

The regular meeting of the Genesee County Board of Commissioners was held in the Willard P. Harris Auditorium, 3rd floor of the Genesee County Administration Building, 1101 Beach Street, in the City of Flint, County of Genesee, State of Michigan, on Monday, May 15, 2017 commencing at 9:01 a.m.

CALL TO ORDER:

The meeting was called to order by Chairperson Mark Young.

ROLL CALL:

The following members were present:

District #1, Bryant W. Nolden; #2, Brenda Clack; #3, Ellen Ellenburg; #4 Kim Courts; #5, Mark Young; #6, Drew Shapiro; #7, Martin L. Cousineau; #8, Ted Henry; #9, David W. Martin

Absent: None

INVOCATION:

The Invocation was given by Brenda Clack, Commissioner of the 2nd District.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Ted Henry, Commissioner of the 8th District.

Commissioner Henry asked the Board to recognize Commissioner Cousineau's son who is in the audience and currently on a military leave.

Chairperson Young stated that there will be a closed session added to the agenda today.

Discussion ensued.

Commissioner Henry moved to add a closed session to the agenda.

Supported by Commissioner Bryant W. Nolden.

Carried

(Motion carried with Commissioner Martin and Shapiro voting no.)

APPROVAL OF MINUTES:

Commissioner Ted Henry moved to approve proposed Proceedings of the Board for the April 19, 2017 meeting, as printed.

Supported by Commissioner Brenda Clack.

Carried

PUBLIC ADDRESS:

Robert Schirmer, M.D. Hastings, MI, addressed the Board to express his support of the Tobacco 21 Resolution.

Dave Hodgkins, American Heart Association, addressed the Board to express his support of the Tobacco 21 Resolution.

Peggy String, Retailer, Genesee County, addressed the Board to express her opposition of the Tobacco 21 Resolution.

Heidi Schwerin, 6332 N. Oak Rd, Davison, MI, addressed the Board to express her support of the Tobacco 21 Resolution.

Kay Doerr, 1364 Woodknoll, Flint, MI, addressed the Board to express her support of the Tobacco 21 Resolution.

Bailey Braum, 6060 Hearthside, Grand Blanc, MI, addressed the Board to express her support of the Tobacco 21 Resolution.

Kendall Stagg, Trinity Health, addressed the Board to express his support of the Tobacco 21 Resolution.

Alisa Craig, 6402 Wailea Dr., Grand Blanc, MI, addressed the Board to express her support of the Tobacco 21 Resolution.

Cindy Bruett, 4087 Knollwood Dr., Grand Blanc, MI, addressed the Board to express her support of the Tobacco 21 Resolution.

Meredith Good, 2374 Southampton Ave., Flint, MI, addressed the Board to express her support of the Tobacco 21 Resolution.

Danielle Campbell, 1144 N. Cummings Rd., Davison, MI addressed the Board to express her support of the Tobacco 21 Resolution.

COMMUNICATIONS:

Diane Smith, Coordinator MSU Extension, and her colleagues presented the Annual Report to the Board.

Derek Bradshaw gave an update to the Board regarding the Household Hazardous Waste event that was done the previous weekend.

REPORTS:

Commissioner David W. Martin moved that the following Resolution, item number C1, as printed on the agenda, be adopted.

Supported by Commissioner Ted Henry.

Carried

RESOLUTION (17-201)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, the Director-Coordinator of the Genesee County Metropolitan Planning Commission ("GCMPC") has requested the following fund transfer within the Community Development Program Funds:

- Transfer \$15,737.00 from 2016 City of Fenton Parks Improvement to 2016 City of Fenton Sidewalk Improvements.

NOW THEREFORE, BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that, for the reasons explained in the memorandum request dated May 8, 2017, on file with the minutes of the May 8, 2017, meeting of the Community and Economic Development Committee, the requested fund transfer is approved, and the GCMPC is authorized to transfer the funds.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

C050817VIA

Commissioner David W. Martin moved that the following Resolution, item number C2, as printed on the agenda, be adopted.

Supported by Commissioner Bryant W. Nolden.

Carried

RESOLUTION (17-202)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, pursuant to 2005 PA 210, MCL 207.841 et seq. (the "Act"), the Charter Township of Mundy has the authority to establish "Commercial Rehabilitation Districts" within the Charter Township of Mundy at the request of a commercial business enterprise; and

WHEREAS, Lodgco Hospitality submitted a written request to the clerk of the Charter Township of Mundy requesting the establishment of the Commercial Rehabilitation District for an area near Hill-23 Drive and Hill Road located in the Charter Township of Mundy; and

WHEREAS, the Board of Trustees of the Charter Township of Mundy determined that the proposed district meets the requirements set forth in sections 2(b) and 3 of the Act, and approved the creation of the district by Resolution # R-17-06, adopted on March 29, 2017; and

WHEREAS, MCL 207.843(5) states that within 28 days after receiving a copy of the resolution establishing a commercial rehabilitation district, the county may reject the establishment of the district; and

WHEREAS, having now been provided the Township resolution, a copy of which is attached to this Resolution, the Genesee County Board of County Commissioners does not oppose and recognizes the creation of the Commercial Rehabilitation District located with the Charter Township of Mundy.

NOW THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, does not and will not object to the creation of this Commercial Rehabilitation District pursuant to the provisions of 2005 PA 210.

Moved by Commissioner _____, seconded by Commissioner _____ to immediately adopt the resolution as presented.

Motion carried by roll call vote: Yes _____ No _____ Absent _____

CLERK'S CERTIFICATION

I, John J. Gleason, being the Clerk of Genesee County, do hereby certify this foregoing Resolution was adopted by the Genesee County Board of County Commissioners on the fifteenth day of May, 2017.

Dated: _____

 Genesee County Clerk

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
 (on agenda with consent of committee and Board chairpersons)

C_____

Dave Guigear, Supervisor, Mundy Twp, gave a presentation to the Board regarding the Commercial Rehabilitation District.

Discussion ensued.

Commissioner Martin asked DeAndra McCain, Director of Convention and Visitors Bureau, to address the Board. Ms. McCain stated that they are in support of the project.

Commissioner Kim Courts moved that the following Resolution, item number F1, as printed on the agenda, be adopted.

Supported by Commissioner Bryant W. Nolden.

Carried

RESOLUTION (17-203)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, the Board Coordinator and Director of Human Resources and Labor Relations jointly request that the current Board and Organizational Development Coordinator position be reclassified into one full-time Organizational Development Coordinator position within the Human Resources office and one full-time Board Coordinator position; and

WHEREAS, the newly established full-time Organizational Development Coordinator will require a Human Resources budget transfer from Fund 101, Dept. 2260, Unit 2260, Object 1210, Sub 8022 to Fund 101, Dept. 2260, Unit 2260, Object 0703 to cover the additional cost created by the position becoming full time; and

WHEREAS, the newly established full-time Board Coordinator position will require a General Fund allocation to cover the additional cost created by the position becoming full time.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 1, 2017, by the Finance Committee of this Board approving the request by the Board Coordinator and the Director of Human Resources and Labor Relations to authorize reclassifying the current Board and Organizational Development Coordinator position into one full-time Organizational Development Coordinator position within the Human Resources office and one full-time Board Coordinator position (a copy of the memorandum requests dated April 12, 2017, and April 24, 2017, being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board), and the Controller is authorized to make the necessary fund allocation and budget transfer.

BE IT FURTHER RESOLVED, that this Board ratifies the finding that extenuating circumstances exist supporting waiver of the hiring freeze and

the directive to the Director of Human Resources to have the necessary personnel position numbers created, as necessary, for said positions and to commence the hiring process so that the positions may be filled as soon as practicable in accordance with County policy and any applicable collective bargaining agreement.

FINANCE COMMITTEE

F050117VIIA

Commissioner Kim Courts moved that the following Resolution, item number F2, as printed on the agenda, be adopted.
Supported by Commissioner Drew Shapiro. Carried

RESOLUTION (17-204)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Child Welfare Director of the Genesee County Department of Health and Human Services ("DHHS") to authorize a line item transfer in the amount of \$800,000.00 from the Circuit Court sub-account #292.6610.51580 to the DHHS sub-account within the Child Care Fund, for the purpose of covering increased DHHS expenditures related to neglected and abused children in out-of-home placements, is approved (a copy of the memorandum request dated April 25, 2017, and supporting documentation being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board), and the Controller is authorized to make the necessary line item transfer.

FINANCE COMMITTEE

F050117VIIB

Commissioner Kim Courts moved that the following Resolution, item number F3, as printed on the agenda, be adopted.
Supported by Commissioner Brenda Clack. Carried

RESOLUTION (17-205)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 1, 2017, by the Finance Committee of this Board approving the request by the Executive Director of the Genesee County Community Action Resource Department to authorize establishing, posting, and filling an additional Finance Specialist position in order to strengthen financial monitoring for all GCCARD programs, said position being a Grade 16, non-union, non-supervisory, full-time benefit position that is fully grant funded with no additional County appropriation required (a copy of the memorandum request dated April 24, 2017, and supporting documents being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board).

BE IT FURTHER RESOLVED, that this Board ratifies the finding that extenuating circumstances exist supporting waiver of the hiring freeze and the directive to the Director of Human Resources to have the necessary personnel position number created, as necessary, for said position and to commence the hiring process so that the position may be filled as soon as practicable in accordance with County policy.

FINANCE COMMITTEE

F050117VIIC

Commissioner Kim Courts moved that the following Resolution, item number F4, as printed on the agenda, be adopted.

Supported by Commissioner Ellen Ellenburg.

Carried

RESOLUTION (17-206)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Director of the Genesee Valley Regional Center ("GVRC") to authorize a budget transfer in the amount of \$37,500.00 from the 2015-16 fund balance to the GVRC Building Repairs line item (292.00.00.6630.43065.000), said transfer being necessary to fund the repaving of the entrance area parking lot at a cost of \$28,500.00 and the replacement of a roof top unit at a cost of \$9,000.00, is

approved (a copy of the memorandum request dated April 17, 2017, being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board), and the Controller is authorized to make the necessary line item transfer.

FINANCE COMMITTEE

F050117VIID

Commissioner Kim Courts moved that the following Resolution, item number F5, as printed on the agenda, be adopted.

Supported by Commissioner Drew Shapiro.

Carried

RESOLUTION (17-207)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize establishing, posting, and filling an Epidemiologist position within the Family Planning Program to address concerns of communicable diseases as well as concerns related to unintended pregnancy, teen births, and sexually transmitted diseases, said position to be fully funded using Medicaid Cost Based Reimbursement funds through the Michigan Department of Health and Human Services, with no General Fund appropriation required, is approved (a copy of the memorandum request dated May 22, 2017, and supporting documents being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board).

BE IT FURTHER RESOLVED, that this Board finds that extenuating circumstances exist supporting waiver of the hiring freeze, and directs the Director of Human Resources to have the necessary personnel position number created, as necessary, for said position and to commence the hiring process so that the position may be filled as soon as

practicable in accordance with County policy and any applicable collective bargaining agreement.

FINANCE COMMITTEE

F050117VIIIE1

Commissioner Kim Courts moved that the following Resolution, item number F6, as printed on the agenda, be adopted.

Supported by Commissioner Ted Henry.

Carried

RESOLUTION (17-208)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize establishing, posting, and filling a Health Educator position to implement Data to Care for clients living with HIV infection, said position to be fully funded by the Michigan Department of Health and Human Services, with no General Fund appropriation required, is approved (a copy of the memorandum request dated April 24, 2017, and supporting documents being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board).

BE IT FURTHER RESOLVED, that this Board finds that extenuating circumstances exist supporting waiver of the hiring freeze, and directs the Director of Human Resources to have the necessary personnel position number created, as necessary, for said position and to commence the hiring process so that the position may be filled as soon as practicable in accordance with County policy and any applicable collective bargaining agreement.

FINANCE COMMITTEE

F050117VIIIE2

Commissioner Kim Courts moved that the following Resolution, item number F7, as printed on the agenda, be adopted.

Supported by Commissioner David W. Martin.

Carried

RESOLUTION (17-209)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Chief Information Officer to authorize a personnel realignment within the IT Department is approved as follows:

- Eliminate an existing IT Technician I position and reclassify it into an IT Technician II position, said reclassification resulting in a cost increase of \$3,500.00 for this fiscal year and an estimated annual cost increase of \$8,500.00 going forward.
- Eliminate an existing PC Technician position and reclassify it into an IT Technician I position, said reclassification resulting in a cost increase of \$6,170.00 for this fiscal year and an estimated annual cost increase of \$14,800.00 going forward.
- Eliminate a vacant PC Technician position and establish, post, and fill a clerical position to handle most ordering, correspondence, and some billing functions for the IT Department, said new clerical position resulting in an estimated annual cost savings of \$2,000.00.
- Reclassify an approved, vacant IT Systems Manager position into an IT Supervisor position. (a copy of the memorandum request dated April 18, 2017, and supporting documents being on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board), and the Human Resources Department is authorized, as necessary, to implement these changes.

BE IT FURTHER RESOLVED, that this Board finds that extenuating circumstances exist supporting waiver of the hiring freeze, and directs the Director of Human Resources to have the necessary personnel position numbers created, as necessary, for said positions and to commence the hiring process so that the positions may be filled as

soon as practicable in accordance with County policy and any applicable collective bargaining agreement.

FINANCE COMMITTEE

F050117VIIF

Commissioner Henry asked Chris Newell, Chief Information Officer, to address the Board to give a brief overview regarding the IT department realignment.

Commissioner Kim Courts moved that the following Resolution, item number F8, as printed on the agenda, be adopted.

Supported by Commissioner Ted Henry.

Carried

RESOLUTION (17-210)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, the County's Deficit Elimination Plan (DEP) and the County's Comprehensive Financial Report (CAFR) for the year ending September 30, 2016, were timely filed, as required, with the Michigan Department of Treasury (Treasury); and

WHEREAS, the DEP must be certified by Treasury for the County to obtain "qualified status," said status being required before the County can issue bonds or notes, such as the annual delinquent tax notes issue; and

WHEREAS, on April 19, 2017, this Board approved, by Resolution 17-145, the County Controller's revised DEP for the Community Action Resource Fund, the proposed DEPs for the Administrative Services Fund and the Brownfield Authority, and a General Fund transfer regarding the Vehicles and Equipment Fund; and

WHEREAS, following submission of those DEPs, Treasury had questions regarding the revised Community Action Resource Fund DEP and requested submission of a revised DEP for that fund; and

WHEREAS, based on Treasury's review and request, the following documentation must be submitted to Treasury to certify the DEP:

1) **Community Action Resource Fund (GCCARD)**

A certified copy of this Board's resolution approving the revised deficit elimination plan for this fund.

WHEREAS, the revised DEP for the Community Action Resource Fund, a copy of which is attached to this resolution, has been submitted to, and reviewed by, this Board.

NOW, THEREFORE, BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the County Controller's

Revised Deficit Elimination Plan for the Community Action Resource Fund is hereby approved (a copy of the memorandum request and revised DEP to be placed on file with the official records of the May 1, 2017, meeting of the Finance Committee of this Board).

BE IT FURTHER RESOLVED, that the County Clerk shall certify a copy of this resolution and provide said certified resolution to the County Controller for submission to Treasury with the revised Deficit Elimination Plan.

FINANCE COMMITTEE

(on agenda with consent of committee and Board chairpersons)

F _____

Commissioner Bryant W. Nolden moved that the following Resolution, item number G1, as printed on the agenda, be adopted.

Supported by Commissioner Ellen Ellenburg.

Carried

RESOLUTION (17-211)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Seventh Circuit Court Drug Court Supervisor to authorize submission of grant applications for funds from the Edward Byrne Memorial Justice Assistance Grant Program and the Michigan Drug Court Grant Program for the purpose of continuing funding for the Genesee County Drug Courts for fiscal year 2017-2018 is approved (a copy of the memorandum request dated April 25, 2017, and supporting document being on file with the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIA

Commissioner Bryant W. Nolden moved that the following Resolution, item number G2, as printed on the agenda, be adopted.

Supported by Commissioner Brenda Clack.

Carried

RESOLUTION (17-212)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Probate Court Administrator/Register to authorize travel and overnight lodging for himself and Office Manager Angela Westfall to attend the 2017 Michigan Probate & Juvenile Registers Association Summer Conference in Traverse City, Michigan, June 28 – 30, 2017, at a total cost not to exceed \$758.60 with no additional County appropriation required, is approved (a copy of the memorandum request dated April 19, 2017, and supporting documents being on file with the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIIB

Commissioner Bryant W. Nolden moved that the following Resolution, item number G3, as printed on the agenda, be adopted.

Supported by Commissioner Brenda Clack.

Carried

RESOLUTION (17-213)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Probate Court Administrator/Register to authorize travel and overnight lodging for Judge F. Kay Behm to attend the 2017 Michigan Probate Judges Association Conference in Grand Rapids, Michigan, June 25 – 27, 2017, at a cost not to exceed \$508, with no additional County appropriation required, is approved (a copy of the memorandum request dated May 3, 2017, and supporting documents being on file with the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIIC

Commissioner Bryant W. Nolden moved that the following Resolution, item number G4, as printed on the agenda, be adopted.

Supported by Commissioner Martin L. Cousineau.

Carried

RESOLUTION (17-214)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Office of the Prosecuting Attorney to authorize travel and overnight lodging for up to three assistant prosecuting attorneys to attend the Prosecuting Attorneys Association of Michigan's Visual Trial School 4.0 conference in Traverse City, Michigan, June 26 – 28, 2017, at a total cost not to exceed \$150.00, with no additional County appropriation required, is approved (a copy of the memorandum request dated April 25, 2017, and supporting documents being on file with the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIID

Commissioner Bryant W. Nolden moved that the following Resolution, item number G5, as printed on the agenda, be adopted.

Supported by Commissioner Ellen Ellenburg.

Carried

RESOLUTION (17-215)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Office of the Prosecuting Attorney to authorize amending the Sexual Assault Kit Initiative subcontract between Genesee County and the City of Flint whereby the

Office of the Prosecuting Attorney prosecutes rape cases as part of a U.S. Department of Justice grant awarded to the City of Flint, said amendment being necessary to extend the original subcontract for an additional 18 months through March 31, 2020, is approved (a copy of the memorandum request dated May 2, 2017, and supporting documents being on file with the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board), and the Chairperson of this Board is authorized to execute the subcontract amendment on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIIE

Commissioner Bryant W. Nolden moved that the following Resolution, item number G6, as printed on the agenda, be adopted.

Supported by Commissioner Ted Henry.

Carried

RESOLUTION (17-216)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, pursuant to the procedures mandated in this Board's Resolution #08-05, certain departments have submitted funding requests and asserted justifications for overtime for the period of June 1, 2017, through June 30, 2017, such requests and asserted justifications appearing in the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board; and

WHEREAS, said Committee, upon review and consideration of said requests and asserted justifications, has recommended certain funding for the overtime activities requested for funding, as above referenced, by the Departments and/or Divisions of Departments as listed on the following schedule.

NOW, THEREFORE, BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Controller to authorize the appropriation of the sum of \$45,268.00 from General Fund Contingencies - Reserve for Overtime (Fund No. 101.9011.9010.1137) and allocating those funds as specified to the Overtime Account (No. 0706) of the respective departments is approved as detailed below:

<u>Account</u>	<u>Department</u>	<u>Amount</u>
101.00.00.1050	Board Coordinator	0
101.00.00.1311	Circuit Court	1,372
101.00.00.1320	Jury Board	2
101.00.00.1360	District Court	(3,540)
101.00.00.1370	5 th Division District Court	(1,495)
101.00.00.1390	Family Court	2
101.00.00.1485	Probate Court	(476)
101.00.00.2155	County Clerk-Elections	(641)
101.00.00.2160	County Clerk-Vital Records	1,542
101.00.00.2160	County Clerk-Legal Records	1,542
101.00.00.2236	Controller-Payroll	4,979
101.00.00.2236	Controller-Admin	5,757
101.00.00.2260	Human Resources	(159)
101.00.00.2292	Prosecutor	0
101.00.00.2310	Court Services	0
101.00.00.2332	Purchasing	2,591
101.00.00.2364	Register of Deeds	(107)
101.00.00.2530	Treasurer's Office	1,898
101.00.00.2653	Building and Grounds	(4,329)
101.00.00.2656	Building and Grounds – McCree	255
101.00.00.3020	Sheriff Court Security-Transport	2,662
101.00.00.3025	Sheriff Court Security-Transport-McCree	(657)
101.00.00.3028	Sheriff Court Security-Transport-Probate	1,569
101.00.00.3030	Sheriff Corrections Division	31,236
101.00.00.3035	Building and Grounds – Jail	79
101.00.00.3050	Sheriff Administration	(967)
101.00.00.3110	Sheriff Investigative Division	(813)
101.00.00.3145	Sheriff Overtime	7,114
101.00.00.3160	Sheriff Marine Section	0
101.00.00.3205	Sheriff Tether	0
101.00.00.4260	Emergency Mgmt	0
628.00.00.2582	IT	(1,824)
645.00.00.2334	Motor Pool	(2,324)

TOTAL**\$ 45,268**

to cover all anticipated overtime costs during the month of June 2017 in these departments.

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIIF

Commissioner Bryant W. Nolden moved that the following Resolution, item number G7, as printed on the agenda, be adopted.

Supported by Commissioner David W. Martin.

Carried

RESOLUTION (17-217)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 8, 2017, by the Governmental Operations Committee of this Board approving the request by the Office of the Genesee County Sheriff to authorize renewing the agreement between Genesee County and the City of Flint whereby the Office of Genesee County Sheriff will operate the Flint Police Department holding facility for the period commencing October 1, 2016, through September 30, 2017 (a copy of the memorandum request dated May 7, 2017, and agreement being on file with the official records of the May 8, 2017, meeting of the Governmental Operations Committee of this Board), and both the Sheriff and the Chairperson of this Board are authorized to execute the agreement on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE

G050817VIIG

Commissioner Bryant W. Nolden moved that the following Resolution, item number G8, as printed on the agenda, be adopted.

Supported by Commissioner Drew Shapiro.

Carried

RESOLUTION (17-218)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, under MCL 484.1714(1)(g), the State 9-1-1 Committee is required to provide notice to communication providers of the 9-1-1 surcharge in Michigan; and

WHEREAS, this includes the counties' 9-1-1 operational surcharge, the state 9-1-1 surcharge, and the monthly prepaid surcharge; and

WHEREAS, surcharge guidelines set by the State of Michigan are:

- Counties may raise or lower their surcharge collection amount once annually;
- Modifications to the surcharge collection amounts go into effect on July 1st each year;
- Counties requesting to raise their current surcharge, not to exceed the approved cap, must do so by commissioner resolution; and
- Resolutions must be to the State by May 15th each year; and

WHEREAS, Genesee County's surcharge is currently set at \$1.24; and

WHEREAS, Genesee County's surcharge cap was set by voter approval on May 2, 2017, at \$1.86 through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Genesee County Board of County Commissioners hereby determines that the Genesee County 9-1-1 surcharge shall be adjusted from \$1.24 to \$1.86 effective July 1, 2017 through June 30, 2021.

BE IT FURTHER RESOLVED, that the Chairperson of this Board is authorized to sign the necessary documents on behalf of the County.

[Continued on next page]

Moved by Commissioner _____, seconded by Commissioner _____ to immediately adopt the resolution as presented.

Motion carried by roll call vote: Yes _____ No _____ Absent _____

CLERK'S CERTIFICATION

I, John J. Gleason, being the Clerk of Genesee County, do hereby certify this foregoing Resolution was adopted by the Genesee County Board of County Commissioners on the fifteenth day of May, 2017.

Dated: _____
Genesee County Clerk

GOVERNMENTAL OPERATIONS COMMITTEE
(on agenda with consent of committee and Board chairpersons)

G _____

Commissioner Henry asked Corporation Counsel about the Board's decision relative to this Resolution, specifically, whether the Board must approve what the electorate decided in the May 5, 2017 election. Celeste Bell, Chief Assistant Prosecuting Attorney-Civil Division, noted that the Board has to approve the 9-1-1 consortium surcharge as authorized by the electorate.

Discussion ensued.

Commissioner Brenda Clack moved that the following Resolution, item number H1, as printed on the agenda, be adopted.

Supported by Commissioner Bryant W. Nolden.

Carried

RESOLUTION (17-219)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 1, 2017, by the Human Services Committee of this Board approving the request by the Medical Examiner to authorize a License Agreement between Genesee County and Hurley Medical Center for the license, installation, and maintenance of EPIC software for electronic medical records, for a period of three years following execution of the agreement (a copy of the memorandum request dated April 17, 2017, and License Agreement being on file with the official records of the May 1, 2017, meeting of the Human Services Committee of this Board), and the Chairperson of this Board is authorized to execute the License Agreement on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H050117VIIA1

Commissioner Brenda Clack moved that the following Resolution, item number H2, as printed on the agenda, be adopted.

Supported by Commissioner Bryant W. Nolden.

Carried

RESOLUTION (17-220)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 1, 2017, by the Human Services Committee of this Board approving the request by the Medical Examiner to authorize amending the Body Removal Contract between Genesee County and Preferred Removal Services, Inc., for body transport services at death scenes, said amendment being necessary to extend the term of the contract for one year through June 30, 2018 (a copy of the memorandum request dated April 17, 2017, and contract amendment being on file with the official records of the May 1, 2017, meeting of the Human Services Committee of this Board), and the Chairperson of this Board is authorized to execute the contract amendment on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H050117VIIA2

Commissioner Brenda Clack moved that the following Resolution, item number H3, as printed on the agenda, be adopted.

Supported by Commissioner Ellen Ellenburg.

Carried

RESOLUTION (17-221)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 1, 2017, by the Human Services Committee of this Board approving the request by the Medical Examiner to authorize amending the Medical

Examiner Investigative Services Contract between Genesee County and STAT EMS, LLC, said amendment being necessary to extend the term of the contract for one year through June 30, 2018 (a copy of the memorandum request dated April 17, 2017, and contract amendment being on file with the official records of the May 1, 2017, meeting of the Human Services Committee of this Board), and the Chairperson of this Board is authorized to execute the contract amendment on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H050117VIIA3

Commissioner Brenda Clack moved that the following Resolution, item number H4, as printed on the agenda, be adopted.

Supported by Commissioner Ellen Ellenburg.

Carried

RESOLUTION (17-222)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 1, 2017, by the Human Services Committee of this Board approving the request by the Medical Examiner to authorize a line item transfer from Hurley Morgue fees to Software Maintenance for the purpose of funding the EPIC electronic records system at a cost of a one-time payment of \$600.00 per provider and \$360.00 per month thereafter (a copy of the memorandum request dated May 1, 2017, being on file with the official records of the May 1, 2017, meeting of the Human Services Committee of this Board), and the Controller is authorized to make the necessary line item transfer.

HUMAN SERVICES COMMITTEE

H050117VIIA4

Commissioner Henry stated that the new morgue is unbelievable and that he feels it is going to be a big plus for the county.

Commissioner Clack stated that there was a Flint Health Coalition meeting held this morning concerning the Flint water crisis and the commitment that was made with the Karegnondi project. She stated that the city of Flint has decided to stay with the Detroit-based water system, the Great Lakes Water Authority. She further stated that GLWA

requested a letter of support from the Flint Health Coalition, but due to some misunderstandings surrounding the agreement, the letter of support wasn't submitted. She stated that she does expect the Board to receive information in the future concerning the Karegnondi project.

Commissioner Ted Henry moved that the following Resolution, item number P1, as printed on the agenda, be adopted.

Supported by Commissioner Bryant W. Nolden.

Carried

RESOLUTION (17-223)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on May 8, 2017, by the Public Works Committee of this Board authorizing terminating the current relationship between Genesee County and Ellis Parking Company, Inc. ("Ellis"), due to the closure and uncertain future of the McCree Parking Ramp and authorizing the Building and Grounds Department to staff the parking booth at the Administration Building Ramp.

BE IT FURTHER RESOLVED, that the Chairperson of this Board is authorized to sign the termination letter, as drafted by Corporation Counsel to include 30 days' notice as discussed at the meeting, to be sent to Ellis as soon as possible.

PUBLIC WORKS COMMITTEE

P _____

Commissioner Ted Henry moved that the following Resolution, item number P2, as printed on the agenda, be adopted.

Supported by Commissioner Bryant W. Nolden.

Carried

RESOLUTION (17-224)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Purchasing Manager, on behalf of the County Surveyor, to authorize amending the following Professional Services Contracts with Genesee County: Fleis & VandenBrink Engineering, Inc.; Meridian Land Surveying, Inc.; and Rowe Professional Services Company; said amendments being necessary to extend surveying services to the County for the 2017 Genesee County Remonumentation Grant, all contracts commencing on January 1, 2017, and continuing through December 31, 2017, is approved (a copy of the memorandum request dated May 2, 2017, and three contract amendments being on file with the official records of the May 8, 2017, meeting of the Public Works Committee of this Board), and the Chairperson of this Board is authorized to execute the contract amendments on behalf of Genesee County.

PUBLIC WORKS COMMITTEE

P050817VIIA

Commissioner Henry stated that the Board Chair, Mr. Care, and himself met with SkyPoint regarding a possible joint venture to address the parking situation. He stated that they are working diligently on moving forward.

Commissioner Bryant W. Nolden moved that the following Laudatory Resolutions as printed on the agenda, be adopted.

Supported by Commissioner Kim Courts.

Carried

RESOLUTION (17-L32)

WHEREAS, it is a pleasure to pay special tribute to Alice D. Evans as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch at the Riverfront Banquet Center on Saturday, May 13, 2017. The theme of this year's brunch is "Hats Off to Unsung Heroes"; and

WHEREAS, Ms. Evans has overcome many obstacles during her life. She was born premature and lost her sight shortly after she was born; and

WHEREAS, Ms. Evans attended Flint Community Schools, graduating from Flint Northwestern High School with honors. She continued her education and earned a BA degree in Telecommunications from Michigan State University in 1977; and

WHEREAS, just recently, Ms. Evans celebrated her 30th anniversary as an on-air personality at WFLT 1420 AM Gospel Radio Station. She also

worked at several other radio stations in the Flint and Saginaw area. Ms. Evans has done a phenomenal job at all her employment positions and never asked for any special favors; and

WHEREAS, Ms. Evans has stood up for the citizens of the Flint community. She took on the Mass Transportation Authority regarding issues that impacted service to riders and was instrumental in the Smith Village Housing Project. She also spoke out on numerous issues that affected the quality of life for the citizens of this community.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, on a motion by Commissioner Brenda Clack, supported by Commissioner Bryant W. Nolden, does hereby laud, applaud and congratulate:

ALICE D. EVANS

as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch.

RESOLUTION (17-L33)

WHEREAS, it is a pleasure to pay special tribute to Flo Greer as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch at the Riverfront Banquet Center on Saturday, May 13, 2017. The theme of this year's brunch is "Hats Off to Unsung Heroes"; and

WHEREAS, Mrs. Greer is married and the mother of three children (two deceased), grandmother of nine, and great-grandmother of six; and

WHEREAS, Mrs. Greer graduated from Northern High School. She also earned an Associate degree in Applied Science in Nursing from Mott Community College, a Bachelor degree in Science in Nursing from the University of Michigan – Ann Arbor, and assisted nursing clinical for the University of Michigan – Flint; and

WHEREAS, Mrs. Greer is a member of Sigma Theta Tau International Honor Society of Nursing, Pi Delta Chapter, the Hurley Auxiliary (serving on the Auxiliary Board), and Genesee County Asthma Network (BCLS instructor and former ACLS instructor); and

WHEREAS, Mrs. Greer was employed as a registered nurse in coronary care and education for 29 years at Hurley Medical Center. She was responsible for the orientation of new nurses, in-services of all nursing

departments and some ancillary departments, and teaching nursing refresher classes. She also mentored new nurses. Mrs. Greer served on many hospital committees reviewing policy, procedures and quality assurance. She also worked on numerous community projects and taught classes on health and basic life support. Although she retired in 2003, she continued to work on community projects through Hurley and churches.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, on a motion by Commissioner Brenda Clack, supported by Commissioner Bryant W. Nolden, does hereby laud, applaud and congratulate:

FLO GREER

as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch.

RESOLUTION (17-L34)

WHEREAS, it is with great respect that we pay posthumous tribute to Mrs. Lois E. Holt who touched the lives of many, many people. Mrs. Holt passed away on Saturday, April 22, 2017; and

WHEREAS, Mrs. Holt was born on April 6, 1916 in Black Oak County, Arkansas to Morris and Josephine VanZandt. She was the second of three children, Ruth, Lois, and Catherine; and

WHEREAS, Mrs. Holt attended Flint Community Schools and graduated from Flint Central High School. After high school, she attended Wilberforce University. At Wilberforce, she was on the debate team, a member of the Home Economics Club, was named to Who's Who in America, was inducted into Alpha Kappa Alpha Sorority and was voted "Miss Wilberforce" in 1941; and

WHEREAS, while at Wilberforce, she met her future husband, Edgar B. Holt and married him in 1952;

WHEREAS, after graduating from Wilberforce College, Mrs. Holt began her career at the Flint Community Schools as a Visiting Teacher. She was the first African-American to hold a professional position with the school district. Mrs. Holt continued her education and received a Master's Degree in Social Work from the University of Michigan and worked on her Doctorate at Michigan State University; and

WHEREAS, Mr. and Mrs. Holt worked tirelessly for the equal rights of all citizens. They were actively involved in the NAACP. They opened

their home to students and visitors from Nigeria and other African countries; and

WHEREAS, Mrs. Holt was an active member of Bethel United Methodist Church, the League of Women Voters, the International Institute, Woodside Church, and the NAACP. She was also a member of the National Sorority of Phi Delta Kappa, Alpha Kappa Alpha Sorority, the Urban League, and a charter member of the Flint Chapter of the National Negro Business and Professional Women's Clubs; and

WHEREAS, Mrs. Holt leaves to cherish her memory, cousins, Colleen Jenkins, Sheila Taylor, Sonya and Silvester Knox, and many friends.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, on a motion by Commissioner Brenda Clack, supported by Commissioner Bryant W. Nolden, does hereby offer this posthumous resolution to the memory of:

MRS. LOIS E. HOLT

RESOLUTION (17-L35)

WHEREAS, it is a pleasure to pay special tribute to Cleora Magee as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch at the Riverfront Banquet Center on Saturday, May 13, 2017. The theme of this year's brunch is "Hats Off to Unsung Heroes"; and

WHEREAS, Mrs. Magee is currently the chairperson of the Flint Charter Review Commission. She is also a grant writing consultant for the Dare-2-Dream Organization; and

WHEREAS, Mrs. Magee previously served for 11 years as the Executive Director for the City of Flint Human Relations Commission and for 16 years as Community Organizer and Neighborhood Service Center Manager for the Urban Coalition and Flint NIPP; and

WHEREAS, Mrs. Magee has dedicated many hours to writing grants which resulted in thousands of dollars being awarded to the City of Flint in block grants, CDBG, housing and other related funds. She also networked and established partnerships with many organizations and agencies to provide services and opportunities to improve the quality of life for the people of the Flint community and to aid in moving the City of Flint forward; and

WHEREAS, under Mrs. Magee's leadership The People's Law School and the Fair Housing Conference were upgraded and continued. She also assisted in the facilitation of the annual tribute dinner for Dr. Martin Luther King, Jr.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, on a motion by Commissioner Brenda Clack, supported by Commissioner Bryant W. Nolden, does hereby laud, applaud and congratulate:

CLEORA MAGEE

as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch.

RESOLUTION (17-L36)

WHEREAS, it is a pleasure to pay special tribute to Rosia Murphy as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch at the Riverfront Banquet Center on Saturday, May 13, 2017. The theme of this year's brunch is "Hats Off to Unsung Heroes"; and

WHEREAS, Ms. Murphy is the mother of four children, grandmother of six, great-grandmother of six, and the great great-grandmother of one; and

WHEREAS, Ms. Murphy is an active member of Bethel United Methodist Church. She serves as Communications, Technology, and Public Relations Chair, is Usher Board President, Trustee Board Secretary, a Detroit Annual Conference Commission on Religion and Race Board member, and Crossroads District Commission on Religion and Race Chair; and

WHEREAS, Ms. Murphy served as the Fair Housing Specialist for the Flint Human Relations Commission for 26 ½ years. She was responsible for planning and implementing Housing conferences and bringing valuable information to the citizens of the Flint community. Ms. Murphy was the "Guru" of housing; and

WHEREAS, Ms. Murphy was the recording secretary for the Flint Area Community Housing Resource Board and conveyer of the Civil Rights Historical Committee. Ms. Murphy is an extraordinary leader. When the

Flint HRC was phased out, she kept helping people through her home church, Bethel United Methodist Church.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, on a motion by Commissioner Brenda Clack, supported by Commissioner Bryant W. Nolden, does hereby laud, applaud and congratulate:

ROSIA MURPHY

as she is honored by the Zeta Beta Omega Chapter of the Alpha Kappa Alpha Sorority, Incorporated at their annual Mother Daughter Brunch.

UNFINISHED BUSINESS:

Commissioner Shapiro stated that he wanted to continue the discussion regarding the Tobacco 21 Resolution.

Chairperson Young stated that it would be discussed in the Closed Session today.

Discussion ensued.

NEW AND MISCELLANEOUS BUSINESS: NONE

OTHER BUSINESS:

There being no objection from any member of the Board, Chairperson Young declared a brief recess at 10:14 a.m.

The Chairperson re-convened the Regular Board of Commissioners Meeting at 10:24 a.m.

Celeste Bell, Chief Assistant Prosecuting Attorney-Civil Division, noted the need to go into closed session to discuss trial or settlement strategy in the matter of *RPF Oil Co. v. Genesee County and Genesee County Health Department*, Seventh Circuit Court no. 17-109107.

Commissioner Bryant W. Nolden moved to enter into Closed Session.
Supported by Commissioner Kim Courts.

Roll Call Vote on Motion:

YEAS: Bryant W. Nolden, Brenda Clack, Ellen Ellenburg, Kim Courts, Mark Young, Martin L. Cousineau, Ted Henry

NAYS: David W. Martin

ABSENT: Drew Shapiro

TOTAL VOTES CAST: 8 TOTAL YEAS: 7 TOTAL NAYS: 1

Carried

The Chairperson recessed the Regular Board of Commissioners Meeting at 10:25 a.m. for a Closed Session.

The Chairperson re-convened the Regular Board of Commissioners Meeting at 10:57 a.m.

Commissioner Courts moved to suspend the enforcement of Tobacco 21 until a hearing on the requested injunctive relief is heard in Judge Fullerton's court, currently scheduled to occur on May 22, 2017.

Supported by Commissioner Ellen Ellenburg.

Roll Call Vote on Motion:

YEAS: Brenda Clack, Ellen Ellenburg, Kim Courts, Mark Young, Drew Shapiro, Martin L. Cousineau, Ted Henry, David W. Martin, Bryant W. Nolden

NAYS: None

ABSENT: None

TOTAL VOTES CAST: 9 TOTAL YEAS: 9 TOTAL NAYS: None

Carried

RESOLUTION (17-225)

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE
GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE
COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, this Board of County Commissioners, by resolution no. 17-060 adopted on February 14, 2017, whereby the *Regulation To Prohibit The Sale Of Tobacco Products To Individuals Under 21 Years Of Age* was approved, having an effective date of May 15, 2017; and

WHEREAS, *RPF Oil Co. v. Genesee County and Genesee County Health Department*, Seventh Circuit Court no. 17-109107, was filed on Friday, May 12, 2017, seeking to enjoin, temporarily and permanently, the implementation of the Regulation, and also requesting an immediate temporary restraining order preventing enforcement of the Regulation; and

WHEREAS, as a result of this lawsuit and pursuant to the Board Chairperson's authority to act in an emergency, the parties entered into a stipulation following the filing and service of the complaint whereby the County agreed to not enforce the Regulation pending the court's hearing on the Plaintiff's request for preliminary injunctive relief, said hearing currently scheduled to take place on May 22, 2017.

NOW THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, hereby ratifies the stipulation entered on May 12, 2017, in the above referenced matter.

BOARD OF COMMISSIONERS

B_____

Commissioner Shapiro asked how will the information regarding the stay of the enforcement of the Tobacco 21 Resolution be relayed to the constituents. Mark Valacak, Health Officer, stated that he will do a press release.

Chairperson Young asked Commissioner Courts and Commissioner Clack to coordinate and keep up with how much Tobacco 21 is costing the county.

Chairperson Young formed a committee consisting of Commissioners Henry, Nolden, Courts and himself to work with Human Resources for upcoming negotiations.

Chairperson Young formed a committee consisting of Commissioner Nolden as Chair and Commissioners Martin and Henry as committee members to search for the new Board Coordinator.

ADJOURNMENT:

There being no objection from any member of the Board, Chairperson declared the meeting adjourned at 11:03 a.m.

MARK YOUNG, CHAIRPERSON

JOHN J GLEASON, CLERK/REGISTER

A'LEA GARDNER, DEPUTY CLERK