Department
   A. Resolution to Amend the 2004 Health Department Budget and Establish a Position
   B. Resolution to Establish Two Job Descriptions from the Early Childhood Consultant-Health Job Description
   C. Resolution to Authorize a “Community Voices” Grant from the W.K. Kellogg Foundation
   D. Resolution to Reclassify Two Part-Time Positions in the Adult Health Center
   E. Resolution to Change the Status of an Early Childhood Consultant Position

10. Controller’s Office
   a. Resolution Authorizing Adjustments to the 2003 Ingham County Budget
MOTION CARRIED UNANIMOUSLY.

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. DELEON, TO APPROVE THE ITEMS ON THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

1. **Information Item** - Information from Greg Bixby Regarding the Ingham County Road Commission

Mr. Bixby addressed the Committee regarding his driveway and the Road Commission. He explained that, ultimately, his attorney recommended that he write a check to the Road Commission to cover the bare minimum cost ($10,000) of working on this project. The check indicated it was not being submitted voluntarily.

The Road Commission responded to Mr. Bixby’s check and informed him that his project cost was more than $10,000. Mr. Bixby was not to pay more than $10,000 and if the project cost was less than that amount, he would receive the difference.

Mr. Bixby informed the Committee that the project cost was $44,000. He does not understand why the cost was so high. Mr. Bixby encouraged this Committee to look into this matter.

In response to Mr. Bixby, Chairperson Lynch stated he spoke to the Road Commission regarding this issue. The Commission informed him the cost was high due to an engineering mistake. The engineer was disciplined and the Commission will pay the $35,000 difference. Mr. Bixby stated he does not believe there was an accident.

Mr. Ambrose stated the County Attorney will review this issue. Comm. Nevin suggested that Mr. Midgley appear before this Committee in November. This issue was discussed further.

4. **Community Mental Health** - Resolution Authorizing a Lease Contract with the Community Mental Health Board of Clinton, Eaton and Ingham Counties for the Old Sheriff’s Residence

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. DELEON, TO APPROVE THE RESOLUTION AUTHORIZING A LEASE CONTRACT WITH THE COMMUNITY MENTAL HEALTH BOARD OF CLINTON, EATON AND INGHAM COUNTIES FOR THE OLD SHERIFF’S RESIDENCE.

Mr. Ambrose stated CMH approached the County regarding the use of this building. A review was conducted to determine if this was the best use for the facility. This is an appropriate request. Up-front monies from the County will be repaid in CMH’s rental payments. In response to Chairperson Celentino, Mr. Ambrose stated the program serves mainly Ingham County residents.

MOTION CARRIED UNANIMOUSLY.
5. **Purchasing Department** - Discussion Item - Increasing Supplier Diversity in Ingham County

Mr. Ambrose stated Mr. Hudgins’ memorandum, October 7, outlines how the Purchasing Department has been working to increase the County’s vendor base over the past few years. The 2002 Actual Expenses for Ingham County by Major Category indicates that of the total $143,265,959 in expenses, Payroll/Employee/Retiree Fringes and Benefits expenses accounts for $62,482,427. Mr. Ambrose also stated the County also pays a significant amount in expenses for other County involved entities. Approximately $20 million runs through Purchasing for goods and services.

Additional information was distributed to the Committee for their review. Included in the information was a draft of strategies for expanding the diversity of Ingham County’s vendor base. Mr. Ambrose stated it will be very difficult to quantify our diverse vendor base without duplicating information.

Mr. Ambrose informed the Committee that two or three different measures will be provided to this Committee at a future meeting which will provide a more accurate picture of our vendor base. Purchasing will work with the EOC on an ongoing basis regarding this issue.

Chairperson Celentino commended Mr. Ambrose and Mr. Hudgins for their efforts in this area. Comm. DeLeon suggested the County add Mi-Gente and El Central publications to its publication list. She will email additional information regarding these publications to Ms. Valentine.

Chairperson Lynch expressed his concern regarding the use of ‘credit cards’ by employees for purchases. Mr. Ambrose explained that employees must use County vendors. Chairperson Lynch commended the Purchasing Department for its efforts on the County’s vendor base. He does realize this is a continuing process. Chairperson Celentino also expressed his understanding of the process.

Mr. Ambrose stated he will continue to work the EOC and he will update this Committee periodically.

6. **MIS Department** - Resolution to Authorize a Reorganization of the Management Information Services Supervisor of Computer Operations

MOVED BY COMM. SCHOR, AND SUPPORTED BY COMM. SEVERINO, TO APPROVE THE RESOLUTION TO AUTHORIZE A REORGANIZATION OF THE MANAGEMENT INFORMATION SERVICES SUPERVISOR OF COMPUTER OPERATIONS.

Mr. Taylor explained that the recent retirement of the Department’s MIS Operations Supervisor (position #datapro001) has provided an opportunity to evaluate this position’s job function. The old job description was revised with the assistance of the Human Resources Department. The position’s point factoring was reevaluated.
The MIS Department’s current emphasis is on the network infrastructure and directly supporting the end users. In the past, the Department’s main emphasis was on its mainframe and associated services. The reliance on technology has increased to a level where departments cannot afford to have technical issues. Issues translate into lost productivity and a reduction in customer service.

Due to these issues, Mr. Taylor proposed the Operations Supervisor position be enhanced to include more responsibility over the computer technicians and helpdesk operator. This reclassification will allow more emphasis to be placed in the area of our department that has grown the most in the last few years. Work orders have increased by almost 30% in the past three years. The employee in the proposed new position will be able to work with the technicians to improve productivity and customer service.

The 2004 budget for the current position, including wages and fringes, is $80,258. Filling the proposed position at step one would be $77,062, for a 2004 savings of $3,196. The long-term cost of this position would be $12,052. This compares the current red-lined position at the top step ($80,031) to the proposed position at the top step ($92,082).

Mr. Taylor encouraged the Committee to approve the request for a position reclassification.

Comm. Holman expressed her concern that she has seen a number of management upgrades from this, and other, committees. She stated she would like to see the full range of management and their salaries. Mr. Ambrose stated this information would be placed on a future Committee agenda.

Comm. Schor asked why a current position’s responsibilities could not be expanded. Mr. Taylor explained that one person would be responsible for several employees. He believes this would be inappropriate.

The Committee reviewed the MIS Department’s organizational chart at this time. In response to Comm. Nevin, Mr. Ambrose stated the Human Resources Department reviewed the MIS proposal to assure that it fits within our current structure. All position reorganizations are reviewed by the Human Resources Department.

Comm. Schor asked what effects there would be on the Department if this request was tabled for two to four weeks. Mr. Taylor stated he prefers to implement the reorganization at this time. He further stated he understands the Committee’s concerns. However, he must address the issue of customer service.

Comm. Schor stated he supports Comm. Holman’s request for management information. However, it would not be fair to target the MIS Department regarding this issue. If any adjustments are needed to the proposal, they could be made at a later date. The Committee should move forward with the request. Comm. Severino agreed with Comm. Schor. MIS should not be targeted because it happens to be the one requesting a reorganization. Mr. Ambrose stated the MIS Department is generally understaffed. Management information could be submitted at the next Committee meeting. However, Mr. Ambrose stated the Committee should approve the MIS Department’s request.
Mr. Taylor addressed further questions from the Committee. In response to Comm. DeLeon, Mr. Taylor stated the proposed position could be filled by an internal employee or from the outside. The most recent vacant position was filled from within the MIS Department.

Chairperson Lynch expressed his concern that the EEOC report shows that MIS is least reflective of minority employment. Mr. Taylor explained that the last employee candidates referred to his Department were not minority individuals because they did not apply for the position. Mr. Hailey stated he takes responsibility for this matter. He does make an effort to refer minority candidates to the MIS Department. However, it is very difficult to find anyone with the necessary requirements, regardless of their race.

Comm. DeLeon encouraged the County to employ people who meet the requirements even if they do not have the required degree.

MOVED BY COMM. HOLMAN, SUPPORTED BY COMM. DELEON, TO TABLE THE RESOLUTION TO AUTHORIZE A REORGANIZATION OF THE MANAGEMENT INFORMATION SERVICES SUPERVISOR OF COMPUTER OPERATIONS POSITION. MOTION FAILED with Comms. DeLeon, Holman and Nevin voting YES.

MAIN MOTION CARRIED with Comm. DeLeon voting NO.

7. Human Resources Department - Request for Leave of Absence - K. Harris - Circuit Court

Mr. Buck requested this Committee approve a one-year leave of absence for Juvenile Court Officer Kia Harris. This request is supported by Judge Collette and Judge Garcia. Human Resources also supports this request.

Mr. Buck explained that Ms. Harris would accept a grant position with the National Juvenile Detention Association as a Juvenile Justice Specialist. She would gain valuable knowledge during this leave. Her training would result in her becoming a Certified Trainer for the detention and probation staff.

Comm. Schor stated he believes this is an excellent opportunity for Ms. Harris and the County. Comm. Severino stated he supports this request. Ms. Harris will be able to provide County staff with training she receives during her leave.

MOVED BY COMM. DELEON, SUPPORTED BY COMM. SCHOR, TO APPROVE THE REQUEST FOR LEAVE OF ABSENCE FOR KIA HARRIS OF THE CIRCUIT COURT.

Comm. DeLeon expressed her support of this wonderful idea. In response to Comm. Holman, Mr. Buck stated Ms. Harris’s current position will be filled with a temporary employee.

MOTION CARRIED UNANIMOUSLY.
8. **Board of Commissioners - Resolution Supporting the USA Patriot Act**

This item was pulled from the agenda.

9. **Discussion Item - Regarding Project Labor Agreements**

This item was pulled from the Agenda.

10. **Controller’s Office**
    b. Review of Briefing Books on Selected County Issues: Discussion on Analyses on Areas of Priority Identified by the Ingham County Board of Commissioners

This item was referred to the Committee’s next meeting.

3. Resolution Granting a Waiver of the Requirements of the Ingham County Living Wage Policy

MOVED BY COMM. DELEON, SUPPORTED BY COMM. SCHOR, TO APPROVE THE RESOLUTION GRANTING A WAIVER OF THE REQUIREMENTS OF THE INGHAM COUNTY LIVING WAGE POLICY.

Ms. Solomon-Jozwiak, Catholic Social Services of Lansing/St. Vincent Home, Inc. (CSS), requested a waiver of the provisions of the County’s Living Wage Policy while their leadership and Board of Directors continue to assess the organizational implications of compliance. CSS’s current budget was prepared one year ago and does not include funds necessary to address the requirements of the Policy. The implication of this Policy on the organization are far reaching and will take additional resources and a considerable amount of planning to be in full compliance.

Ms. Solomon-Jozwiak explained that federal funding has been flat this year and will remain flat in 2004. Increasing the organization’s donor base will take time.

Comm. Schor asked if Catholic Social Services was represented during the discussions prior to approval of the Living Wage Policy. Ms. Solomon-Jozwiak explained that the organization assumed it was exempt from this Policy because it is a non-profit business. She requested to be placed on the County’s mailing list at this time.

The Committee discussed the structure of the organization. Comm. Severino stated he did not support the Policy due to this type of concern. He encouraged Ms. Solomon-Jozwiak to consult with their corporate attorney regarding this matter.

Comm. Holman stated she could support the waiver request if Catholic Social Services could comply with the Policy in 2005. Chairperson Celentino explained that CSS could come back to us next year if they need a further extension. He further stated it would be cleaner to exempt non-profits from the County’s Living Wage Policy. However, the Committee must address the Policy in its current form.
Comm. DeLeon expressed her support of the waiver. However, when such contracts come up for renewal, they should meet the Policy requirements. Mr. Ambrose stated the Resolution is relevant to two contracts. Comm. DeLeon stated the Policy could be phased in for these contracts.

Chairperson Celentino stated CSS’s issue is very important to this Committee. The County did not intend to place a hardship on businesses, especially non-profit businesses. He stated he would probably support the waiver request because he understands their funding concerns. Chairperson Celentino also stated he is interested in seeing the results of the Policy implementation in one year.

This discussion continued. Comm. DeLeon stated she believes the Policy requirements will create a hardship on CSS and staff has recommended the one year waiver. Comm. Schor stated social services could be harmed if non-profits are required to implement the Policy. He further expressed his support for the exemption of non-profits from the Policy.

Chairperson Celentino stated language exempting non-profits from the Living Wage Policy could be submitted to this Committee in two weeks. Comm. Schor expressed his support for the Waiver request.

MOVED BY COMM. SCHOR, SUPPORTED BY COMM. NEVIN, TO TABLE THE RESOLUTION UNTIL OCTOBER 21, 2003. MOTION DIED with Comms. DeLeon, Holman and Celentino voting NO.

Ms. Solomon-Jozwiak stated she believes in the Living Wage Policy. However, she asked where the funding for the Policy would come from when units of government do not reimburse businesses for the Policy. Comm. DeLeon stated she understood there would be costs associated with the implementation of the Policy. Chairperson Lynch stated organizations have to make a decision as to whether or not they will request funding from the County.

In response to Comm. Schor, Ms. Solomon-Jozwiak stated CSS could have a plan to phase-in the Policy in a year.

MOTION CARRIED UNANIMOUSLY.

4. Resolution Amending the Ingham County Living Wage Policy

MOVED BY COMM. DELEON, SUPPORTED BY COMM. HOLMAN, TO APPROVE THE RESOLUTION AMENDING THE INGHAM COUNTY LIVING WAGE POLICY.

Mr. Ambrose explained the amendment to the Policy would exempt contractors who are engaged outside of Ingham County for the purpose of providing services to non-county residents pursuant to underlying agreements with the State of Michigan.
Comm. Severino stated this amendment does not make sense when considering the discussion above. Comm. DeLeon explained that it is not appropriate to impose the Policy on other counties. Mr. Ambrose further explained that this is a matter of practicality.

Comm. Nevin suggested the Controller prepare a report detailing the costs and other issues associated with the implementation of the Living Wage Policy one year after its implementation. Mr. Ambrose stated he would be glad to submit such a report at the end of 2004.

MOTION CARRIED with Comms. Severino and Nevin voting NO.

MOVED BY COMM. NEVIN, SUPPORTED BY COMM. HOLMAN, TO DIRECT THE CONTROLLER PREPARE A REPORT DETAILING THE COSTS AND OTHER ISSUES ASSOCIATED WITH THE IMPLEMENTATION OF THE LIVING WAGE POLICY ONE YEAR AFTER ITS IMPLEMENTATION. MOTION CARRIED UNANIMOUSLY.

e. Potential Amendment to the Ingham County Living Wage Policy

Mr. Ambrose explained the Living Wage Policy provides for exclusions where employees are engaged in formally recognized training programs. It does not recognize situations where full-time college students work on a less than part-time basis in their field of study. It appears the use of college students working in their field of study is a regular occurrence in County government. Requiring compliance with the Policy may narrow opportunities for gaining practical experience while pursuing academic training beyond high school.

Comm. Schor suggested the Controller put the exemption language, following, in a resolution for this Committee’s next meeting:

J. Full-time college students working less than full time in their field of study, and who receive no employer paid benefits, including, but not limited to, vacation, sick leave, holiday pay, and health insurance are exempt from this policy, subject to certification by the contractor as to the field of study and employee status as less than full time.

Comm. Holman stated the resolution should include language explaining how the Policy will impact all non-profits. Mr. Ambrose stated he would have to survey all non-profits before including this language. He further explained that issues will come up over the year regarding the Policy which were not thought of during the discussion phase.

(Comm. Severino left the meeting at 9:56 p.m.)

Chairperson Celentino stated the Controller will submit a resolution to this Committee which will address the proposed exemption.

f. Update on Discussions with Lansing Charter Township

Mr. Ambrose updated the Committee regarding the discussions with Lansing Charter Township.
2b. Parks Board - Resolution to Authorize an Appropriation to be Used for the Construction of the Proposed City of Lansing Dog Walk

This item will be placed on a future agenda for discussion and consideration. It was pulled from this evening’s agenda.

11. Board Referrals
   a. Resolution from Midland County Supporting Local Government Participation in the State Purchasing Program
   b. Resolution from Antrim County Supporting Local Government Participation in the State Purchasing Program

The Board Referrals were received and placed on file.

Announcements: None
Public Comment: None

The meeting adjourned at 10:09 p.m.

Respectfully submitted,

Debra Neff
MEMORANDUM

TO: County Services Committee
FROM: Becky Bennett
        Board Coordinator
DATE: October 15, 2003
RE: Resolution Supporting the Kirtland’s Warbler Initiative Replacing the Robin with the Kirtland Warbler as Michigan’s State Bird

Attached you will find a resolution supporting the Kirtland’s Warbler Initiative to replace by statute, the robin, with the Kirtland’s warbler as the state bird of Michigan. This item was initially placed on the agenda as the result of a request made to Commissioner Grebner. The County Services Committee tabled the resolution at their August 19, 2003 meeting.
WHEREAS, in 1931 the Michigan Audubon Society promoted the robin as Michigan’s state bird; and

WHEREAS, in 1934 it was discovered that the Kirtland’s warbler nested exclusively in Michigan; and

WHEREAS, the Kirtland’s warbler is one of the world’s rarest warblers; and

WHEREAS, to the best of our knowledge, Michigan’s Jack Pine Barrens are essentially the only known nesting grounds of the Kirtland’s warbler; and

WHEREAS, the Kirtland’s warbler reproduction is very sensitive to the size and age of the Jack Pine nesting grounds; and

WHEREAS, the Endangered Species Act provides funding for State and Federal Agencies to maintain and manage the Jack Pine Ecosystems to benefit the Kirtland’s warbler; and

WHEREAS, having rescued the Kirtland’s warbler from the brink of extinction, the Michigan Recovery Program is lauded by conservation organizations world wide as a model for endangered species survival; and

WHEREAS, Michigan’s Forest Industry participates and profits from the Jack Pine Forest Management Program; and

WHEREAS, the Kirtland’s warbler attracts bird watchers, nature enthusiasts, and school children from Michigan and the United States, as well as a significant number of foreign visitors every year; and

WHEREAS, Kirtland’s warbler generates millions of dollars for the State of Michigan; and

WHEREAS, the Jack Pine Management Program provides habitat for other non-game birds and animals; and

WHEREAS, the Jack Pine Management Program provides habitat for game animals like deer and turkey for hunting during the non-breeding season; and
WHEREAS, hunting and recreation in the “managed” Jack Pine Forests during the Kirtland’s warbler non-breeding season, in addition to forest product and tourism generates millions of dollars for the State of Michigan; and

WHEREAS, the robin is the state bird for other states.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners supports the Kirtland’s Warbler Initiative to replace by statute, the robin, with the Kirtland’s warbler as the Michigan state bird.
MEMORANDUM

TO: County Services Committee
FROM: Gerald W. Ambrose
DATE: October 15, 2003
RE: Treasurer Report - Update on the Status of the Accommodation Tax Audit Services

Pursuant to the April 22, 2003 County Services Committee meeting minutes, the Treasurer was to report back to the Committee for an update on the status of the Accommodation Tax Audit Services. Attached, for your information, is an excerpt from the approved April 22, 2003 County Services Committee meeting minutes.
b. Resolution Authorizing a Contract for Accommodation Audit Services Through the Treasurer’s Office

Mr. Schertzing explained that the County Treasurer is the administrator of the accommodation ordinance. The Kent County Treasurer has two full-time staff persons who are devoted to accommodation audits. Contracting with Kent County for accommodation audits would be beneficial to Ingham County.

In response to Comm. Nevin, Mr. Schertzing stated some facilities may be under-reporting. The accommodation ordinance provides for a five percent per month penalty for late payments. Mr. Schertzing further stated Ingham County has not conducted an accommodation audit in the past few years. In response to Comm. DeLeon, Mr. Schertzing explained the accommodation ordinance.

Comm. Severino expressed his concern that the audits should be conducted on a random basis. Specific facilities should not be targeted. He also stated that he is in favor of contracting with Kent County for the auditing services. In response to Comm. Severino, Mr. Schertzing stated interest and penalty funds are paid to the County.

Mr. Ambrose explained to Comm. DeLeon that the funding source for this contract would be this year’s Contingency Fund. This is an appropriate one-time expense from the Contingency Fund. A permanent funding source needs to be established for the auditing process. If monies from the auditing process are re-appropriated, the Contingency Fund monies could be returned. The Committee discussed this issue briefly.

MOVED BY COMM. DELEON, SUPPORTED BY COMM. NEVIN, TO APPROVE THE RESOLUTION AUTHORIZING A CONTRACT FOR ACCOMMODATION AUDIT SERVICES THROUGH THE TREASURER’S OFFICE. MOTION CARRIED with Comm. Severino voting NO. Absent: Comm. Schor

Mr. Ambrose informed the Committee that the Treasurer’s Office will report back regarding this contract in approximately six months.
August 27, 2003

Mr. Eric Schertzing
Ingham County Treasurer
P. O. Box 215
Mason, MI  48854-0215

RE: Williamston Inn
Accommodation Tax

Dear Mr. Schertzing:

I am writing on behalf of my clients, John and Bonnie Krauss, the owners and operators of the Williamston Inn, in response to your letter dated July 28, 2003. You indicated that it is your position that the accommodation tax applies to their inn and that they should begin collecting the tax on September 1, 2003.

I have reviewed the ordinance and the bed and breakfast exemption in Section 2.3. It would appear to me that this exemption applies to the Williamston Inn. The inn consists of one building with the middle part being the Krauss' personal residence and five rooms on each side of the same building. The inn is their private residence, it offers sleeping accommodations to transient tenants in less than fourteen rooms for rent, they have working smoke detectors in each sleeping room, and they have more fire extinguishers than required by the ordinance.

Therefore, my clients respectfully request that you review your prior decision and make a determination that the bed and breakfast exemption does apply to them and they are not required to collect the accommodation tax. Mrs. Krauss told me that when the amendment was passed back in 1991, they attended a meeting with county officials and they were told at that meeting that this exemption did apply to them and they did not owe the tax. This position has clearly been followed by the county for the past 12 years because no enforcement action has been taken and no notices of any kind have ever been sent to my clients regarding a claim that they should be collecting this tax.

Thank you for your consideration and review in this matter. Please contact me at your earliest convenience so that we may resolve this issue.

Sincerely,

David A. Kallman
Attorney at Law

DAK/cas
cc:  Mr. and Mrs. Krauss

9/24 11:43 am Sec
9/25 11 a.m. referring prior call
9/27 nice conversation
RESOLUTION NO. 25-131
INGHAM COUNTY, MICHIGAN

Introduced by the County Affairs & Policy Committee

A RESOLUTION TO ADOPT AN ORDINANCE TO LEVY, ASSESS AND COLLECT A 2% EXCISE TAX FROM HOTELS AND MOTELS.

WHEREAS, Act 263 of the Public Acts of 1974 permits counties to impose and collect an excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests; to provide for the disposition of the revenues thereof; and to prescribe penalties; and

WHEREAS, Ingham County qualifies within the prescribed limits of said statute as being eligible to provide by ordinance for such a tax; and

WHEREAS, this Board of Commissioners deems it advisable and in the best interests of the County of Ingham to provide for the imposition and collection of such an excise tax;

NOW THEREFORE BE IT RESOLVED, that this Board of Commissioners adopt, and hereby does adopt, the Ordinance attached hereto entitled: ORDINANCE TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF AN EXCISE TAX ON PERSONS ENGAGED IN THE BUSINESS OF PROVIDING ROOMS FOR TRANSIENT GUESTS.

COUNTY AFFAIRS AND POLICY COMMITTEE

STATE OF MICHIGAN
SS
COUNTY OF INGHAM

I, Lingg Brewer, Clerk for the County of Ingham, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board of Commissioners of the County of Ingham, Michigan, on May 13, 1975 as appears of record in my office, and that I have compared the same with the original, and that it is a true transcript therefrom and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at Mason, Michigan, this 16th day of June A.D., 1993.

LINGG BREWER, INGHAM COUNTY CLERK
by Kathleen Clark
Deputy Clerk
COUNTY OF INGHAM  
STATE OF MICHIGAN  

ORDINANCE TO PROVIDE FOR THE IMPOSITION 
AND COLLECTION OF AN EXCISE TAX ON PERSONS 
ENGAGED IN THE BUSINESS OF PROVIDING ROOMS 
FOR TRANSIENT GUESTS.

An ordinance relating to and providing for the 
imposition and collection of an excise tax on persons engaged 
in the business of providing rooms for dwelling, lodging, or 
sleeping purposes to transient guests; to provide the circum-
cstances under which such tax shall be imposed and collected; 
to provide for the powers and duties of the county treasurer; 
to grant the power to contract for fund administration; to 
establish the rate of such tax; to authorize and establish 
procedures to ascertain, assess, collect, administer and 
enforce said tax; to provide for the disposition of the 
revenues thereof; to provide for abatements and refunds; and 
to prescribe penalties for violations thereof.

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

ARTICLE I  

PURPOSE  

Section 1. In the interest of the citizens of Ingham 
County, and for the benefit of the general public, and to pro-
mote and encourage tourist and convention business in the County 
of Ingham, and with the purpose of providing to the public and 
to the citizens convention and entertainment facilities as 
described in Act 263, Public Acts of Michigan, 1974, and to 
finance the acquisition, construction, improvement, enlarge-
ment, repair and maintenance of such convention and entertain-
ment facilities, and to provide for the administration and 
enforcement of this Act; the County of Ingham, Michigan, does 
hereby adopt the following ordinance pursuant to Act 156, 
Public Acts of Michigan, 1851, as amended.

ARTICLE II  

DEFINITIONS  

Section 2. For the purpose of this Ordinance, the 
following terms shall have the following meanings respectively 
designated for each:

Section 2.1 "ACCOMMODATIONS" means the room or other 
space provided for sleeping, including furnishings and other 
accessories therein. Accommodations do not include food and 
beverages.
Section 2.2 "ADMINISTRATOR" means the official designated by the County to collect the tax and to administer and enforce this Ordinance.

Section 2.3 "BOARD OF COMMISSIONERS" means the Ingham County Board of Commissioners.

Section 2.4 "CONVENTION AND ENTERTAINMENT FACILITIES" means all or any part, or any combination of convention halls, auditoriums, stadiums, music halls, arenas, meeting rooms, exhibit areas and related public areas.

Section 2.5 "COUNTY TREASURER" means the elected County Treasurer or the duly authorized representative thereof.

Section 2.6 "PERSON" means a natural person, partnership, fiduciary, association, corporation, or other entity.

Section 2.7 "REVENUES" means the income derived from the tax, plus interest and penalties levied and assessed under this Ordinance.

Section 2.8 "TRANSIENT GUEST" means a natural person staying less than thirty (30) consecutive days.

ARTICLE III
COUNTY TREASURER

Section 3. The County Treasurer is hereby designated as the Administrator of the tax and methods of collection. The County Treasurer shall collect the tax imposed in Section 4 hereof and shall administer and enforce this Ordinance. The County Treasurer shall have the power to make such rules and regulations, subject to the approval of the Board of Commissioners, as are necessary to effectively collect the tax levied herein and shall, upon reasonable notice, have access to books and records necessary to enable the Treasurer to determine the correctness of any report filed as required by this Ordinance and the amount of taxes due under the provisions of this Ordinance. The County Treasurer shall furnish forms, instructions, manuals and other materials necessary for endorsement of the tax and the auditing of tax returns to each taxpayer. The County shall receive from all proceeds collected under this Ordinance such amount as shall be determined from time to time by the Board of Commissioners for collection expenses incurred by the County Treasurer's office plus all interest and penalty fees.

ARTICLE IV
TAX

Section 4. AMOUNT OF TAX: A tax is hereby imposed on and shall be collected from each person engaged in the business of providing accommodations for dwelling, lodging
or sleeping purposes for transient guests, whether or not membership is required for the use of the accommodations. The tax imposed hereunder shall be at a rate of two percent (2%) of the total charge, exclusive of taxes, for the accommodations subject to Act 263, Public Acts of Michigan, 1974, and this Ordinance.

Section 4.1 EXCEPTIONS: No tax shall be imposed hereunder upon cottages, hospitals or nursing homes, or upon a corporation or association organized and operated exclusively for religious, charitable or educational purposes, in which no part of the net earnings inures to the benefit of any private shareholder or individual.

Section 4.2 COLLECTIONS: All persons who are engaged in the business of providing rooms for dwelling, lodging or sleeping purposes to transient guests shall collect the tax imposed in Section 4 hereof, for the County of Ingham.

Section 4.3 REPORTS; REMITTANCES: On or before the fifteenth day of each month, every person required in Section 4.2 hereof to collect the tax imposed herein shall file a report for the preceding month with the County Treasurer showing the total amount of consideration paid for all accommodations in the preceding month, the amount of the tax collected on such accommodations and any other information that the County Treasurer may reasonably require. Such person shall pay the tax due on such accommodations at the time of filing the report with the County Treasurer. All remittances of taxes imposed by this Ordinance shall be to the County Treasurer by bank draft, check, cashier's check, money order, certificate of deposit or money. The County Treasurer shall issue a receipt, and shall forthwith deposit all monies received in a special fund of the County; provided, however, that no remittance other than cash shall be a final discharge of liability for the tax herein assessed and levied unless and until it has been paid in cash.

Section 4.4 INTEREST: Interest at the rate of one percent (1%) per month or a fraction thereof, shall be imposed on the unpaid tax after the due date thereof, until paid. Such interest shall continue at the rate of one percent (1%) per month, or fraction thereof, until paid. Any interest added shall be collected as part of the tax.

Section 4.5 RECORDS: The records of all persons engaged in the business of providing accommodations for dwelling, lodging or sleeping purposes to transient guests, except hospitals and nursing homes, shall be open to the inspection of the Treasurer at all reasonable times, within ten (10) days after receipt of such inspection by the Treasurer.
Section 4.6 TAX RETURNS: Every person subject to the operation of this Ordinance shall annually file with the Treasurer a copy of their Federal Income Tax Return within four (4) months after the end of the fiscal or calendar year for which they have filed and shall further file copies of any and all use tax returns required pursuant to the provisions of Act 94, Public Acts of Michigan 1937, as amended, within ten (10) days after they have been filed with the State of Michigan.

ARTICLE V

PENALTIES

Section 5. PENALTIES: The Treasurer, after inspection and examination of the books and records of a person subject to this Ordinance, to the extent such books and records, or any other evidence available to the Treasurer, requires a payment of a tax in excess of that paid by such person, in addition to the additional tax, and interest thereon, may impose a penalty of five percent (5%) of the amount of the unpaid tax per month or fraction thereof, after the due date thereof, until paid. Such penalty shall not, however, exceed twenty-five percent (25%) of the unpaid tax. Any penalty shall be collected as part of the tax.

Section 5.1 FINES OR IMPRISONMENT: Any person found in violation of any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine not to exceed Five Hundred and no/100 Dollars ($500.00), or imprisonment in the county jail, not to exceed ninety (90) days, or both, at the discretion of the court.

Section 5.2 VIOLATION OF PROCESS: In the event of any violation of this Ordinance by a person engaged in the business of providing accommodations for dwelling, lodging or sleeping purposes to transient guests, except hospitals and nursing homes, the Treasurer or deputy Treasurer, may proceed to make complaint before a judge of the courts of Ingham County, and obtain the issuance of a summons for the arrest of such person.

ARTICLE VI

ABATEMENTS AND REFUNDS

Section 6. REVIEW: Any aggrieved persons subject to this Ordinance may, within ten (10) days after payment of the tax, interest and/or penalty, under protest, file with the Treasurer, upon forms provided by the Treasurer, an application for a hearing for an abatement or refund of taxes, interest and/or penalty, imposed hereunder. The applicant shall submit to the Treasurer all the facts necessary for a competent determination.
Section 6.1 NOTICE OF HEARING: The Treasurer, within ten (10) days of receipt of the application, shall notify the applicant of the date of the hearing, which shall not be more than forty-five (45) days from the date of the receipt of the application.

Section 6.2 HEARING: At the time and place set for the hearing, the applicant, or anyone in behalf of the applicant, shall be given an opportunity to be heard and submit such evidence as the applicant deems necessary to justify an abatement or refund of such taxes.

Section 6.3 DETERMINATION OF TREASURER: At the time of the hearing, the Treasurer shall listen to the facts and evidence as presented by the applicant and shall make a decision regarding abatement or refund of the applicant's tax, and, in making such decision, shall consider the following:

\[ \begin{align*}
(a) & \quad \text{Whether failure to file was due to reasonable cause and not due to wilful neglect.} \\
(b) & \quad \text{Whether the tax was inadvertently collected from a person meeting the requirements in Section 4.1.} \\
(c) & \quad \text{Whether the person responsible for payment of the tax inadvertently made an overpayment.} \\
(d) & \quad \text{Whether charges for accommodations remain unpaid and there remains little likelihood that such charges will be collected.}
\end{align*} \]

Based on such factors, the Treasurer may abate the interest and/or penalty or a part thereof for just cause.

Section 6.4 COURT APPEAL: In the event the applicant is aggrieved by the decision of the Treasurer, the applicant may, within thirty (30) days of receipt of the decision of the Treasurer, file an action in the courts of Ingham County for a determination of such abatement or refund.

ARTICLE VII

DISPOSITION OF REVENUES

Section 7. REVENUE RECEIVING FUND: The revenues derived from the taxes imposed pursuant to this Ordinance shall be deposited in a special fund to be used by the County or an authority which is organized pursuant to state law, only for the following purposes:

(a) To pay the cost of administration and enforcement of this Ordinance.
(b) To finance, in whole or in part, the acquisition, construction, improvement, enlargement, repair or maintenance of convention and entertainment facilities, including the payment of principal and interest, when due, on bonds or other evidence of indebtedness issued by the County for convention and entertainment facilities.

(c) To pay current or future annual rental payments by the County to an authority organized pursuant to state law for the purpose of acquiring, constructing, improving, enlarging, repairing or maintaining the convention and entertainment facilities and leasing them to the County.

(d) To promote and encourage tourist and convention business in the County.

Section 7.1 INVESTMENT OF FUNDS: Monies in the special fund may be invested by the County Treasurer. In the event such deposits are made, the security representing the same shall be kept on deposit with the depository of the fund from which such investments are made, and such securities and the income therefrom shall become a part of the fund.

Section 7.2 POWER TO CONTRACT FOR FUND ADMINISTRATION: The County of Ingham may enter into a contract or contracts with a non-profit agency or agencies outside of the County government to carry out the purposes of this Ordinance on such terms and conditions as shall be agreed upon by the Board of Commissioners.

ARTICLE VIII

OTHER TAXES

Section 8. The taxes levied under this Ordinance shall be in addition to any other taxes, charges or fees.

ARTICLE IX

EFFECTIVE DATE OF ORDINANCE

Section 9. This Ordinance shall become effective on the 1st day of August, 1975.

ARTICLE X

SEVERABILITY

Section 10. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid
or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ADOPTED this ____ day of ___________ A.D. 1975.
WHEREAS, Ingham County adopted an Ordinance to provide for the imposition and collection of an excise tax on persons engaged in the business of providing rooms for transient guests in 1975; pursuant to Act 263 of the Public Acts of 1974, as amended, MCL 141.861 et seq. and

WHEREAS, said Ordinance provides for a 2% tax; and

WHEREAS, the statutory authorization for the Ordinance authorizes a tax up to 5%; and

WHEREAS, the proceeds from the tax are to be used to promote tourism within the County; and

WHEREAS, County tourism could benefit from increased promotion resulting from a tax increase.

THEREFORE BE IT RESOLVED that the attached First Amendment to Ordinance to Provide for the Imposition and Collection of an Excise Tax on Persons Engaged in the Business of Providing Rooms for Transient Guests is hereby adopted, effective February 1, 1991.

BE IT FURTHER RESOLVED that the County Clerk shall cause to be published in a newspaper of general circulation in the County notice of the adoption of this First Amendment prior to February 1, 1991.

BE IT FURTHER RESOLVED that the Chairperson shall sign the First Amendment and the County Clerk shall certify its adoption.
Resolution No: 91-234
October 8, 1991

Ingham County Board of Commissioners

AS AMENDED

RESOLUTION

RESOLUTION TO ADOPT A SECOND AMENDMENT TO THE HOTEL/MOTEL TAX ORDINANCE FOR INGHAM COUNTY

Introduced by the Administrative Services and Finance Committees

WHEREAS, Ingham County adopted an Ordinance in 1975, as amended in 1990, to provide for the imposition and collection of an excise tax on persons engaged in the business of providing rooms for transient guests in 1975; pursuant to Act 163 of 1974, as amended, MCL 141.861 et seq.; and

WHEREAS, Ingham County desires the Treasurer to submit a quarterly written report of hotels/motels which are at least sixty (60) days delinquent in the payment of the hotel/motel tax; and

WHEREAS, said Ordinance provides for a tax upon bed and breakfasts; and

WHEREAS, various laws have been passed recently clarifying the different nature of bed and breakfast establishments from hotel and motel establishments; and

WHEREAS, Ingham County desires to exempt bed and breakfast establishments from the Hotel/Motel tax.

THEREFORE BE IT RESOLVED that the attached Second Amendment to Ordinance to Provide for the Imposition and Collection of an Excise Tax on Persons Engaged in the Business of Providing Rooms for Transient Guests is hereby adopted, effective 1991.

BE IT FURTHER RESOLVED that the County Clerk shall cause to be published in a newspaper of general circulation in the County notice of the adoption of this Second Amendment prior to November 1, 1991.

BE IT FURTHER RESOLVED that the Chairperson shall sign the Second Amendment and the County Clerk shall certify its adoption.

ADMINISTRATIVE SERVICES

Yees: Beal, Porter, Ballbach, Goulet, Pyster

Nays: None Absent: Goodman, Mervenne

Approved 10/1/91

FINANCE

Yees: Grebner, McDonald, Tubbs, Tubbs, Martinez, Schafer

Nays: Wilbur Absent: Burk, Beal

Approved 10/2/91
SECOND AMENDMENT TO ORDINANCE TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF EXCISE TAX ON PERSONS ENGAGED IN THE BUSINESS OF PROVIDING ROOMS FOR TRANSIENT GUESTS

The "Ordinance to Provide for the Imposition and Collection of Excise Tax on Persons Engaged in the Business of Providing Rooms for Transient Guests" (Ordinance) is hereby amended as follows:

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

1. Article II, Section 2. of the Ordinance is amended to read as follows:

ARTICLE II

DEFINITIONS

Section 2. For the purpose of this Ordinance, the following terms have the following meaning respectively designated for each:

Section 2.1 "ACCOMMODATIONS" means the room or other space provided for sleeping, including furnishings and other accessories therein. Accommodations do not include food and beverages.

Section 2.2 "ADMINISTRATOR" means the official designated by the County to collect the tax and to administer and enforce this Ordinance.

Section 2.3 "BED AND BREAKFAST" means a private residence that offers sleeping accommodations to transient tenants in fourteen (14) or fewer rooms for rent, is the innkeepers residence in which the innkeeper resides while renting rooms to transient tenants, and has a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor.

Section 2.4 "BOARD OF COMMISSIONERS" means the Ingham County Board of Commissioners.

Section 2.5 "CONVENTION AND ENTERTAINMENT FACILITIES" means all or any part, or any combination of of convention halls, exhibit areas and related public space.

Section 2.6 "COUNTY TREASURER" means the elected County Treasurer or the duly authorized representative thereof.

Section 2.7 "PERSON" means a natural person, partnership, fiduciary, association, corporation, or other entity.

Section 2.8 "REVENUES" means the income derived from the tax, plus interest and penalties levied and assessed under this Ordinance.

Section 2.9 "TRANSIENT GUEST" means a natural person staying less than thirty (30) consecutive days.
2. Article III, Section 3.3 is added to read as follows:

Section 3.3 "QUARTERLY WRITTEN REPORTS FOR DELINQUENT PAYMENT OF HOTEL/MOTEL TAX": The County Treasurer shall submit a quarterly written report indicating the names of all hotels/motels which are at least sixty (60) days delinquent in the payment of their hotel/motel tax to the Chairperson of the Board, the Administrative Services Committee, and the Convention Visitor's Bureau of Greater Lansing. Each report shall identify the taxable month, date the tax was due, and any interest and/or penalty which may be assessed for said delinquency.

3. Article IV, Section 4.1 of the Ordinance is amended to read as follows:

Section 4.1 EXCEPTIONS: No tax shall be imposed hereunder upon bed and breakfasts, cottages, hospitals or nursing homes, or upon a corporation or association organized and operated exclusively for religious, charitable or educational purposes, in which no part of the net earnings inures to the benefit or any private shareholder or individual.

4. This Amendment is effective the 1st day of November, 1991.

ADOPTED THIS 8TH DAY OF OCTOBER, 1991

INGHAM COUNTY BOARD OF COMMISSIONERS

[Signature]

Brian Jeffries, Chairperson
CERTIFICATION OF COUNTY CLERK

I hereby certify that the foregoing constitutes a true and complete copy of the Second Amendment to Ordinance To Provide for the Imposition and Collection of an Excise Tax on Persons Engaged in the Business of Providing Rooms for Transient Guests, duly adopted by the Ingham County Board of Commissioners on the 8th day of October, 1991.

INGHAM COUNTY CLERK

By

Lingg Brewer, Clerk
Resolution to Authorize Administrative Service and Medical Service Agreements with the Ingham Health Plan Corporation

Submitted by: Health Department

Committees: LE ____, JD____, H.S.____, CS ____ , Finance ____

Summary of Proposed Action: (see attached letter of explanation)
This resolution will authorize two contracts with the Ingham Health Plan Corporation including the Agreement for Administrative Services and Agreement for Medical Services. The Health Department provides basic administrative support for the Ingham Health Plan Board of Directors. The County is a major service provider for the Corporation. Approximately 10,000 Ingham Health Plan (IHP) enrolled members receive their primary care services through the network of health centers operated by the Ingham County Health Department. The resolution will establish a new full-time Nurse Case Manager (ICEA Public Health Nursing Unit) to support the efforts to control emergency room utilization and to obtain Medicaid reimbursement and amend the 2004 Health Department budget to recognize the cost of the new employee supported by the revenue from the IHP.

Financial Implications: For this Administrative Services agreement, Ingham County receives $4.75 per member per month for each person enrolled in the Ingham Health Plan.

The Corporation pays the County $12.75 per member per month for each IHP enrolled person assigned to the Health Department when that person is not eligible for the State Medical Program (Plan B members) and $22.00 per member per month for each IHP enrolled person assigned to the Health Department when that person is eligible for the State Medical Program (Plan A members). The Medical Services Agreement also provides for the Corporation to pay the County $400,000 to support the Adult Dental Clinic and $236,325.

New this year will be a one time payment of $8,000 to support the start up cost for the Ingham Advantage Program. The agreement will pay the County $2,500 per month to support the ongoing services. The County will establish a full-time Nurse Case Manager (ICEA Public Health Nursing Unit) to support the efforts to control emergency room utilization and to obtain Medicaid reimbursement. All other expenditures that are a part of these two contracts with the IHPC are included in the Department’s 2004 budget.

Other Implications: None

Staff Recommendation: JA ____ JN ____ HH ____
This resolution should be approved.
MEMORANDUM

To: Human Services Committee
   County Services Committee
   Finance Committee

From: Bruce Bragg

Date: October 15, 2003

Subject: Recommendation to Authorize Contracts with the Ingham Health Plan Corporation

This is a recommendation to authorize two contracts with the Ingham Health Plan Corporation:

   A. Agreement for Administrative Services
   B. Agreement for Medical Services

With the support of the Ingham County Board of Commissioners, the Ingham Health Plan Corporation was formed in 1998. The Corporation uses Ingham County, State of Michigan and Federal funds which are passed through Ingham Regional Medical Center and Sparrow Health System (in the form of a special disproportionate share hospital payment) to fund a health benefit plan for low income and uninsured Ingham County residents. Currently there are about 15,000 such persons enrolled in the Ingham Health Plan.

Ingham Health Plan enrollees receive a health plan card and are assigned to a primary care provider (the Health Department provides primary care to about 10,000 IHP members). The enrollee also has a pharmacy benefit, laboratory services benefit, specialty physician benefit and radiology benefit. The primary care provider network also includes Cristo Rey Community Center, MSU Health Team, McLaren Medical Management (the former Ingham Regional owned physician practices) and others. The total enrollment is projected to remain at about 15,000 for 2003-2004.

The Ingham Health Plan Corporation has no staff of its own. It obtains administrative support from the Ingham County Health Department. It obtains legal counsel from the firm of Miller, Canfield, Paddock and Stone P.L.C. It obtains health care consultation from Health Management Associates, PC. The Health Department provides basic administrative support for the Board of Directors, including arranging meetings, keeping records, processing contracts, developing the provider network, and it identifies, qualifies and enrolls eligible persons into the Ingham Health Plan. For this service, Ingham County receives $4.75 per member per month for each person enrolled in the Ingham Health Plan. This arrangement is facilitated by an Administrative Services Agreement between the Corporation and the County.
Agenda Item 5a

The Ingham Health Plan Corporation contracts with health care providers to obtain the services necessary to serve the enrolled population. The County is a major service provider for the Corporation. Approximately 10,000 IHP enrolled members receive their primary care services through the network of health centers operated by the Ingham County Health Department. The Corporation pays the County $12.75 per member per month for each IHP enrolled person assigned to the Health Department when that person is not eligible for the State Medical Program (Plan B members). The Corporation pays the County $22.00 per member per month for each IHP enrolled person assigned to the Health Department when that person is eligible for the State Medical Program (Plan A members). These services are facilitated by the Medical Services Agreement.

The Medical Services Agreement also provides for the Corporation to pay the County $400,000 to support the Adult Dental Clinic and $236,325 to support public health nursing services to women, infants and children and to low income adults.

The Corporation has asked the Health Department to expand services in three areas:

a. Understand and better manage member use of emergency rooms. The Department will use the claims payment system to identify frequent users of the emergency room, identify non-emergent use of the emergency room and develop strategies to better manage those enrollees.

b. Assist the Corporation to recover payments from the Medicaid Program. The Department will identify enrollees who become Medicaid eligible and will work to retroactively bill for eligible services.

c. Assist the Corporation to initiate and expand the Ingham Advantage Program (small employer subsidy program). The Health Department will act as the local agent, developing marketing materials, identifying and certifying eligible businesses.

The Corporation will make a one time payment of $8,000 to support start up cost for the Ingham Advantage Program and will pay the County $2,500 per month to support the ongoing services. The County will establish a full-time Nurse Case Manager (ICEA Public Health Nursing Unit) to support the efforts to control emergency room utilization and to obtain Medicaid reimbursement. The cost of the new employee is supported by the revenue from the IHP. The Controller will need to amend the 2004 Health Department budget, adding $57,450 to support the expenditures not included in the 2004 budget that has been recommended to the Board of Commissioners for adoption. All other expenditures that are a part of these two contracts with the IHPC are included in the Department’s 2004 budget.

The attached resolution will authorize the Administrative Services Agreement and the Medical Services Agreement for FY 2003 - 2004. It will authorize the Controller to amend the budget and authorize the Board Chairperson to sign the two agreements.
I recommend that the Board of Commissioners adopt the attached resolution, authorize the agreements with the Ingham Health Plan Corporation.

Attachment:

cc: John Jacobs w/attachment
    Bruce Miller w/attachment
Introduced by the Human Services, County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE ADMINISTRATIVE SERVICE AND MEDICAL SERVICE AGREEMENTS WITH THE INGHAM HEALTH PLAN CORPORATION

WHEREAS, the Ingham Health Plan Corporation (IHPC) was organized in 1998 to establish and implement a health benefit plan for uninsured persons; and

WHEREAS, the IHPC has contracted with Ingham County since 1998 for administrative support services for the Corporation, provided by the Ingham County Health Department; and

WHEREAS, the IHPC has contracted with Ingham County since 1998 for primary care and speciality care services provided to a portion of the Ingham Health Plan enrolled population through the County’s network of community health centers operated by the Health Department; and

WHEREAS, the IHPC has proposed to contract with Ingham County for administrative support services and medical services for the period October 1, 2003 through September 30, 2004; and

WHEREAS, the Health Officer has advised that the revenue and services that are facilitated by the proposed contracts are part of the Health Department’s 2003-2004 budget; and

WHEREAS, the Health Officer has recommended that the Board of Commissioners authorize the administrative services and medical services contracts with the Ingham Health Plan Corporation for 2003-2004.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes an Administrative Services Agreement with the Ingham Health Plan Corporation (IHPC) whereby the Corporation will provide Ingham County with $4.75 per month for each person enrolled in the Ingham Health Plan and whereby the Ingham County Health Department will provide administrative support services to the IHPC, including:

a. Administrative support services for the IHPC Board of Directors, organizing meetings, recording meetings, maintaining files and records, etc.

b. Developing and implementing a system for enrolling persons meeting the eligibility standards established by the IHPC Board.

c. Developing and operating a system to support the enrolled population.

d. Assisting the Corporation in the development of a provider network.

e. Assisting the Corporation in the management of provider contracts and relationships.
f. Assisting the Corporation to monitor and manage emergency room use by the enrolled population.
g. Assisting the Corporation to recover eligible payments from the Medicaid Program.

BE IT FURTHER RESOLVED, that the Corporation will make a one-time payment of $8,000 and reimburse Ingham County $2,500 per month for services related to development and implementation of the Ingham Advantage program (small employer subsidy program).

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes a Medical Services Agreement with the IHPC whereby the Corporation will pay Ingham County $12.75 per month for each IHP enrollee assigned to the Health Department who does not meet the qualifications for the State Medical Plan (Plan B members) and the Corporation will pay Ingham County $22.00 per month for each IHP enrollee assigned to the Health Department who meets the qualifications for the State Medical Plan (Plan A members) and whereby the Ingham County Health Department will provide primary care services to the IHP enrolled population assigned to it.

BE IT FURTHER RESOLVED, that the IHPC shall, through the Medical Services Agreement, pay Ingham County $400,000 to support the operation of the Adult Dental Clinic and shall pay the County $236,325 for other services provided by the Health Department to support public health nursing services to women, infants and children and to low income adults.

BE IT FURTHER RESOLVED, that a full-time Nurse Case Manager position (ICEA Public Health Nurse 03) shall be created in the Health Plan Management Bureau to support the services to the Ingham Health Plan Corporation, focusing on the emergency room utilization.

BE IT FURTHER RESOLVED, that the Controller is authorized to adjust the Health Department’s 2004 budget to recognize additional revenue of $57,450 to support the Nurse Case Manager position.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign the Administrative Services and the Medical Services Agreements after review by the County Attorney.
Agenda Item 5b

RESOLUTION STAFF REVIEW               DATE:  October 10, 2003

Agenda Item Title: Resolution to Appoint Dennis Jurczak, M.D. as Deputy Medical Director and Chief Deputy Medical Examiner and to Authorize an Employment Contract

Submitted by: Health Department

Committees: LE ___, JD____, H.S____*, CS ***, Finance ***

Summary of Proposed Action: (see attached letter of explanation)
This resolution will authorize an employment contract with Dr. Jurczak for the period October 1, 2003 through September 30, 2004 and appoint Dr. Jurczak as Deputy Medical Director and Chief Deputy Medical Examiner.

Financial Implications: This agreement includes a 3 percent increase in compensation, from $60 per hour to $62 per hour. Dr. Jurczak is compensated by wages only, although the County does contribute its share of FICA and provides for workers’ compensation.

Other Implications: Dennis Jurczak, M.D. has served as a Deputy Medical Director for the Ingham County Health Department since July 2002, and was appointed Acting Medical Director and Chief Deputy Medical Examiner effective March 1, 2003, to replace Dean G. Sienko, M.D. who has been serving on active duty status with the U. S. Army.

Staff Recommendation: JA ____ JN *** HH ___
This resolution should be approved.
MEMORANDUM

To: Human Services Committee
   County Services Committee
   Finance Committee

From: Bruce Bragg

Date: October 15, 2003

Subject: Recommendation to authorize an Employment Contract with Dennis Jurczak, M.D.

This is a recommendation to authorize an employment contract with Dennis Jurczak, M.D. to serve as Deputy Medical Director of the Health Department. During Dr. Sienko’s active military duty, Dr. Jurczak will serve as the Acting Medical Director. Additionally, Dr. Jurczak will be appointed to the position of Chief Deputy Medical Examiner. Dr. Jurczak is separately appointed as a Deputy Medical Examiner. In the role of Chief Deputy Medical Examiner, Dr. Jurczak provides direction to the Medical Examiner’s Office during the absence of Dr. Dean Sienko, Ingham County Medical Examiner.

During Dr. Sienko’s active military duty, Dr. Jurczak is working nearly full-time to support the functions of medical direction and Medical Examiner. He also guides the provision of medical direction to Barry-Eaton District Health Department and to the Ionia County Health Department, assisted by Dr. Sugandha Lowhim, a primary care physician employee of the Department.

The recommendation includes a three percent increase in compensation, from $60 per hour to $62 per hour. Dr. Jurczak is compensated by wages only, although the County does contribute its share of FICA and provides for workers’ compensation.

Ingham County has greatly benefitted from the employment of Dr. Jurczak. The Department’s 2004 budget assumes that he will continue his employment at half-time after the return of Dr. Sienko.

If Dr. Jurczak takes on-call duties as a Deputy Medical Examiner, he is additionally compensated in accordance to the resolution setting out term of appointment and compensation for Deputy Medical Examiners.

I recommend that the Board of Commissioners adopt the attached resolution and authorize the employment contract with Dennis Jurczak, M.D.

Attachment
INTRODUCED "AGENDA ITEM 5b"

Introducing the Human Services, County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO APPOINT DENNIS JURCZAK, M.D. AS DEPUTY MEDICAL DIRECTOR AND CHIEF DEPUTY MEDICAL EXAMINER AND TO AUTHORIZE AN EMPLOYMENT CONTRACT

WHEREAS, Dennis Jurczak, M.D. has served as a Deputy Medical Director for the Ingham County Health Department since July 2002, and was appointed Acting Medical Director and Chief Deputy Medical Examiner effective March 1, 2003, to replace Dean G. Sienko, M.D. who has been placed on active duty status with the U. S. Army; and

WHEREAS, the employment contract with Dr. Jurczak expired on September 30, 2003; and

WHEREAS, the Health Officer has recommended that the Board of Commissioners authorize an employment contract with Dr. Jurczak for the period October 1, 2003 through September 30, 2004 and appoint Dr. Jurczak as Deputy Medical Director and Chief Deputy Medical Examiner.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes an employment contract with Dennis Jurczak, M.D., 5564 Bayonne, Haslett, Michigan.

BE IT FURTHER RESOLVED, that the Board of Commissioners appoints Dr. Jurczak to the positions of Deputy Medical Director of the Health Department, to serve as Acting Medical Director during the active military duty of Dean G. Sienko, M.D., and as Ingham County Chief Deputy Medical Examiner.

BE IT FURTHER RESOLVED, that Dr. Jurczak shall be compensated at the rate of $62 per hour, not to exceed 2080 during the contract period.

BE IT FURTHER RESOLVED, that Dr. Jurczak shall receive direction from the Medical Director/Medical Examiner, and in the absence of the Medical Director/Medical Examiner from the Health Department Director.

BE IT FURTHER RESOLVED, that while serving as a Deputy Medical Examiner, compensation shall be in accordance with the resolution establishing term of appointment and compensation for Deputy Medical Examiners.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign the employment contract after review by the County Attorney.
RESOLUTION STAFF REVIEW                DATE: October 8, 2003

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

Submitted by: 55th District Court

Committees: LE ___, JD __*, H.S. ___, CS ___, Finance __*

Summary of Proposed Action: (see attached October 7, 2003 memo)
This resolution will authorize Ingham County to amend the 2004 55th District Court budget by increasing revenues an additional $28,000 and to further authorize the restoration of the part-time magistrate hours and to fund an additional 45 days up to $11,800. In addition, the Court would hire temporary employee(s) to help catch up on a backlog of work up to 1,285 hours, with the additional $16,200.

Financial Implications: The amendments would add $28,000 in revenues and expenses to the 2004 55th District Court budget with increases to violation fees and expenses (all now be $4.00 effective October 1, 2003).

Salaries and wages - temporary (101-13700-705000) increased $16,200 to hire temporary help, and
Visiting Judges (101-13700-861020) increased $11,800 for additional part-time magistrate hours

Other Implications: None

Staff Recommendation: JA __ JN __* HH __
This resolution should be approved
Introducing the Law Enforcement, County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE BUDGET AMENDMENTS WITHIN 55TH DISTRICT COURT

WHEREAS, the 55th District Court staff has been faced with a multitude of issues regarding the implementation of the new Secretary of State fees and requirements; and

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

WHEREAS, the 55th District Court has increased fees to increase their 2004 budget to pay for temporary help and additional part-time magistrate hours.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners approves amending the 2004 budget by increasing the revenues and expenses $28,000 by increasing the appropriate violations fee revenue line items $28,000 with corresponding expenses increases in salaries and wages - temporary (101-13700-705000) $16,200 and Visiting Judges (101-13700-861020) $11,800.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners directs the Controller to make the necessary budgetary adjustments to the 55th District Courts’ 2004 budget.
October 7, 2003

To: John Neilsen, Deputy Controller

From: Larry Theisen
District Court Administrator

Subject: Increased Revenues/Part-Time Magistrate & Temporary Help

The Court in an effort to reach it’s 2003 target figure reduced the hours of the part-time Magistrate by $3500.00. We also agreed to raise the cost of statute civil infractions and statute traffic tickets by $3.00. With all of the new fees taking effect October 1, 2003 we decided to raise the cost of all violations $4.00. This should result in an increase of $28,000.00 above the revenue to be generated by the $3.00 increase. We are requesting that the additional $28,000.00 in revenue be used to restore the $3500.00 in Magistrate hours and fund an additional forty-five days. This would be a total of one-hundred Magistrate days for 2004. We currently have a backlog of hearing days and anticipate that many more people will be requesting hearings to avoid the Driver Responsibility Fees being levied by the Secretary of State’s Office. This would amount to $11,800.00. The balance, $16,200.00, we would put toward temporary help in the main office. We are currently about four weeks behind in the entry of traffic tickets. We have staff coming in on Saturdays to try and keep the entry up to date. The delay in ticket entry results in handling tickets over and over searching for tickets not in the system when persons come in promptly to pay or send payments through the mail. At times we are also behind in the entry of Civil cases which have seen a significant increase in the current year. Thank you for considering this request.
RESOLUTION STAFF REVIEW  DATE  September 26, 2003

Agenda Item Title:  Resolution to Authorize an Appropriation to be Used for the Construction of the Proposed City of Lansing Dog Park

Submitted by:  Parks Board

Committees:  LE. ____, JD____, HS____, CS __*, Finance*  

Summary of Proposed Action:  This resolution authorizes an appropriation in the amount of $5,000 to be used for the construction of the proposed City of Lansing Dog Park.

Financial Implications:  The Ingham County Parks Board recommends that the Ingham County Board of Commissioners assist with the funding of this project. The $5,000 will be transferred from the Park Fund Line Item 208-75200-8188600 (Contractual Services) to the City of Lansing to assist with the construction of a dog park. A contract with the City of Lansing will be prepared for this purpose.

Other Implications:  None

Staff Recommendation:  JA  X  JN  ____  HH ____
Staff recommends the approval of this resolution.
 Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE AN APPROPRIATION TO BE USED FOR
THE CONSTRUCTION OF THE PROPOSED CITY OF LANSING DOG PARK

WHEREAS, the Parks and Recreation Department of the City of Lansing has been working with the “Friends of Greater Lansing Dog Parks” citizen group, who have obtained 501(c)3 certification, to establish a dog park in the Lansing metropolitan area; and

WHEREAS, the “Friends of Greater Lansing Dog Parks” and the Lansing Parks and Recreation Department has expressed an interest in locating a dog park on property adjacent to Hawk Island County Park, on the east side of Lansing’s Scott Woods Park; and

WHEREAS, the intensively used nature of Hawk Island Park necessitates a ban on dogs within the park and the dog park would provide an option for dog owners to recreate with their pets adjacent to Hawk Island Park; and

WHEREAS, dog parks have been proven to be an effective means to allow dog owners in urban areas the opportunity to spend time with their pets in an off leash area; and

WHEREAS, the proposed dog park, by providing a legitimate off leash area, will reduce rule enforcement conflicts in Hawk Island Park where dogs are prohibited; and

WHEREAS, Resolution #03-127 stated that it has been determined that county services be focused on long term objectives which are to be delivered in a manner which emphasizes an ongoing capacity for intergovernmental collaboration; and

WHEREAS, the Ingham County Board of Commissioners has previously demonstrated intergovernmental collaboration by authorizing an appropriation to be used for the construction of the Lansing Area Skate Park; and

WHEREAS, the Ingham County Parks Board recommends that the Ingham County Board of Commissioners assist with the funding of this project.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes that the sum of $5,000 be transferred from the Park Fund Line Item 208-75200-818-8600 (Contractual Services) to the City of Lansing to assist with the construction of a dog park, and that an appropriate contract with the City of Lansing be prepared for that purpose.

BE IT FURTHER RESOLVED, that the Board Chairperson and County Clerk are authorized to sign the necessary documents after approval as to form by the County Attorney.
Agenda Item Title: Resolution Extending an Agreement with the Accident Fund for Administration of the Self-Funded Workers’ Compensation Program

Submitted by: Robert J. Smith, SPHR
Benefits and Insurance Administrator

Committees: LE___, JD.___, CS __*, HS__, Finance __*

Summary of Proposed Action: Renew current agreement with Accident Fund to provide administration of the self-funded Workers’ Compensation Program for Ingham County.

Financial Implications: There is an increase in actual costs per claim administration, cost for re-insurance of catastrophic claims, and maximum of annual premiums. These increases are consistent with expected increases in payroll and increased costs pressures on the re-insurance markets as a whole.

The increase from 7.73% to 9.0% for the next three years is a reasonable increase based on market conditions. According to Accident Fund representatives, many clients are experiencing increases well over 10%. Our lower increase is based on the experience rating of claims and the aggressive return to work posture adopted by the county which results in lower overall claims costs.

A complete breakdown of proposed and current costs is attached.

Other Implications: Accident Fund has provided excellent service to the county and the employees who have been injured. They have been aggressive in working with the Insurance Administrator on contested claims, coordinate their communications with providers and the Insurance Administrator well, and keep the employee well informed of the progress of their claim.

Accident Fund will continue the “Life of claim” service for this renewal period. This is an exception to the norm as most of their new clients and renewals are being written as Life of Contract. The difference is a Life of Contract claim is processed for the base fee for the life of the contract plus 24 months. If the claim is still open, there is a $300 per year, per open claim continuance fee, as long as the claim is open. A Life of Contract claim will be managed by the Accident Fund as long as the claim is active, even if the county and Accident Fund end their relationship at some future point in time.

Accident Fund has agreed to provide the Insurance Administrator on line access to claims data and information for county claims. This will allow the Insurance Administrator to more easily monitor and manage the process and answer questions from employees and supervisors more quickly.

Staff Recommendation: JA X JN ___ HH ___
Staff recommends approval of this resolution.
## Accident Fund Proposed renewal quote January 1, 2004 through December 31, 2007

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### Service Per Claim Fees

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+In no event shall the service fee exceed $39,167 (2003)

*In no event shall the service fee exceed $44,125 (2004-6)

*Historically Ingham County has maxed out the service fee.*

### Additional Fees per hour

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¹ Excess Premium subject to annual payroll audit.

² Service fees include 48 hours of Loss Prevention services for the contract period 2004 through 2006.

³ PPOM & Pharmacy charges will be 25% of savings below Michigan fee schedule.
WHEREAS, Ingham County has self-funded its Workers' Compensation Program since April 1, 1979 and wishes to continue the program which includes the Medical Care Facility; and

WHEREAS, The Accident Fund has provided exceptional service in administering our Workers' Compensation program since 1998; and

WHEREAS, The Accident Fund has proposed a three-year extension of this agreement.

THEREFORE BE IT RESOLVED, that the Board of Commissioners authorizes an additional three-year agreement with the Accident Fund Company commencing on January 1, 2004 to provide workers compensation claims and engineering services at an annual cost not to exceed $49,793.

BE IT FURTHER RESOLVED, that Ingham County will reimburse the Accident Fund Company for the actual cost of the workers' compensation excess insurance with specific limits of $5,000,000 with a $300,000 retention per occurrence.

BE IT FURTHER RESOLVED, that based on estimated payroll, the Medical Care Facility will continue to pay their appropriate share of the annual claims handling and engineering fees.

BE IT FURTHER RESOLVED, that the Board Chairperson and County Clerk are authorized to sign appropriate documents after review by the County Attorney.
TO: County Services Committee

FROM: Becky Bennett
Board Coordinator

RE: Resolution Supporting the Lansing School District Bond Proposals on the November 4, 2003 General Election Ballot

The attached Resolution Supporting the Lansing School District Bond Proposals on the November 4, 2003 General Election Ballot has been placed on the agenda at the request of Board Chairperson Calvin Lynch and County Services Chairperson Victor Celentino.

The Lansing School District is asking voters to approve a $67.5 million bond proposal and a $7.4 million bond proposal to help modernize Lansing's school facilities. The $67.5 million bond will go towards a new middle school building to replace Pattengill Middle School, an addition to a magnet elementary school and improvements at the Otto, Gardner and Dwight Rich Middle Schools, as well as the Eastern, Everett and Sexton High Schools.

The $7.4 million bond will be for used for a community swimming pool, an addition to the new Pattengill Middle School and for improvements to reduce injuries and increase safety at the Everett and Sexton High School athletic fields.

The bond proposals would provide funding for much needed renovations of the computer labs, science labs, media centers, and athletic fields, bringing academics and athletics into the 21st century.

This resolution supports the two bond proposals from the Lansing School District on the ballot at the November 4, 2003 General Election and encourages Lansing residents to vote "YES" on the proposals to give Lansing students a much needed safe and improved learning environment.
Introduced by the County Services Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION SUPPORTING THE LANSING SCHOOL DISTRICT BOND PROPOSALS ON THE NOVEMBER 4, 2003 GENERAL ELECTION BALLOT

WHEREAS, on November 4, 2003, the Lansing School District is asking voters to approve a $67.5 million bond proposal and a $7.4 million bond proposal to help modernize Lansing's school facilities; and

WHEREAS, the $67.5 million bond will go towards a new middle school building to replace the antiquated Pattengill Middle School, an addition to a magnet elementary school and improvements at the Otto, Gardner and Dwight Rich Middle Schools, as well as the Eastern, Everett and Sexton High Schools; and

WHEREAS, the $7.4 million bond will be for utilized for a community swimming pool, an addition to the new Pattengill Middle School and for improvements to reduce injuries and increase safety at the Everett and Sexton High School athletic fields; and

WHEREAS, the bond proposals would bring academics and athletics into the 21st century by funding much needed renovations of the computer labs, science labs, media centers, and athletic fields; and

WHEREAS, the bond proposals would provide students with an improved learning environment, and help make our neighborhoods more attractive and stable by offering community access to improved facilities; and

WHEREAS, the combined cost to Lansing taxpayers of the two proposals would be less than a daily cup of coffee, just 21 cents a day, or $6.53 per month to the average homeowner; and

WHEREAS, the students in Lansing schools deserve to have facilities that are modernized to compete for jobs in the future.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby supports the two bond proposals from the Lansing School District on the ballot at the November 4, 2003 General Election.

BE IT FURTHER RESOLVED, that the Board encourages Lansing residents to vote "YES" on the bond proposals to give Lansing students a much needed safe and improved learning environment.
October 3, 2003

Chairperson
County Boards of Commissioners

Dear County Board Chairperson:

As Executive Director of the Bureau of Construction Codes and Fire Safety, I take pleasure in forwarding to you the sixth legislative report as required by statute on the activities and the progress of survey and remonumentation in the State of Michigan.

Public Act 345 of 1990, as amended, created the Survey and Remonumentation Commission and Public Act 346 of 1990 and Public Act 700 of 2002 provide the funding for survey and remonumentation. Since the original Commission was appointed in June, 1991, a statewide Model County Plan for county remonumentation has been developed and Administrative Rules for Act 345 have been promulgated by the Department and adopted by the Legislature. Including grants offered in 2003, $49.5 million in grants has been made available to all 83 counties in the State of Michigan.

Details of these activities are included in the enclosed report. If you have any questions regarding the survey and remonumentation program, please feel free to contact the Survey and Remonumentation Program at 517-241-6321.

Sincerely,

Henry L. Green, Executive Director
Bureau of Construction Codes and Fire Safety

HLG/MRD/jb

Enclosure
6th BIENNIAL REPORT TO THE LEGISLATURE
For the Period July 01, 2001 through June 30, 2003

STATE SURVEY and REMONUMENTATION SECTION

In December, 1990, the Legislature passed and the Governor signed into law the State Survey and Remonumentation Act (P.A. 345 of 1990) which provided for the remonumentation of the original U.S. public land survey corners that serve as the basis for all public and private property locations in Michigan. Act 345 and Act 346, a companion act that authorized the collection of fee revenue to fund the program, became effective on January 1, 1991.

Act 345 created the Survey and Remonumentation Commission within the Department of Consumer and Industry Services (formerly the Department of Commerce). The Department is charged with the responsibility of coordinating "the restoration, maintenance, and the preservation of the land survey records of vertical and horizontal monuments, the public land survey system, and the property controlling corners established by the United States public land survey and by the national geodetic survey within this state..." (Sec. 6a).

The original Commission appointed by the Governor on June 4, 1991 consisted of the following five members: Larry Gerschbacher, P.S. of Traverse City as the public member, and Frank DeDecker, P.S., P.E. of Warren as the at-large professional surveyor; Mary Feindt, P.S. of Charlevoix representing the Northern portion of the Lower Peninsula; Donald Gilchrist, P.S. of Paw Paw representing the Southern portion of the Lower Peninsula; and Gerald Carlson, P.S. of Marquette representing the Upper Peninsula. Executive Order 1996-2 transferred the statutory authority, powers, duties, functions and responsibilities of the Commission from the Department of Commerce to the Director of the Department of Consumer and Industry Services by a Type II transfer. The authority, powers, duties, functions and responsibilities of the Executive Director of the Survey and Remonumentation Commission were transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, eliminating the Commission's Executive Director. Executive Order 1997-13 eliminated the Survey and Remonumentation Commission effective October 1, 1997.

P.A. 5 of 1998 amended Act 345 to allow for county-expedited programs whereby a county could prefund its program and recover expenditures over time by being reimbursed by future grants, if any. An expedited remonumentation program must be adopted by the county board of commissioners consistent with provisions of the State Survey and Remonumentation Act. An expedited program must be designed to complete, and result in the complete monumentation and remonumentation of the entire county within a period of 19 years or less from the date the original county plan was first approved by the State Survey and Remonumentation Commission.

Act 345 requires the Commission to submit an initial report to the Legislature on or before October 1, 1993 and biennially thereafter. The initial report was provided in 1993 and biennially thereafter in 1995, 1997, 1999 and 2001. This is the sixth biennial report on the State Survey and
Remonumentation grant program and has been prepared and submitted in fulfillment of the statutory requirement. The Act, as amended, specifies (Sec. 6g) that the report shall include (but not necessarily be limited to) the following items:

A. A summary of the Department's activities regarding administration of this Act.

B. An assessment of the progress of the implementation of county monumentation and remonumentation plans throughout the state.

C. A statement regarding the amount of money that was received and disbursed from the fund.

D. An assessment of how much money is necessary to carry out monumentation or remonumentation of the entire state.

E. An assessment of whether the money received in the fund is adequate to implement this Act.

F. Recommendations including, but not limited to, the level of funding that is necessary to implement this Act.

This report will address in turn each of these six items.

A) Department activities regarding the administration and implementation of this Act.

a) The Department received, approved and administered county monumentation and remonumentation grant applications and survey work programs from all 83 counties during 1993 through 2002 and 2003 (currently in progress). These grants were administered in compliance with each county's State Commission-approved county plan, the Act and the Administrative Rules adopted in 1992.

b) As required by Section 6(i) of the Act, the Department established a grant program to counties and developed the necessary forms and procedures. All 83 counties submitted an application for grant year 1993 and grants were awarded totaling $4 million for the first grant year of this program. In 1994, all 83 counties submitted an application and grants were awarded totaling $5 million. In 1995, all 83 counties submitted an application and grants were awarded totaling $3 million. Early in the 1995 grant year, Huron County withdrew from the grant program. In 1996, all 83 counties submitted an application and grants were awarded totaling $4 million. In 1997, all 83 counties submitted an application and grants were awarded totaling $4 million. In 1998, all 83 counties submitted an application and grants were awarded totaling $4 million. In 1999, all 83 counties submitted an application and grants were awarded totaling $4 million. In 2000, all 83 counties submitted an application and grants were awarded totaling $4.5 million. In 2001, all 83 counties submitted an application and grants were awarded totaling $5 million. In 2002, all 83 counties submitted an application and grants were awarded totaling $6 million. In 2003, all 83
counties submitted an application and grants were awarded totaling $6 million. Counties were notified in August, 2003 of the grant amount proposed by the Department for each county for 2004. The total grant amount proposed for 2004 is $6 million.

c) Section 6(d) of the Act requires the Department to "coordinate the collection and preservation of information obtained from surveys made by persons or organizations authorized to establish monuments or land boundaries..." Pursuant to this responsibility, the Department developed and entered into a cooperative agreement with the Michigan Department of Transportation and conducts a similar cooperative effort with the Department of Natural Resources to coordinate relevant work activities and incorporate their survey and monumentation efforts with those conducted by the counties.

d) Section 6(c) of the Act requires the Department to "coordinate the extension, densification, and maintenance of the horizontal and vertical control networks initiated by the federal government through the national geodetic survey and the United States geological survey." Pursuant to this responsibility, the Department developed a contract with the National Oceanic and Atmospheric Administration/National Ocean Service/National Geodetic Survey (NOAA/NOS/NGS) to establish High Accuracy Reference Network (HARN) stations in the 51 counties that chose to participate in this national program. The Michigan Department of Consumer and Industry Services served as the single contracting agency with NOAA/NOS/NGS on behalf of the counties. The result of this contract was to have NOAA/NOS/NGS establish 80 stations paid for by Survey and Remonumentation grant funds. These were in addition to the approximately 20 locations paid for and established by NOAA/NOS/NGS as High Accuracy Reference Network (HARN) stations as part of the national program.

e) The Department is charged with the responsibility to "coordinate the establishment of geographic information systems" (title of Act 345). In the furtherance of this responsibility, the Department has participated in the IMAGIN (Improving Michigan's Access to Geographic Information Networks) Data Sharing Network Agreement. The purpose of this cooperative venture is "to develop new methods and standards for geographic data exchange within the State of Michigan and to improve the application of geographic related data in state and local decision-making" (IMAGIN Data Sharing Network Agreement, February 23, 1993). Survey results are available on the Internet to aid in establishment of geographic information systems.

f) Section 6(f) of the Act requires the Department to "establish and maintain a data base of information on approved monumented horizontal and vertical control in the state." The Department has obtained a computerized record of all current horizontal and vertical control stations within the state from NOAA/NGS. This data was made available to all 83 counties in November 1993. An update of this data was provided to each county in June 1995. Currently, all nationally published data of horizontal and vertical control stations, including updates, is accessible on the Internet.
g) Section 6(a) of the Act requires the Department to "coordinate the restoration, maintenance, and the preservation of the land survey records of vertical and horizontal monuments, the public land survey system, and the property controlling corners established by the United States public land survey and by the national geodetic survey within this state." In the furtherance of this responsibility, the Department developed a Memorandum of Understanding with the U.S. Bureau of Land Management, which is the federal agency with the responsibility for the survey of public lands throughout the country. This document establishes a general framework for mutually beneficial cooperative efforts with specific cooperative endeavors being specified in supplements and addenda to the broad Memorandum of Understanding. The Department also developed and provided to all counties in 1993 a computerized standard statewide reporting system through which the counties can enter data on the Public Land Survey corners they monument or remonument. In 1999, the Department developed and provided a Windows-based version of the corner index reporting system. In 2003, the Department developed an Internet version of the corner index reporting system and made all information Internet available for public use. This information has become the basis of the Department's database.

The Department also provided to all counties computerized Descriptive Data Processing System (DDPROC) software to allow standardized reporting of recovery of horizontal and vertical control stations or reporting of destroyed marks. The reporting form for recovery and filing of control stations is now available on the Internet.

B. An assessment of the progress in implementing the counties' monumentation and remonumentation plans

This assessment is based upon the completed reports of the work programs submitted by all 83 counties as part of their annual survey and monumentation grant. A compilation of the results of the survey work programs completed in 1993 through 2002 for each work category is as follows: (1) number of corners with research and monumentation completed -- 72,091; (2) number of control stations recovered -- 1396; (3) number of points with coordinates set -- 8,108; and, (4) number of HARN stations installed -- 80.

C. A statement of receipts and disbursements from the State Survey and Remonumentation Fund

Act 346 of 1990 (the companion to Act 345 of 1990, as amended) increased the fee for recording an instrument with the county register of deeds and provided that $2.00 be remitted to the State Survey and Remonumentation Fund. Act 700 of 2002 increased the fee for recording an instrument with the county register of deeds and provide that $4.00 be remitted to the fund effective March 31, 2003. As of August 30, 2003 total receipts to the Fund were $58,335,586 (plus interest). As of August 30, 2003 disbursements from the Fund were
$44,340,254 (plus administrative costs). An additional amount of $3,600,000 (plus administrative costs) is committed for the 2003 grants.

**D. An assessment of how much money is necessary to carry out monumentation or remonumentation of the entire state**

This assessment is based on information provided by the counties. A compilation of the estimated total cost of remonumentation of public land survey corners by the 83 counties in 2003 indicated a total of approximately $201,854,249 would be needed.

**E. An assessment of whether the money received in the Fund is adequate to implement this Act**

Based upon the estimate of the total cost of monumentation or remonumentation reported by the counties, it appears the money to be received in the Fund ($142,000,000 over 20 years based on previous 5 year average) would not be adequate to complete this program as contemplated by the Act (Sec. 8).

Counties are permitted to contribute monies in addition to the annual grant they receive. Between 26 and 30 of Michigan’s 83 counties contributed additional monies totaling $4,287,388 during grant year 1993 through 2002. The estimate of county contributions over 20 years is $8,000,000.

While most of the counties in Michigan will be able to complete monumentation and remonumentation within their 20-year plans, some will not. The counties have estimated that $201,854,249 will be needed to complete their monumentation programs. The projected deposits to the Fund plus county contributions over a 20-year period total $150,000,000.

**F. Department recommendations**

Because the above assessment indicates that the money received in the State Survey and Remonumentation fund will not be adequate to complete the program within 20 years, it is recommended that the Department host a work group of county representatives and other interested persons to explore future options.