

**GENESEE COUNTY BOARD OF COMMISSIONERS**

**2016-03**

**ITEMS FOR BOARD ACTION**

**Monday, February 1, 2016 @ 9:00 a.m.**

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. INVOCATION**
- IV. PLEDGE TO THE FLAG**
- V. APPROVAL OF MINUTES**
- VI. PUBLIC ADDRESS TO THE BOARD**
- VII. COMMUNICATIONS**

**PRESENTATION – FLINT WATER EMERGENCY**

**Emergency Management** – Sheriff Robert Pickell and Chris DeVriendt, Interim Emergency Manager

**Genesee County Health Department** – Mark Valacak, Chief Health Officer and Toni LaRocco

**City of Flint** – Karen Weaver, Mayor and Natasha Henderson, City Administrator

**DHHS** – Tim Becker, Chief Deputy Director, Sheryl Thompson, Deputy Director of Field Operations, Jackie Scott, and Susan Moran

**APPOINTMENTS**

GENESEE COUNTY PARKS AND RECREATION COMMISSION

Choose One (1) for a 3-Year Term, Expiring 01/01/19:

- Mike Keeler (Incumbent)

**VIII. REPORTS**

**BOARD OF COMMISSIONERS**

**Jamie W. Curtis, Chairperson**  
**Bryant W. Nolden, Vice Chairperson**

16-26 B01 Resolution authorizing and affirming the Governor's appointment of Jamie Curtis, Jim Koski, and Mark Valacak to the Flint Water Interagency Coordinating Committee

16-27 B02 Resolution in support of City of Flint request for 100% of \$80 million in federal revolving loan funds

Report from Chairperson

#### **COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE**

**Tony Brown, Chairperson**  
**Michael Lynch, Vice Chairperson**

16-28 C01 Resolution authorizing amendment of mortgage terms for Eastside Village HOME Assistance Program Mortgage (on agenda with consent of Committee and Board Chairpersons)

Report from Chairperson

#### **FINANCE COMMITTEE**

**Mark Young, Chairperson**  
**Bryant W. Nolden, Vice Chairperson**

16-29 F01 Resolution authorizing \$9,000 transfer from the budget of Clerk Vital Records-Service Contracts to the budget of Prosecutor-Service Contracts

16-30 F02 Resolution authorizing the IRS-mandated amendment and restatement of the existing Adoption Agreement for the Genesee County Defined Contribution Plan

Report from Chairperson

#### **GOVERNMENTAL OPERATIONS COMMITTEE**

**Bryant W. Nolden, Chairperson**  
**Mark Young, Vice Chairperson**

16-31 G01 Resolution paying County bills

16-32 G02 Resolution authorizing Drug Court contract with Catholic Charities of Shiawassee and Genesee Counties

- 16-33 G03 Resolution authorizing 2016 Borrowing Resolution for Genesee County's Delinquent Tax Revolving Fund
- 16-34 G04 Resolution authorizing Friend of the Court employee overnight travel
- 16-35 G05 Resolution authorizing the Delta Dental retiree rates for the 2016 plan year
- 16-36 G06 Resolution authorizing the HealthPlus of Michigan retiree rates for the 2016 plan year
- 16-37 G07 Resolution ratifying expedited action authorizing February 2016 overtime requests
- 16-38 G08 Resolution authorizing agreement between Genesee County and the City of Flint for the Sheriff's operation of the city's Holding Facility (on agenda with consent of Committee and Board Chairpersons)
- 16-39 G09 Resolution ratifying expedited action authorizing \$25,000 allocation to the Office of the Prosecutor to fund Special Prosecutors to investigate potential state law liability related to the water crisis

Report from Chairperson

#### **HUMAN SERVICES COMMITTEE**

**Brenda Clack, Chairperson**  
**Pegge Adams, Vice Chairperson**

- 16-40 H01 Resolution supporting the Stepping Up Initiative sponsored by the National Association of Counties, American Psychiatric Association, and the Council of State Governments Justice Center
- 16-41 H02 Resolution authorizing Health Department overnight travel
- 16-42 H03 Resolution authorizing 8 Senior Services specialized grant awards and contracts

Report from Chairperson

#### **PUBLIC WORKS COMMITTEE**

**Michael Lynch, Chairperson**  
**Tony Brown, Vice Chairperson**

Report from Chairperson

**LAUDATORY RESOLUTIONS**

*16-L04* Chief David Stamm  
*16-L05* Linda Hamacher  
*16-L06* D. Jack Kildee  
*16-L07* Sebastian Freed

**XI. OTHER BUSINESS**

Closed Session – To discuss trial or settlement strategy in the matter of Genesee County vs Margaret Nagy, et al, Lapeer Circuit Court Case #15-049000-CH

Closed Session – To discuss trial or settlement strategy in the matter of Hurley Medical Center vs Genesee County, 7<sup>th</sup> Circuit Court Case #15-105442-NF

**XII. ADJOURNMENT**



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

LADIES AND GENTLEMEN:

WHEREAS, the city of Flint, while under the control of a state-appointed Emergency Financial Manager, had its water supply switched from Lake Huron, said water being purchased from the Detroit Water and Sewerage Department, to the Flint River, said water having to be treated by the City of Flint with the guidance of the Michigan Department of Environmental Quality; and

WHEREAS, this decision has resulted in local, state, and federal government declarations of a man-made emergency and/or man-made disaster; and

WHEREAS, Michigan Governor Rick Snyder has deemed it necessary, following this man-made emergency and/or disaster, to create the Flint Water Interagency Coordinating Committee for the purpose of making recommendations regarding the health and welfare of people exposed to lead; studying Flint's water infrastructure and determine potential upgrades; reviewing Flint Water Task Force recommendations; and establishing ways to improve communication between local and state government; and

WHEREAS, Governor Snyder has appointed Genesee County Board Chairperson Jamie W. Curtis, retired Saginaw County Drain Commissioner Jim Koski, and Genesee County Health Officer Mark Valacak to serve on this Committee as members submitted by Genesee County.

NOW, THEREFORE, BE IT RESOLVED, by this Board of Commissioners of Genesee County, Michigan, that the appointments of Jamie Curtis, Jim Koski, and Mark Valacak by Governor Snyder, said appointments being for three years and expiring on December 31, 2018, are authorized and affirmed.

BOARD OF COMMISSIONERS

B \_\_\_\_\_  
BDM:bdm  
01-27-16  
02-01-B01

B01

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

LADIES AND GENTLEMEN:

WHEREAS, the City of Flint, Genesee County, Michigan changed its source of municipal water from treated Lake Huron water via the Detroit Water system to water from the Flint River in April 2014; and

WHEREAS, the corrosive Flint River water caused lead from aging pipes to leach into the City's municipal water supply causing extremely elevated levels of lead in the water; and

WHEREAS, this elevated level of lead in the water caused a serious public health danger leading to documented high levels of lead in the blood and serious health problems for thousands of Flint residents, many of whom are children; and

WHEREAS, these detrimental effects on the public's health, safety and welfare resulted in various declarations of a state of emergency in Flint at the city, county, state, and federal levels; and

WHEREAS, investigations into this matter for possible criminal wrongdoing have been opened at the County, State, and Federal levels; and

WHEREAS, estimates to fix the Flint water infrastructure problems and offer medical and other assistance to victims range from the tens of millions of dollars to hundreds of millions or even more; and

WHEREAS, on January 16, 2016, the President of the United States signed an emergency declaration giving Flint up to \$5 million in federal aid to immediately assist in the crisis through the Federal Emergency Management Agency (FEMA), to save lives

and to protect property and public health and safety, and to lessen or avert the threat of a catastrophe in Genesee County; and

WHEREAS, a federal budget bill in December 2015 designated \$80 million as part of a revolving loan fund to improve water infrastructure needs in the State of Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Genesee County Board of County Commissioners urges the State of Michigan to direct 100% of the \$80 million in federal revolving loan funds to the City of Flint for remediation and improvements to the City's municipal water infrastructure system, and that said funds be designated as a full grant to the City of Flint and not a loan.

BOARD OF COMMISSIONERS

B \_\_\_\_\_

01-28-16

02-01-B02

B02

16-28

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 Commissioners of Genesee County, Michigan, that the request by the Director-Coordinator of the Genesee County Metropolitan Planning Commission to authorize amending the terms of the Genesee County Community Development HOME Agreement between Genesee County and Eastside Village Limited Dividend Housing Association, LLC, to provide a 10-year extension of the HOME Investment Partnerships loan repayment, said due date being extended from December 2046 to December 2056, is approved (a copy of the memorandum request dated February 1, 2016, and the Amendment to the Genesee County Community Development HOME Agreement with Eastside Village to be placed on file with the official records of the February 8, 2016, meeting of the Community and Economic Development Committee of this Board), and the Chairperson of this Board is authorized to sign the amendment document on behalf of Genesee County.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE  
(On agenda with permission of Committee and Board Chairpersons)

C \_\_\_\_\_  
BDM:bdm  
01-28-16  
02-01-C01

C01

116-29

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 Commissioners of Genesee County, Michigan, that the request by the Office of the Prosecuting Attorney to authorize the Controller to transfer \$9,000 from the budget of Clerk Vital Records – Services Contracts (101.00.00.2292.46205.000) to the budget of Prosecutor – Services Contracts (101.00.00.2160.46205.000), to cover the Prosecutor's record storage expenses, is approved (a copy of the memorandum request dated January 5, 2016, and the supporting documentation being on file with the official records of the January 19, 2016, meeting of the Finance Committee of this Board).

FINANCE COMMITTEE

F011916VIA  
BDM:bdm  
01-21-16  
02-01-F01

F01

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 Commissioners of Genesee County, Michigan, that the request by the Controller to authorize amending and restating the existing Adoption Agreement for the Genesee County Defined Contribution Plan, said amendment and restatement being mandated by IRS regulations, is approved (a copy of the memorandum request dated January 10, 2016, and the Amended Adoption Agreement being on file with the official records of the January 19, 2016, meeting of the Finance Committee of this Board), and the Chairperson of this Board is authorized to execute the Amended Adoption Agreement on behalf of Genesee County.

FINANCE COMMITTEE

F011916VIIB  
BDM:bdm  
01-21-16  
02-01-F02

F02

16-31

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 Commissioners of Genesee County, Michigan, allows and authorizes the payments of bills, claims, and obligations for the County of Genesee in the amount of \$1,732,367.53 for the period ending January 8, 2016, including \$200,261.66 from the General Fund; and in the amount of \$3,085,048.81 for the period ending January 15, 2016, including \$1,088,621.69 from the General Fund.

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIA  
BDM:bdm  
01-22-16  
02-01-G01

G01

16-32

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 Commissioners of Genesee County, Michigan, that the request by Genesee County Circuit Court to authorize the Professional Services Contract between Genesee County and Catholic Charities of Shiawassee and Genesee Counties for the purpose of providing Drug Court Treatment Services from December 4, 2015, through September 30, 2016, is approved (a copy of the memorandum request dated January 13, 2016, and the Professional Services Contract being on file with the official records of the January 25, 2016, meeting of the Governmental Operations Committee of this Board), and the Chairperson of this Board is authorized to sign the contract on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIIC  
BDM:bdm  
01-22-16  
02-01-G02

G02



**RESOLUTION TO BORROW AGAINST  
ANTICIPATED DELINQUENT 2015 REAL PROPERTY TAXES**

At a regular meeting of the Board of Commissioners of the County of Genesee, State of Michigan, held at Flint, Michigan, on the 1st day of February, 2016.

PRESENT: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_ offered the following resolution and moved its adoption. The motion was seconded by \_\_\_\_\_.

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

WHEREAS, the purpose of the Fund is to allow the Genesee County Treasurer (the "County Treasurer") to pay from the Fund any or all delinquent real property taxes that are due and payable to the County, the State of Michigan and any school district, intermediate school district, community college district, city, township, special assessment district or other political unit for which delinquent tax payments are due; and

WHEREAS, it is hereby determined to be necessary for the County to borrow money and issue its notes for the purposes authorized by Act 206, particularly Sections 87c, 87d and 87g thereof; and

WHEREAS, it is estimated that the total amount of unpaid 2015 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2016, will be approximately \$45,000,000, exclusive of interest, fees and penalties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Genesee, State of Michigan, as follows:

Authorization of Borrowing

1. Pursuant to and in accordance with the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and especially Sections 87c, 87d and 87g thereof, the County shall borrow the sum of not to exceed Forty-Five Million Dollars (\$45,000,000) and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2015 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2016, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2015 delinquent taxes outstanding on March 1, 2016, or the portion of the 2015 delinquent taxes against which the County shall borrow, has been determined.

Note Details

2. Pursuant to provisions of applicable law and an order of the County Treasurer, which order is hereby authorized, the notes may be issued in one or more series; shall be known as "General Obligation Limited Tax Notes, Series 2016" with a letter designation added thereto if the notes are issued in more than one series; shall be in fully registered form in denominations not exceeding the aggregate principal amounts for each maturity of the notes; shall be sold for not less than 98% of the face amount of the notes; shall bear interest at fixed or variable rates not to exceed the maximum interest rate permitted by applicable law; shall be dated, payable as to

interest and in principal amounts, be subject to redemption in whole or in part prior to maturity, including any redemption premiums, and be subject to renewal, at such times and in such amounts, all as shall be designated in the order of the County Treasurer. Notes or portions of notes called for redemption shall not bear interest after the redemption date, provided funds are on hand with the note registrar and paying agent to redeem the same. Notice of redemption shall be given in the manner prescribed by the County Treasurer, including the number of days' notice of redemption and whether such notice shall be written or published, or both. If any notes of any series are to bear interest at a variable rate or rates, the County Treasurer is hereby further authorized to establish by order, and in accordance with law, a means by which interest on such notes may be set, reset or calculated prior to maturity, provided that such rate or rates shall at no time be in excess of the maximum interest rate permitted by applicable law. Such rates may be established by reference to the minimum rate that would be necessary to sell the notes at par; by a formula that is determined with respect to an index or indices of municipal obligations, reported prices or yields on obligations of the United States or the prime rate or rates of a bank or banks selected by the County Treasurer; or by any other method selected by the County Treasurer.

#### Payment of Principal and Interest

3. The principal of and interest on the notes shall be payable in lawful money of the United States from such funds and accounts as provided herein. Principal shall be payable upon presentation and surrender of the notes to the note registrar and paying agent when and as the same shall become due, whether at maturity or earlier redemption. Interest shall be paid to the owner shown as the registered owner on the registration books at the close of business on such date prior to the date such interest payment is due, as is provided in the order of the County Treasurer. Interest on the notes shall be paid when due by check or draft drawn upon and mailed by the note registrar and paying agent to the registered owner at the registered address, or by such other method as determined by the County Treasurer.

#### Note Registrar and Paying Agent

4. The County Treasurer shall designate, and may enter into an agreement with, a note registrar and paying agent for each series of notes that shall be the County Treasurer or a bank or trust company that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Treasurer may from time to time designate a similarly qualified successor note registrar and paying agent. Alternatively, the County Treasurer may serve as note registrar and paying agent if so designated by written order of the County Treasurer.

#### Disposition of Note Proceeds

5. The proceeds of the sale of the notes shall be deposited into a separate account in the Fund and shall be used to continue the Fund. The County Treasurer shall pay therefrom and from unpledged funds in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, the full amount of the delinquent tax roll against which the County has borrowed, delivered as uncollected by any tax collector in the County and that is outstanding and unpaid on or after March 1, 2016, in accordance with the provisions of Act 206. If the notes are sold at a premium, the County Treasurer shall determine what portion of the premium, if any, shall be deposited in the 2016 Collection Account established in Section 6 hereof.

#### 2016 Collection Account

6. There is hereby established as part of the Fund an account (hereby designated the "2016 Collection Account") into which account the County Treasurer shall place delinquent taxes against which the County has borrowed, and interest thereon, collected on and after March 1, 2016, or such later date as determined by the County Treasurer, all County property tax administration fees on such delinquent taxes, after expenses of issuance of the notes have been paid, any premium as determined pursuant to Section 5 hereof, and any amounts received by the

County Treasurer from the County, the State of Michigan and any taxing unit within the County, because of the uncollectibility of such delinquent taxes. The foregoing are hereby established as funds pledged to note repayment. The County Treasurer shall designate the delinquent taxes against which the County shall borrow for each series of notes.

#### Note Reserve Fund

7. There is hereby authorized to be established by the County Treasurer a note reserve fund for the notes (the "2016 Note Reserve Fund") if the County Treasurer deems it to be reasonably required as a reserve and advisable in selling the notes at public or private sale. The County Treasurer is authorized to deposit in the 2016 Note Reserve Fund from proceeds of the sale of the notes, unpledged moneys in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, an amount not exceeding ten percent (10%) of the face amount of the notes.

#### Security for Payment of Notes

8. All of the moneys in the 2016 Collection Account and the 2016 Note Reserve Fund, if established, and all interest earned thereon, relating to a series of notes are hereby pledged equally and ratably as to such series to the payment of the principal of and interest on the notes and shall be used solely for that purpose until such principal and interest have been paid in full. When moneys in the 2016 Note Reserve Fund, if established, are sufficient to pay the outstanding principal of the notes and the interest accrued thereon, such moneys may be used to retire the notes. If more than one series of notes is issued, the County Treasurer by order shall establish the priority of the funds pledged for payment of each such series. In such case the County Treasurer may establish sub-accounts in the various funds and accounts established pursuant to the terms of this resolution as may be necessary or appropriate.

### Additional Security

9. Each series of notes, in addition, shall be a general obligation of the County, secured by its full faith and credit, which shall include the County's limited tax obligation, within applicable constitutional and statutory limits, and its general funds. The County budget shall provide that if the pledged delinquent taxes and any other pledged amounts are not collected in sufficient amounts to meet the payments of principal and interest due on each series of notes, the County, before paying any other budgeted amounts, will promptly advance from its general funds sufficient moneys to pay that principal and interest. The County shall not have the power to impose taxes for payment of the notes in excess of constitutional or statutory limitations. If moneys in the 2016 Collection Account and the 2016 Note Reserve Fund, if established, are not sufficient to pay the principal of and interest on the notes, when due, the County shall pay the same in accordance with this Section, and may thereafter reimburse itself from the delinquent taxes collected.

### Release of Pledge of 2016 Collection Account

10. Upon the investment of moneys in the 2016 Collection Account in direct non-callable obligations of the United States of America in amounts and with maturities that are sufficient to pay in full the principal of and interest on the notes when due, any moneys in the 2016 Collection Account thereafter remaining may be released from such pledge created pursuant to Section 8 hereof and may be used to pay any or all delinquent real property taxes that are due the County, the State of Michigan and any school district, intermediate school district, community college district, city, township, special assessment district or other political unit to which delinquent tax payments are due for any year or for any other purpose permitted by law.

### Sale of Notes

11. The County Treasurer is hereby authorized to offer the notes at public or private sale as determined by order of the County Treasurer and to do all things necessary to effectuate the sale, delivery, transfer and exchange of the notes in accordance with the provisions of this resolution. Notes of one series may be offered for sale and sold separately from notes of another series. If the notes are to be sold publicly, sealed proposals for the purchase of the notes shall be received by the County Treasurer for such public sale to be held at such time as shall be determined by the County Treasurer and notice thereof shall be published in accordance with law once in *The Bond Buyer*, which is hereby designated as being a publication printed in the English language and circulated in this State that carries as a part of its regular service, notices of sale of municipal bonds. Such notice shall be in the form prescribed by the County Treasurer.

The County Treasurer is hereby authorized to cause the preparation of an official statement for the notes for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the notes, the County will provide copies of a final official statement (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the successful bidder or bidders to enable such successful bidder or bidders to comply with paragraphs (b)(3) and (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board. The County Treasurer is authorized to enter into such agreements as may be required to enable the successful bidder or bidders to comply with the Rule.

### Continuing Disclosure

12. The County Treasurer is hereby authorized to execute and deliver in the name and on behalf of the County (i) a certificate of the County to comply with the requirements for a continuing disclosure undertaking of the County pursuant to paragraph (b)(5) or (d)(2) of the

Rule, as applicable, and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

#### Execution and Delivery of Notes

13. The County Treasurer is hereby authorized and directed to execute the notes for the County by manual or facsimile signature and the County Treasurer shall cause the County seal or a facsimile thereof to be impressed or imprinted on the notes. Unless the County Treasurer shall specify otherwise in writing, fully registered notes shall be authenticated by the manual signature of the note registrar and paying agent. After the notes have been executed and authenticated, if applicable, for delivery to the original purchaser thereof, the County Treasurer shall deliver the notes to the purchaser or purchasers thereof upon receipt of the purchase price. Additional notes bearing the manual or facsimile signature of the County Treasurer and upon which the seal of the County or a facsimile thereof is impressed or imprinted may be delivered to the note registrar and paying agent for authentication, if applicable, and delivery in connection with the exchange or transfer of fully registered notes. The note registrar and paying agent shall indicate on each note that it authenticates the date of its authentication. The notes shall be delivered with the approving legal opinion of Dickinson Wright PLLC.

#### Exchange and Transfer of Fully Registered Notes

14. Any fully registered note, upon surrender thereof to the note registrar and paying agent with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for notes of any other authorized denominations of



the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note.

Each note shall be transferable only upon the books of the County, which shall be kept for that purpose by the note registrar and paying agent, upon surrender of such note together with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any note, the note registrar and paying agent on behalf of the County shall cancel the surrendered note and shall authenticate, if applicable, and deliver to the transferee a new note or notes of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note. If, at the time the note registrar and paying agent authenticates, if applicable, and delivers a new note pursuant to this Section, payment of interest on the notes is in default, the note registrar and paying agent shall endorse upon the new note the following: "Payment of interest on this note is in default. The last date to which interest has been paid is [place date]."

The County and the note registrar and paying agent may deem and treat the person in whose name any note shall be registered upon the books of the County as the absolute owner of such note, whether such note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such note and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 3 hereof shall be valid and effectual to satisfy and discharge the liability upon such note to the extent of the sum or sums so paid, and neither the County nor the note registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the note registrar and paying agent harmless from and against any and all loss, cost, charge, expense,

judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of notes, the County or the note registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The note registrar and paying agent shall not be required to transfer or exchange notes or portions of notes that have been selected for redemption.

#### Book Entry System

15. At the option of the County Treasurer and notwithstanding any provisions of this resolution to the contrary, the County Treasurer is hereby authorized to enter into an agreement with a custodian or trustee for the purpose of establishing a "book entry" system for registration of notes to be fully registered. Pursuant to the provisions of such agreement, the notes may be registered in the name of the custodian or trustee for the benefit of other persons or entities. Such agreement shall provide for the keeping of accurate records and prompt transfer of funds by the custodian or trustee on behalf of such persons or entities. The agreement may provide for the issuance by the custodian or trustee of certificates evidencing beneficial ownership of the notes by such persons or entities. For the purpose of payment of the principal of and interest on the notes, the County may deem payment of such principal and interest, whether overdue or not, to the custodian or trustee as payment to the absolute owner of such note. Pursuant to provisions of such agreement, the book entry system for the notes may be used for registration of all or a

portion of the notes and such system may be discontinued at any time by the County. The note registrar and paying agent for the notes may act as custodian or trustee for such purposes.

#### Issuance Expenses

16. Expenses incurred in connection with the issuance of the notes, including without limitation any premiums for any insurance obtained for the notes, note rating agency fees, travel and printing expenses, fees for agreements for lines of credit, letters of credit, commitments to purchase the notes, remarketing agreements, reimbursement agreements, purchase or sales agreements or commitments, or agreements to provide security to assure timely payment of the notes, fees for the setting of interest rates on the notes and bond counsel, financial advisor, paying agent and registrar fees, all of which are hereby authorized, shall be paid by the County Treasurer from County property tax administration fees on the delinquent taxes, from any other moneys in the Fund not pledged to the repayment of notes and general funds of the County that are hereby authorized to be expended for that purpose.

#### Replacement of Notes

17. Upon receipt by the County Treasurer of satisfactory evidence that any outstanding note has been mutilated, destroyed, lost or stolen, and of security or indemnity complying with applicable law and satisfactory to the County Treasurer, the County Treasurer may execute or authorize the imprinting of the County Treasurer's facsimile signature thereon and thereupon, and if applicable, a note registrar or paying agent shall authenticate and the County shall deliver a new note of like tenor as the note mutilated, destroyed, lost or stolen. Such new note shall be issued and delivered in exchange and substitution for, and upon surrender and cancellation of, the mutilated note or in lieu of and in substitution for the note so destroyed, lost or stolen in compliance with applicable law. For the replacement of authenticated notes, the note registrar and paying agent shall, for each new note authenticated and delivered as provided

above, require the payment of expenses, including counsel fees, which may be incurred by the note registrar and paying agent and the County in the premises. Any note issued under the provisions of this Section in lieu of any note alleged to be destroyed, lost or stolen shall be on an equal basis with the note in substitution for which such note was issued.

#### Chargebacks

18. For any principal payment date of the notes on or after January 1, 2019, the delinquent taxes on property foreclosed and sold pursuant to the provisions of Act 206 and against which the County has borrowed shall, if necessary to ensure full and timely payment of principal of and interest on the notes when due, be charged back to the taxing jurisdictions in such manner as determined by the County Treasurer. The proceeds of such chargebacks shall be deposited in the 2016 Collection Account as security for payment of the notes as described in Section 8 hereof. The provisions of this Section shall not limit the authority of the County Treasurer under the laws of the State of Michigan to charge back delinquent taxes under other circumstances or at other times.

#### Purchase of Notes by County

19. All or any portion of the notes may be purchased or otherwise acquired by the County if the County Treasurer by order deems such purchase or acquisition to be in the best interest of the County. In such case, the County Treasurer is authorized to take such actions to effectuate the purchase or acquisition, including without limitation entering into an agreement to purchase or repurchase the notes. The purchase or other acquisition of notes by or on behalf of the County does not cancel, extinguish or otherwise affect the notes and the notes shall be treated as outstanding notes for all purposes of this resolution until paid in full.

### Creation of Separate Delinquent Tax Revolving Fund

20. If legislation is adopted that amends Act 206 to require the creation of a separate delinquent tax revolving fund for each year's delinquent taxes, there is hereby created such fund for the 2015 delinquent taxes, all in accordance with Act 206 as so amended. The County Treasurer is hereby authorized to take such actions as determined by the County Treasurer to be necessary or desirable in order for the County to fulfill the requirements of Act 206 as so amended.

### Issuance of Refunding Notes

21. The County shall refund all or part of the notes authorized hereunder and/or notes previously issued by the County to continue the Fund for prior tax years if and as authorized by order of the County Treasurer through the issuance of refunding notes (the "Refunding Notes") in an amount to be determined by order of the County Treasurer. Proceeds of the Refunding Notes may be used to redeem such notes and to pay issuance expenses of the Refunding Notes as authorized and described in Section 16 hereof. The County Treasurer shall have all the authority with respect to the Refunding Notes as is granted to the County Treasurer with respect to the notes by the other Sections hereof, including the authority to select a note registrar and paying agent, to apply to the Michigan Department of Treasury for approval to issue the Refunding Notes, if necessary, to cause the preparation of an official statement and to do all other things necessary to sell, execute and deliver the Refunding Notes. The Refunding Notes shall contain the provisions, shall be payable as to principal and interest and shall be secured as set forth herein and as further ordered by the County Treasurer. The Refunding Notes may be sold as a separate issue or may be combined in a single issue with other obligations of the County issued pursuant to the provisions of Act 206 as shall be determined by the County Treasurer. The County Treasurer is authorized to prescribe the form of Refunding Note and the form of notice of sale, if any, for the sale of Refunding Notes.

Form of Notes

22. The notes shall be in the form approved by the County Treasurer, which approval shall be evidenced by the County Treasurer's execution thereof.

After discussion, the vote was:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

A sufficient majority having voted therefor, the Resolution to Borrow Against Anticipated Delinquent 2015 Real Property Taxes was adopted.

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIID

\_\_\_\_\_

02-01-G03

G03

STATE OF MICHIGAN     )  
                                      )ss  
COUNTY OF GENESEE    )

I, the undersigned, the duly qualified and acting Clerk of the County of Genesee, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Board of Commissioners of said County, held on the 1st day of February, 2016, insofar as the same relate to the Resolution to Borrow Against Anticipated Delinquent 2015 Real Property Taxes, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

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Clerk, County of Genesee

BLOOMFIELD 9542-18 1572704v1

16-34

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 Commissioners of Genesee County, Michigan, that the request by the Friend of the Court ("FOC") to authorize three individuals to attend the Winter Friend of the Court Association Conference in Traverse City, Michigan, February 16 – 19, 2016, at a cost not to exceed \$451.84, said cost already being included in the FOC's current year operating budget with no additional county appropriation required, is approved (a copy of the memorandum request dated January 19, 2016, and supporting documents being on file with the official records of the January 25, 2016, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIIE  
BDM:bdm  
01-22-16  
02-01-G04

G04



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 Commissioners of Genesee County, Michigan, that the request by the Director of Human Resources and Labor Relations to authorize the Delta Dental retiree rates renewal for the 2016 plan year from January 1, 2016, through December 31, 2016, said rates decreasing slightly, is approved (a copy of the memorandum request dated January 25, 2016, and the Delta Dental renewal contract being on file with the official records of the January 25, 2016, meeting of the Governmental Operations Committee of this Board), and the Chairperson of this Board is authorized to sign the renewal contract on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIIF  
BDM:bdm  
01-22-16  
02-01-G05

G05

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 Commissioners of Genesee County, Michigan, that the request by the Director of Human Resources and Labor Relations to authorize the HealthPlus of Michigan retiree rates for the 2016 plan year from January 1, 2016, through December 31, 2016, is approved (a copy of the memorandum request dated January 25, 2016, and the HealthPlus of Michigan contract being on file with the official records of the January 25, 2016, meeting of the Governmental Operations Committee of this Board), and the Chairperson of this Board is authorized to sign the contract on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIIG  
BDM:bdm  
01-22-16  
02-01-G06

G06

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 February 1, 2016, through February 29, 2016, such requests and asserted justifications appearing in the official records of the January 25, 2016, 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, that this Board of Commissioners of Genesee County, Michigan, hereby ratifies the expedited action taken by the Governmental Operations Committee on January 25, 2016, approving the appropriation of the sum of \$143,525.00 from General Fund Contingencies - Reserve for Overtime (Fund No. 101.00.00.9010.70075.000) and allocating those funds as specified to the Overtime Account (No. 30055) of the respective departments as detailed below:

<u>Account</u>	<u>Department</u>	<u>Amount</u>
101.00.00.1050	Board Coordinator	41
101.00.00.1311	Circuit Court	76
101.00.00.1320	Jury Board	0
101.00.00.1360	District Court	1,141
101.00.00.1370	5 <sup>th</sup> Division District Court	11,786
101.00.00.1390	Family Court	83
101.00.00.1485	Probate Court	47
101.00.00.2160	County Clerk	3,754

101.00.00.2236	Controller	40,546
101.00.00.2260	Human Resources	5,675
101.00.00.2292	Prosecutor	0
101.00.00.2310	Court Services	0
101.00.00.2332	Purchasing	54
101.00.00.2364	Register of Deeds	2,136
101.00.00.2530	Treasurer's Office	6,385
101.00.00.2653	Building and Grounds	6,222
101.00.00.2656	Building and Grounds – McCree	870
101.00.00.3020	Sheriff Court Security-Transport	2,098
101.00.00.3025	Sheriff Court Security-Transport-McCree	3,617
101.00.00.3028	Sheriff Court Security-Transport-Probate	248
101.00.00.3030	Sheriff Corrections Division	49,639
101.00.00.3035	Building and Grounds – Jail	410
101.00.00.3050	Sheriff Administration	201
101.00.00.3110	Sheriff Investigative Division	3,973
101.00.00.3145	Sheriff Overtime	1,386
101.00.00.3160	Sheriff Marine Section	0
101.00.00.3205	Sheriff Tether	93
101.00.00.4260	Emergency Mgmt	693
628.00.00.2582	IT	2,071
645.00.00.2334	Motor Pool	280

**TOTAL**

**\$ 143,525**

to cover all anticipated overtime costs during the month of February 2016 in these departments.

**GOVERNMENTAL OPERATIONS COMMITTEE**

G012516VIIH

BDM:bdm

1-22-16

02-01-G07

G07

16-38

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 Commissioners of Genesee County, Michigan, that the request by the Sheriff to approve the Agreement with the City of Flint for operation of the Flint Holding Facility by the Office of the Genesee County Sheriff for FY 2015-16 is approved (a copy of the memorandum request dated January 27, 2016, and supporting documentation to be placed on file with the official records of the January 25, 2016, meeting of the Governmental Operations Committee of this Board), and both the Chairperson of this Board and the Sheriff are authorized to execute the Agreement on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE  
(On agenda with consent of Committee and Board Chairpersons)

G \_\_\_\_\_  
BDM:bdm  
01-27-16  
02-01-G08

G08

16-39

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 Commissioners of Genesee County, Michigan, ratifies the request by the Office of Prosecuting Attorney to allocate \$25,000 to his budget to hire two special assistant prosecuting attorneys to investigate the Flint Water situation (a copy of the memorandum request dated January 25, 2016, being on file with the official records of the January 25, 2016, meeting of the Governmental Operations Committee of this Board).

BE IT FURTHER RESOLVED, that the Controller is authorized to make the necessary transfer of \$25,000 to the budget of the Office of the Prosecuting Attorney.

GOVERNMENTAL OPERATIONS COMMITTEE

G012516VIII  
BDM:bdm  
01-27-16  
02-01-G09

G09

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

LADIES AND GENTLEMEN:

WHEREAS, counties routinely provide treatment services to the estimated two million people with serious mental illnesses booked into jail each year; and

WHEREAS, prevalence rates of serious mental illnesses in jails are three to six times higher than for the general public; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and, upon release, are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and service, people with mental illnesses continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals and their families; and

WHEREAS, Genesee County and all counties take pride in their responsibility to protect and enhance the health, welfare, and safety of its residents in efficient and cost-effective ways; and

WHEREAS, Genesee County has been a leader in past efforts to address the issue of the mentally ill with the criminal justice system via the CMH (GHS) Jail Diversion Policy Agreement of 2011, but recognizes that more can be done to develop a

comprehensive plan that will allow us to improve process, track progress, and improve effectiveness; and

WHEREAS, through Stepping Up, the National Association of Counties, The Council of State Governments Justice Center, and the American Psychiatric Association Foundation are encouraging public, private, and nonprofit partners to reduce the number of people with mental illnesses in jails.

NOW, THEREFORE, LET IT BE RESOLVED, that we, the Genesee County Board of County Commissioners, hereby affirm continuing support for the Jail Diversion Policy of 2011 and sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees, and residents to participate in Stepping Up. We resolve to utilize the comprehensive resources available through Stepping Up to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails;
- Collect and review prevalence numbers and assess individuals' needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use that baseline information to guide decision making at the system, program, and case levels;
- Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community;



- Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers;
- Implement research-based approaches that advance the plan; and
- Create a process to track progress using data and information systems, and to report on successes.

#### HUMAN SERVICES COMMITTEE

H011916VIA1

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01-26-16  
02-01-H01

H01

16-41

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 Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize overnight travel for Tamara Brickey, Dawn Scharer, Tessa Clardy, and Porsha Black, to attend the Healthy Start Grantee Spring Conference in Washington, D.C., February 27 – March 2, 2016, at a total cost not to exceed \$9,096.20 to be paid from Fund No. 221.00.00.6090.46495.000, with no county appropriation being necessary, is approved (a copy of the memorandum request dated January 19, 2016, being on file with the official records of the January 19, 2016, meeting of the Human Services Committee of this Board).

HUMAN SERVICES COMMITTEE

H011916VIIB1  
BDM:bdm  
01-21-16  
02-01-H02

H02

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 Commissioners of Genesee County,  
Michigan, that the request by the Office of Senior Services to authorize eight specialized  
grant awards of \$1,000 each and contracts between Genesee County and the below  
specified vendors, said contracts being for the period from October 1, 2015, through  
September 30, 2016, is approved:

- Family Service Agency of Mid Michigan (2 contracts);
- Senior Winter Games of Genesee County;
- Southern Lakes Parks and Recreation;
- Foster Grandparent Program;
- Catholic Charities of Shiawassee and Genesee Counties;
- Senior Director's Association of Genesee County;
- Food Bank of Eastern Michigan; and
- Flint Retirement House.

(a copy of the memorandum request dated January 12, 2016, and the draft contracts  
being on file with the official records of the January 19, 2016, meeting of the Human  
Services Committee of this Board).

BE IT FURTHER RESOLVED, that the Controller is authorized to transfer  
within the budget of the Office of Senior Services \$3,000 from the Salaries and Fringes  
line item to the Specialized Grant Application line item, and the Chairperson of this  
Board is authorized to execute the eight contracts on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H011916VIIC1  
BDM:bdm  
01-21-16  
02-01-H03

H03

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 Commissioners of Genesee County, Michigan, that the request by the Office of Senior Services to authorize eight specialized grant awards of \$1,000 each and contracts between Genesee County and the below specified vendors, said contracts being for the period from October 1, 2015, through September 30, 2016, is approved:

- Family Service Agency of Mid Michigan (2 contracts);
- Senior Winter Games of Genesee County;
- Southern Lakes Parks and Recreation;
- Catholic Charities of Shiawassee and Genesee Counties;
- Senior Director's Association of Genesee County;
- Food Bank of Eastern Michigan; and
- Flint Retirement House.

(a copy of the memorandum request dated January 12, 2016, and the draft contracts being on file with the official records of the January 19, 2016, meeting of the Human Services Committee of this Board).

BE IT FURTHER RESOLVED, that the Controller is authorized to transfer within the budget of the Office of Senior Services \$3,000 from the Salaries and Fringes line item to the Specialized Grant Application line item, and the Chairperson of this Board is authorized to execute the eight contracts on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H011916VIIC1  
BDM:bdm  
01-21-16  
02-01-H03

H03