

GENESEE COUNTY BOARD OF COMMISSIONERS

2015-14

ITEMS FOR BOARD ACTION  
Monday, June 15, 2015 @ 9:00 a.m.

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

**Presentation** – Deanna East, MSU Extension: Annual Report

**Public Hearing** - Regarding Proposed Increase of 0.5208 mills in the Operating Tax Millage Rate to be Levied in 2015

**Presentation** - Equalization Director Peggy Nolde regarding Proposed Increase of 0.5208 mills in the Operating Tax Millage Rate to be Levied in 2015

VIII. REPORTS

**BOARD OF COMMISSIONERS**

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

- 15-207 B01 Resolution approving 2015 Millage rate and summer levy (On Agenda with the consent of the Board Chairperson)
- 15-208 B02 Resolution adopting "Genesee County Freedom of Information Act Policy & Procedures" (On Agenda with the consent of the Board Chairperson)
- 15-209 B03 Resolution authorizing election of members of the Genesee County Board of Road Commissioners (On Agenda with the consent of the Board Chairperson)

Report from Chairperson

**COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE**

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

- 15-210* C01 Resolution approving 2015 HOME Investment Partnership awards and agreements with Genesee County Habitat for Humanity and Metro Community Development
- 15-211* C02 Resolution approving Neighborhood Stabilization Program & HOME Program participating lender agreements
- 15-212* C03 Resolution approving transfers of CDBG and HOME Program funds
- Report from Chairperson

**FINANCE COMMITTEE**

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

- 15-213* F01 Resolution ratifying expedited action authorizing converting existing vacant legal assistant position in the Office of the Prosecuting Attorney to a paralegal position, and filling the position
- 15-214* F02 Resolution ratifying expedited action authorizing establishing and filling four GCCARD positions
- 15-215* F03 Resolution approving Participation Agreement, Grant Agreement, and Implementation Agreement with MMSA and CGI Technologies and Solutions, Inc., for a new County financial management system
- Report from Chairperson

**GOVERNMENTAL OPERATIONS COMMITTEE**

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

- 15-216* G01 Resolution paying County bills
- 15-217* G02 Resolution ratifying expedited action authorizing the Sheriff to accept the transfer of a 2000 International van from the City of Flint Police Department for use as a Dive Team response vehicle

- 15-218 G03 Resolution ratifying expedited action approving EPA Brownfield Cleanup Revolving Loan Fund Grant Agreement, Sub-Grant to the City of Flint, and Management Agreement Amendment between the City of Flint and the Genesee County Land Bank Authority
- 15-219 G04 Resolution ratifying expedited action to establish and fill a part-time Shelter Veterinarian position in Animal Control
- 15-220 G05 Resolution approving County overtime for July 2015
- 15-221 G06 Resolution approving policy regarding persons who make threatening statements against County officials, employees, contractors, or property
- 15-222 G07 Resolution designating the Governmental Operations Committee as the parent committee of the IT Department
- 15-223 G08 Resolution authorizing IT to hire temporary employees for up to 200 hours of work at a cost not to exceed \$19,000

Burial Claims

Travel Claims

Report from Chairperson

#### **HUMAN SERVICES COMMITTEE**

**Brenda Clack, Chairperson**

**Pegge Adams, Vice Chairperson**

- 15-224 H01 Resolution ratifying expedited action authorizing GCCARD to enter agreement with the Michigan Fitness Foundation for funding
- 15-225 H02 Resolution approving Site and Operational Agreements between GCCARD and Head Start school, church, or agency sites
- 15-226 H03 Resolution authorizing Health Department employee travel (April Swartout)

Report from Chairperson

#### **PUBLIC WORKS COMMITTEE**

**Michael Lynch, Chairperson**

**Tony Brown, Vice Chairperson**

- 15-227 P01 Resolution approving MEI Services Contract with STAT EMS, LLC
- 15-228 P02 Resolution approving Body Removal Services Contract with Preferred Removal Services, Inc
- 15-229 P03 Resolution approving one year extension to electronic legal research services contract with West Publishing
- 15-230 P04 Resolution approving surveyor contracts for the 2015 Remonumentation Grant Program

Report from Chairperson

**LAUDATORY RESOLUTIONS/PROCLAMATIONS**

- 15-P02 Taking It to the Streets Day  
15-L29 The Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of Michigan
- 15-L30 Robert S. Callis  
15-L31 Davison Township  
15-L32 Pauline Todd  
15-L33 Michael Beratta

**IX. UNFINISHED BUSINESS**

**X. NEW AND MISCELLANEOUS BUSINESS**

**XI. OTHER BUSINESS**

**XII. ADJOURNMENT**

15-207

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

LADIES AND GENTLEMEN:

WHEREAS this Genesee County Board of Commissioners, ("this Board") has complied with the procedures required by section 24e of the general property tax act, MCL 211.24e ("Section 24e"), under which procedures this Board now is permitted to direct to be levied 2015 County of Genesee (the "County") ad valorem property taxes at the total rate of 8.7819 mills, such total rate including County 2015 property taxes which have been proposed by this Board to be levied for general operating purposes, emergency medical services, parks and recreation, senior citizen services, an uninsured health services delivery system, veterans services, MSU Extension services, and animal control services in the respective rates specified below for those purposes; and

WHEREAS the County, in accordance with the above referenced procedures required by Section 24e, published a Notice of a Public Hearing on Increasing Property Taxes (the "Notice") for a hearing, as stated in the Notice, for the purpose of receiving testimony regarding and discussing the levy of the proposed total 2015 millage rate of 8.7819 mills, the Notice having been in the form and of the content required by this Board's Resolution 15-194, adopted June 1, 2015, and having been published on June 4, 2015, in *The Flint Journal* (the "Journal"), the *Journal* being a newspaper of general circulation within the County; and

WHEREAS this Board, prior to adoption of this present resolution, has held the public hearing noticed in the Notice, such hearing having been held today, June 15, 2015; and

WHEREAS, it was announced at the above referenced public hearing that the County, through this Board, planned to take action at this Board's meeting on June 15, 2015, following completion of the above referenced public hearing, on a proposed Resolution to direct the levy of the above referenced 2015 County property tax of 8.7819 mills.

NOW, THEREFORE, BE IT RESOLVED, that this Board approves and directs the levy of, and authorizes and directs the signing and submission of any certificate and the taking of any other required actions to effectuate the collection of, 2015 County ad valorem property taxes at the following millage rates:

5.5072	mills for general operating purposes
0.4847	mill for emergency medical services
0.7500	mill for parks and recreation
0.7000	mill for senior citizen services
1.0000	mill for an uninsured health services delivery system
0.1000	mill for veterans services
0.0400	mill for MSU Extension services
0.2000	mill for animal control services
8.7819	Total 2015 Mills

BE IT FURTHER RESOLVED, that the above 5.5072 mills for general operating purposes will be levied as the 2015 summer tax.

BOARD OF COMMISSIONERS  
(On Agenda with the consent of the Board Chairperson)

B  
CDB:cdb  
06-01-15  
06-15-B01

B01

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

LADIES AND GENTLEMEN:

WHEREAS, the Michigan Freedom of Information Act (the "FOIA"), MCL 15.231 et seq., was recently amended by Public Act 563 of 2014 ("PA 563"), with an effective date of July 1, 2015, said amendments including changes designed to increase transparency and reduce the cost of access to public records; and

WHEREAS, the FOIA, as amended, requires public bodies to adopt new policies and procedures in order to charge fees for responding to FOIA requests after the effective date of the amendments to the FOIA; and

WHEREAS, this Board of County Commissioners has reviewed its policies and procedures with respect to FOIA requests and responses thereto, and desires to revise its policies and procedures with respect to FOIA requests and responses as required by the amended FOIA.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan hereby adopts the attached document titled *Genesee County Freedom of Information Act Policy and Procedures* ("the Policy") and Summary for the administration of FOIA requests and responses said policies and procedures to take effect as of July 1, 2015, and all other policies or procedures governing FOIA requests and responses are hereby rescinded.

BE IT FURTHER RESOLVED, that this Board's Coordinator shall distribute a copy of this resolution and attachment to all county departments and, with the County FOIA Coordinator, shall work with the IT Department to ensure that the Policy and the

Summary are published on the County website as required by the FOIA no later than the effective date, and that other frequently requested records are regularly added to the website to enhance the public's access to public records.

BOARD OF COMMISSIONERS  
(On agenda with consent of Board Chairperson)

B---  
CDG:ag  
06-10-15  
06-15-B02  
Attachment (1)

B02



**ATTACHMENT 1**

**POLICY & FORMS**

**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT  
POLICY & PROCEDURES**

**I. GENERAL**

**A. Policy and Principles**

- (1) It is the policy of Genesee County and Genesee County departments (the "County"), consistent with the Michigan Freedom of Information Act ("FOIA"), that all eligible persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees.
- (2) This Policy and the procedures contained herein (the "Policy") have been adopted to comply with State law and insure that the County responds to FOIA requests in a consistent, fair, and objective manner.
- (3) The County acknowledges that it has a legal obligation to disclose all non-exempt public records in its possession pursuant to a valid written FOIA request. The County further acknowledges that it is sometimes necessary to invoke the exemptions identified under the FOIA and other applicable law in order to ensure the effective operation of government and to protect the privacy of individuals or other entities.
- (4) The County will protect the public's interest in disclosure while balancing the requirement to withhold or redact portions of records due to privacy interests, safety concerns, or other interests as described in the permissible exemptions.

**II. GENERAL ADMINISTRATION**

**A. FOIA Coordinator**

Pursuant to MCL 15.236(1), the chairperson of the Board of County Commissioners ("County Board") is the FOIA Coordinator for the County. He or she may, pursuant to MCL 15.236(3), designate another individual to act on his or her behalf in accepting and processing requests for public records received by the County and approving all denials under the FOIA. The Chairperson's name and email address, as well as his designee's name and email address if the Chairperson so designates, shall be listed on the County website as the individual to whom FOIA requests should be directed.

**B. FOIA Requests**

- (1) All FOIA requests shall be submitted in writing and directed to the County Board Chairperson or his or her designee. The request must sufficiently describe a public record so as to enable County personnel to identify and find the requested public record. No specific form to submit a request for a public record is required. The County Board, however, has approved and made available a FOIA Request Form

for use by the public (FOIA Request Form).

- (2) Written requests for public records may be submitted to the County in person, by mail, by electronic mail, or by facsimile directed to the County Board Chairperson or his or her designee. Requests addressed to the County that are received by County personnel shall be promptly forwarded to the FOIA Coordinator for processing.
- (3) If a request for a public record is sent by facsimile or e-mail, the request is deemed to have been received on the following business day. MCL 15.235(1). If a request is sent by e-mail and delivered to a spam or junk-mail folder, the request is not deemed received until 1 day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.
- (4) A person may request that public records be provided on non-paper physical media, electronically mailed, or other otherwise provided to him or her in lieu of paper copies. The County will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.
- (5) If a person makes a verbal request for information believed to be available on the County's website, the public employee receiving the request shall, where practicable and to the best of the public employee's knowledge, inform the requestor about the pertinent website address.
- (6) The FOIA Coordinator shall keep a copy of all written requests for public records received by the County on file for a period of at least 1 year.

### **III. PROCESSING A FOIA REQUEST**

#### **A. Responding to a FOIA Request**

- (1) Within 5 business days of receipt of a FOIA request the County will issue a response, unless otherwise agreed to in writing by the person making the request. The County will respond to the request in one of the following ways:
  - a. Grant the request;
  - b. Issue a written notice denying the request;
  - c. Grant the request in part and issue a written notice denying in part the request;
  - d. Issue a notice indicating the County needs an additional 10 business days to respond due to the nature of the request; or
  - e. Issue a written notice indicating that the public record requested is available at no charge on the County's website.
- (2) If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request

to the person making the request (FOIA Response and Fee Summary Form). If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

- (3) If the estimated cost of processing a FOIA request is expected to exceed \$50, or if the requester has not fully paid for a previously granted request, the County will require a good-faith deposit before processing the request. In making the request for a good-faith deposit the FOIA Coordinator shall provide the requester with a detailed itemization of the allowable costs estimated to be incurred by the County to process the request and also provide a best efforts estimate of a time frame it will take the County to provide the records to the requester upon receipt of the required deposit (FOIA Response Fee Estimate Form). This estimate shall be nonbinding on the County but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.
- (4) The County shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect County records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal business operations of County departments.
- (5) The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record to the person requesting the public record.
- (6) A webpage link to a copy of this Policy shall be provided with the response to all written requests for public records.

## **B. Denial of a FOIA Request**

- (1) If the request is denied in whole or in part, the FOIA Coordinator will issue a Notice of Denial which shall provide, as applicable:
  - a. An explanation why a requested public record is exempt from disclosure; or
  - b. A certificate that the requested record does not exist under the name or description provided by the requester, or another name reasonably known by the County; or
  - c. An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
  - d. An explanation of the person's right to submit an appeal of the denial to either the County Board Chairperson or seek judicial review in the Genesee County Circuit Court; and
  - e. An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of up to \$1,000, should the requester prevail in Circuit Court.
  - f. The Notice of Denial shall be signed by the FOIA Coordinator.

- (2) If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines provided under the FOIA.

#### **IV. FEES**

##### **A. Generally**

- (1) A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the County because of the nature of the request in the particular instance, and the County specifically identifies the nature of the unreasonably high costs.
- (2) The following factors shall be used to determine an unreasonably high cost to the County:
- a. Volume of the public record or records requested.
  - b. Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
  - c. The available staffing to respond to the request.
  - d. The particular request incurs costs greater than incurred from the typical or usual request received by the County.
  - e. Any other similar factors identified by the FOIA Coordinator in responding to the particular request.
- (3) The County may charge for the following costs associated with processing a FOIA request:
- a. Labor costs directly associated with searching for, locating and examining a requested public record;
  - b. Labor costs associated with a review of a record to separate and delete information exempt from disclosure;
  - c. The actual cost of computer discs, computer tapes or other digital or similar media;
  - d. The cost of duplication of publication, not including labor, of paper copies of public records;
  - e. The cost of labor associated with duplication or publication, including making paper copies, making digital copies or transferring digital public records to non-paper physical media or through the Internet or other electronic means; and
  - f. The actual cost of mailing or sending a public record.
- (4) The fee schedule provided for by the FOIA does not apply to public records prepared under an act or statute specifically authorizing the sale of those public records to the public, or if the amount of the fee for providing a copy of the public

record is otherwise specifically provided by an act or statute. MCL 15.234(10). Fees provided for by other statutes include records of the Treasurer, the Register of Deeds, the Clerk's Office, and records covered by the Enhanced Access to Records Act.

## **B. Calculation**

- (1) Labor costs will be calculated based on the following requirements:
  - a. All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
  - b. The cost of labor directly associated with duplication, publication, or transferring records to non-paper physical media can be charged in time increments of the public body's choosing with all partial increments rounded down. The County will charge these costs in 6 minute increments.
  - c. Labor costs will be charged at the hourly wage of the lowest-paid County employee capable of doing the work in the specific fee category, regardless of who actually performs work.
  - d. If using contract or outside labor to separate and delete exempt material from non-exempt material, the public body must clearly note the name of the person or firm who does the work, and the labor cost may not exceed an amount 6 times the state minimum hourly wage.
  - e. Labor costs will also include a charge to cover the cost of fringe benefits. The County includes in the applicable labor charge the actual cost of fringe benefits to the extent that this cost does not exceed 50% of the labor charge.
- (2) The cost to provide records on non-paper physical media when so requested will be based on the following requirements:
  - a. Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
  - b. This cost will only be assessed if the County has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- (3) The cost to provide paper copies of records will be based on the following requirements:
  - a. Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
  - b. The County may provide records using double-sided printing, if available and cost effective.
- (4) The cost to mail records to a requester will be based on the following requirements:
  - a. The actual cost to mail public records using a reasonably economical and justified means.
  - b. The County shall charge for the least expensive form of postal delivery

confirmation.

(5) If the FOIA Coordinator does not respond to a written request in a timely manner, the following fee reductions shall be applied:

a. Labor costs will be reduced the by 5% for each day the County exceeds the time permitted under FOIA, up to a 50% maximum reduction, if any of the following applies:

- i. The late response was willful and intentional.
- ii. The written request, within the first 250 words of the body of a letter facsimile, e-mail or e-mail attachment, conveyed a request for a public record.
- iii. The written request included the words, characters, or abbreviations for "freedom of information", "information", "FOIA", "copy" or a recognizable misspelling of such, or legal code reference to MCL 15.231, *et seq.* or 1976 Public Act 442 on the front of an envelope or in the subject line of an e-mail, letter, or facsimile cover page.

b. The charge reduction will be noted in the Fee Summary Form.

### **C. Fee Deposits**

(1) If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation by the FOIA Coordinator, the requester will be asked to provide a deposit not exceeding one-half of the total estimated fee.

(2) If a request for public records is from a person who previously has not fully paid the County for copies of public records made in fulfillment of a granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- a. The final fee for the prior written request is not more than 105% of the estimated fee;
- b. The public records made available contained the information sought in the prior written request and remain in the County's possession;
- c. The public records were made available to the individual, subject to payment, within the time frame estimated by the County to provide the records;
- d. 90 days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- e. The individual is unable to show proof of prior payment to the County; and
- f. The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

(3) The FOIA Coordinator will not require an estimated 100% fee deposit if any of the following apply:

- a. The person making the request is able to show proof of prior payment in full to the County;
- b. The County is subsequently paid in full for the applicable prior written request; or
- c. 365 days have passed since the person made the request for which full payment was not remitted to the County.

**D. Waiver of Fees**

The FOIA Coordinator will waive the first \$20.00 of the processing fee for a request under the following circumstances:

- (1) If the person requesting a public record submits an affidavit stating that they are:
  - a. indigent and receiving specific public assistance; or
  - b. if not receiving public assistance, stating facts demonstrating an inability to pay because of indigency.

An individual is not eligible to receive the waiver if:

- a. the requester has previously received discounted copies of public records from the County twice during the calendar year; or
- b. the requester requests information in connection with other persons who are offering or providing payment to make the request.

The discount, if the requestor is eligible, shall be fully noted on the Fee Summary Form that will accompany the response. If the requestor is ineligible for the discount, the specific reason for the ineligibility shall be included in the response.

- (2) A nonprofit organization designated by the State to carry out activities under the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Mentally Ill Individuals Act of 1986, Public Law 99-319, or their successors, if the request meets all of the following requirements:
  - a. Is made directly on behalf of the organization or its clients;
  - b. Is made for a reason wholly consistent with the provisions of federal law under Section 931 of the Mental Health Code, 1974 PA 258 [MCL § 330.1931]; and
  - c. Is accompanied by documentation of its designation by the State.

**V. APPEALS**

**A. Appeal of a Denial of a Public Record**

- (1) When a requester believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may file an appeal of the denial to the County Board. The appeal must be in writing, must specifically state the word "appeal," and must identify the reason or reasons the



requester is seeking a reversal of the denial.

- (2) The County Board is not considered to have received a written appeal of either a denial or a fee amount until its first regularly scheduled meeting following the submission of the appeal.
- (3) Within 10 business days of receiving the appeal the County Board will respond in writing in one of the following ways:
  - a. Reverse the disclosure denial;
  - b. Uphold the disclosure denial;
  - c. Reverse the disclosure denial in part and uphold the disclosure denial in part;  
or
  - d. Under unusual circumstances, issue a notice of extension for not more than 10 business days to respond to the appeal.
- (4) Regardless of whether a requester submitted an appeal of a denial to the Board, he or she may file a civil action in Genesee County Circuit Court within 180 days after the County's final determination to deny the request.

#### **B. Appeal of an Excessive FOIA Processing Fee**

- (1) If a requester believes that the fee charged by the County to process a FOIA request exceeds the amount permitted by state law, he or she must first submit a written appeal for a fee reduction to the County Board. The appeal must be in writing, must specifically state the word "appeal," and must identify how the required fee exceeds the amount permitted.
- (2) Within 10 business days after receiving the appeal, the County Board will respond in writing by:
  - a. waiving the fee;
  - b. reducing the fee with a written determination indicating the specific basis that supports the remaining fee, accompanied by a certification by the County Board that the statements in the determination are accurate and the reduced fee amount complies with this Policy and Section 4 of the FOIA;
  - c. upholding the fee with a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee, accompanied by a certification by the County Board that the statements in the determination are accurate and the fee amount complies with this Policy and Section 4 of the FOIA; or
  - d. issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the County Board will respond to the written appeal.
- (3) Within 45 days after receiving notice of the County Board's determination of a fee appeal, a requester may commence a civil action in Genesee County Circuit Court for a fee reduction. If a civil action is filed appealing the fee, the County is not obligated to process the request for the public record until the Court

resolves the fee dispute.

**VI. MISCELLANEOUS**

**A. Conflicts**

- (1) To the extent that this Policy conflicts with previous FOIA policies promulgated by the County Board, this Policy shall supersede all prior policies and shall control.
- (2) To the extent that any provision of this Policy or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control.

**B. Effective Date**

This Policy shall take effect as of July 1, 2015.

Adopted: June 15, 2015, Resolution no. 15-\_\_\_\_\_

# FOIA FORMS

Request Form  
Response & Fee Summary Form  
Response - Fee Estimate Form

**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT REQUEST FORM**

Pursuant to the Michigan Freedom of Information Act (P.A. 442 of 1976, as amended), I request:

- Copies of the records described below  
 To be permitted to review copies of the records described below

Public Records Requested:

I understand that if I would like the records described above provided on non-paper physical media (computer disc, computer tapes, or other digital or similar media) or electronically mailed to me in lieu of paper copies, I must so indicate. I also understand that the records will be provided to me on non-paper physical media as long as that the County has the technological capability necessary to provide the records on the particular non-paper physical media.

I understand that in requesting copies of these records, I am responsible for all reasonable costs associated with the document search, examination, review, redaction and copying fees, not to exceed limits set forth in MCL 15.234, or as otherwise provided by statute, and will remit to Genesee County all such costs on or before the date of delivery. Payment of this fee becomes an obligation and is guaranteed by me to Genesee County as of the date of filing this request regardless of whether I ever pick up the records ordered in this request, or the material exceeds my anticipated volume. I further agree to remit a deposit in the amount of one-half the estimated fee at the time of making this request if the estimated fee exceeds \$50.00.

I understand that certain records that I have requested may not exist or be located under the name or description which I have provided, or may be exempt from release pursuant to the provisions of the Act and that I will be so advised by Genesee County should that be the case. I further understand that portions of the records I have requested may contain information or other material which is exempt from release and may therefore be redacted.

**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT REQUEST FORM**

I understand the County must respond to my request within five (5) business days after my request is received but that, because of the nature of my request or the volume of documents requested, additional time may be required to locate and copy the materials. Accordingly, pursuant to Section 5(2)(d) of the P.A. 442 of 1976, MCL 15.234, I agree to an extension of ten (10) additional business days to produce the records if informed of the need to do so.

I understand that the records requested shall be furnished without charge for the first \$20.00 if I provide an affidavit and declare that I am indigent or represent a non-profit organization operating under PL 106-402 as specified in Section 4(2) of P.A. 442 of 1976, as amended.

Pursuant to Section 4(4) of the P.A. 442 of 1976, MCL 15.234, Genesee County maintains a summary of its policy, procedures, and guidelines for FOIA requests on the County website at: [www.gc4me.com](http://www.gc4me.com).

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email address: \_\_\_\_\_

Genesee County Board of County Commissioners  
1101 Beach Street, Third Floor  
Flint, Michigan 48502

**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT RESPONSE & FEE SUMMARY**

Name of Person Requesting Information: \_\_\_\_\_

Date submitted to the FOIA Coordinator: \_\_\_\_\_

5 day due date: \_\_\_\_\_

10 day due date: \_\_\_\_\_

Pursuant to Section 4(1) of the FOIA (MCL 15.234), Genesee County may recover the labor costs of the search, duplication, mailing, labor, redaction, etc., incurred in responding to your request. With respect to your request, you will be responsible for actual duplication costs including, but not limited to, copying costs of not more than \$0.10 per page.

Below is an itemization of the fees due that explains in detail the six fee components listed in Section 4(1) of the P.A. 442 of 1976 (MCL 15.234).

**LABOR COSTS**

**Search Cost:** \$\_\_\_\_\_ (\$\_\_\_\_\_ per hour; \_\_\_ # of hours)

This figure represents the portion of the labor costs associated with the necessary search, location, and examination of the requested public records, at a cost of the hourly wage of the lowest-paid employee capable of searching for, locating, and examining the requested records. Labor costs for this portion of the fee are charged in 15 minute increments, with all partial time increments rounded down. If stipulated by the requester, the Plan may add the hourly overtime wage increment (not included in the calculation of fringe benefit costs).

**Review & Redaction Costs:** \$\_\_\_\_\_ (\$\_\_\_\_\_ per hour; \_\_\_ # of hours)

This figure represents the portion of the labor costs directly associated with the separating and deleting of exempt information from non-exempt information, at a cost of the hourly wage of the lowest-paid employee capable of separating and deleting exempt information from non-exempt information. Labor costs for this portion of the fee are charged in 15 minute increments, with all partial time increments rounded down.

**Contracted Review & Redaction Costs:** \$\_\_\_\_\_ (\$48.90 per hour; \_\_\_ # of Hours)

**Name of Contractor:** \_\_\_\_\_

This figure represents the cost of necessary contracted labor costs used for the separation and deletion of exempt information from non-exempt information at an hourly cost not exceeding an amount equal to 6 times the state's legal minimum hourly wage rate (i.e.  $\$8.15 \times 6 = \$48.90$ ).

**Duplication Costs:** \$\_\_\_\_\_ (\$\_\_\_\_\_ per hour; \_\_\_ # of hours)

This figure represents the portion of the labor costs directly associated with the duplication or publication of the public records, including making paper or digital copies and transmitting those duplications, at a cost of the hourly wage of the lowest-paid employee capable of searching for, locating, and examining the requested records. Labor costs for this portion of the fee are charged in 15 minute increments, with all partial time increments rounded down. If stipulated by the requester, the County may add the hourly overtime wage increment (not included in the calculation of fringe benefit costs).

**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT RESPONSE & FEE SUMMARY**

**Fringe Benefit Costs:** \$\_\_\_\_\_ (\$\_\_\_ daily fringe benefit value x \_\_\_ multiplier)

Genesee County may add up to 50% to the applicable labor charge to cover or partially cover the cost of fringe benefits. Subject to the 50% limitation, the County will not charge more than the actual cost of fringe benefits. Overtime wages shall not be used in calculating fringe benefits. If the County has provided the applicable website address for a record in its written response and the requester thereafter requests that the public record be provided in a paper format or other form, the County may utilize a fringe benefit multiplier greater than the 50% limitation, but not to exceed the actual costs of providing the information as requested.

**Subtotal Labor Costs:** \$\_\_\_\_\_

**NON-LABOR COSTS**

**Non-Paper Media Cost:** \$\_\_\_\_\_

This figure represents the actual and most reasonably economical cost of computer discs, computer tapes, or other digital or similar media.

**Copying Cost:** \$\_\_\_\_\_ ( \_\_\_ @ \$0.10 per page)

This figure represents the actual costs for copying the requested public records utilizing the most economical means available for making copies of the requested public records.

**Cost of Mailing:** \$\_\_\_\_\_

This figure represents the actual cost of mailing or sending the public records in a reasonably economical and justifiable manner.

**Subtotal Non-Labor Costs** \$\_\_\_\_\_

**Subtotal Non-Labor Costs** \$\_\_\_\_\_

+

**Subtotal Labor Costs** \$\_\_\_\_\_

**Total Costs** \$\_\_\_\_\_

-

**Deposit Paid (if any)** \$\_\_\_\_\_

**Total Amount Payable** \$\_\_\_\_\_

**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT RESPONSE - FEE ESTIMATE**

Name of Person Requesting Information: \_\_\_\_\_

Date submitted to the FOIA Coordinator: \_\_\_\_\_

5 day due date: \_\_\_\_\_

Extended due date: \_\_\_\_\_

Estimated date when records will be available: \_\_\_\_\_

Pursuant to Section 4(1) of the FOIA (MCL 15.234), the County may recover the labor costs incurred for the search, duplication, mailing, labor, redaction, etc., in responding to your request. You will be responsible for actual duplication costs including, but not limited to, copying costs of not more than \$0.10 per page.

Based on the nature of your request, it is anticipated that the total fee to be charged in responding to your request will exceed \$50.00. Accordingly, the County requires a good faith deposit of [50% or 100%] of the total estimated fee before providing the requested records. Below is a detailed itemization of the estimated fees which explains the six fee components listed in Section 4(1) of the FOIA (MCL 15.234).

**LABOR COSTS**

**Estimated Search Cost:** \$ \_\_\_\_\_ (\$ \_\_\_\_\_ per hour; \_\_\_ # of hours)

The portion of the labor costs associated with the necessary search, location and examination of the requested public records, at a cost of the hourly wage of the lowest-paid employee capable of searching for, locating, and examining the requested records. Labor costs for this portion of the fee are charged in 15 minute increments, with all partial time increments rounded down.

**Estimated Review & Redaction Cost:** \$ \_\_\_\_\_ (\$ \_\_\_\_\_ per hour; \_\_\_ # of hours)

The portion of the labor costs directly associated with the separating and deleting of exempt information from nonexempt information, at a cost of the hourly wage of the lowest-paid employee capable of separating and deleting exempt information from nonexempt information. Labor costs for this portion of the fee are charged in 15 minute increments, with all partial time increments rounded down.

**Estimated Contracted Review & Redaction Cost:**

\$ \_\_\_\_\_ (\$ \_\_\_\_\_ per hour, \_\_\_ # of Hours)

**Contractor's Name:** \_\_\_\_\_

The cost of necessary contracted labor costs used for the separating and deleting of exempt information from nonexempt information at an hourly cost not exceeding an amount equal to 6 times the state's legal minimum hourly wage rate (\$48.90).

**Estimated Duplication Cost:** \$ \_\_\_\_\_ (\$ \_\_\_\_\_ per hour; \_\_\_ # of hours)

The portion of the labor costs directly associated with the duplication or publication, including making paper or digital copies and transmitting those duplications, of the public records, at a cost of the hourly wage of the lowest-paid employee capable of searching for, locating, and examining



**GENESEE COUNTY  
FREEDOM OF INFORMATION ACT RESPONSE - FEE ESTIMATE**

the requested records. Labor costs for this portion of the fee are charged in 15 minute increments, with all partial time increments rounded down.

**Estimated Fringe Benefit Cost:** \$ \_\_\_\_\_ (\$ \_\_\_\_\_ daily fringe benefit value x \_\_\_\_\_ multiplier)

The County may add up to 50% to the applicable labor charge to cover or partially cover the cost of fringe benefits. Subject to the 50% limitation, the County shall not charge more than the actual cost of fringe benefits. Overtime wages may not be used in calculating fringe benefits. If the County has provided the applicable website address for a record in its written response and the requester thereafter requests that the public record be provided in a paper format or other form, the County may utilize a fringe benefit multiplier greater than the 50% limitation, but not to exceed the actual costs of providing the information as requested.

**Total Estimated Labor Cost:** \$ \_\_\_\_\_

**NON-LABOR COSTS**

**Estimated Non-Paper Media Cost:** \$ \_\_\_\_\_

The actual and most reasonably economical cost of computer discs, computer tapes, or other digital or similar media.

**Estimated Copying Cost:** \$ \_\_\_\_\_ ( \_\_\_\_\_ @ \$0.10 per page)

Utilizing the most economical means available for making copies of the requested public records.

**Estimated Cost of Mailing Cost:** \$ \_\_\_\_\_

The actual cost of mailing for sending the public records in a reasonably economical and justifiable manner.

**Total Estimated Non-Labor Cost:** \$ \_\_\_\_\_

**Subtotal Estimated Labor Costs** \$ \_\_\_\_\_

**Subtotal Estimated Non-Labor Costs** \$ \_\_\_\_\_

**Total Estimated Costs:** \$ \_\_\_\_\_

**Total Good Faith Deposit Required** \$ \_\_\_\_\_ (Total Estimated Fee × 50% (0.50))

**ATTACHMENT 2**

**SUMMARY**

## SUMMARY OF GENESEE COUNTY FREEDOM OF INFORMATION ACT POLICY AND PROCEDURES

Genesee County is a municipal entity organized pursuant to the laws of the State of Michigan. It is a public body as defined by the Freedom of Information Act (the "FOIA"), Act 442 of 1976.

Pursuant to Public Act 563 of 2014, the FOIA was amended with an effective date of July 1, 2015. In accordance with the amendments to the FOIA under Public Act 563 of 2014, the following written public summary of Genesee County's FOIA Policy and Procedures is provided.

### 1. Submitting a FOIA Request

- Requests to inspect or obtain copies of public records prepared, owned, used, possessed, or retained by Genesee County and its departments must be submitted in writing.
- No specific form to submit a written FOIA request is required. However, a FOIA Request Form is available for your convenience on the County's website at [www.gc4me.com](http://www.gc4me.com).
- A FOIA request must sufficiently describe a public record so as to enable the County to find it.
- Written requests may be made by mail addressed to the Board Chairperson, Genesee County Board of County Commissioners, 1101 Beach Street, Ste. 312, Flint, MI 48502. Requests may also be submitted via email to [icurtis@co.genesee.mi.us](mailto:icurtis@co.genesee.mi.us) or [cbell@co.genesee.mi.us](mailto:cbell@co.genesee.mi.us).

*Note: If you are serving a sentence of imprisonment in a local, state, or federal correctional facility, you are not entitled to submit a request for public records under the FOIA. MCL 15.232(c).*

### 2. Responding to Requests

- Within 5 business days of receipt of a FOIA request, the County will issue a response. If a request is submitted by e-mail, the request is deemed to have been received on the following business day. E-mail requests delivered to the FOIA Coordinator's spam or junk-mail folder shall be deemed received one (1) business day after the FOIA Coordinator becomes aware of the e-mail request. Such dates shall be noted in any response provided.
- The County will respond to your request in one of the following ways:
  - Grant the request;
  - Deny the request, in writing;
  - Grant the request in part and issue a written notice denying the request in part;

- Issue a notice indicating the County requires an additional 10 business days to respond due to the nature of the request; or
- Issue a written notice indicating that the public record requested is available at no charge on the County's website.
- If a request is granted, or granted in part, the County will ask that payment be made for any permissible fees associated with responding to the request before the public record is made available. If the costs of processing and responding to the request are expected to exceed \$50.00, the County will require a good faith deposit prior to processing the request. Under certain circumstances, the County may require payment of any and all fees in advance prior to processing the request.

### **3. Fee Deposit Requirements**

- If the County has made a good faith calculation the total fee for processing a FOIA request will exceed \$50.00, the County will require you to provide a deposit in the amount of 50% of the total estimated fee, a detailed itemization of which will be provided upon requesting the deposit. The County's request for a deposit will also include a non-binding best efforts estimate of how long it will take to process the request upon receipt of the required deposit.
- If the County receives a FOIA request from an individual or entity who has not paid the County for fees charged in connection with a previously granted FOIA request, the County will require a deposit of 100% of the estimated fee prior to processing the request when all of the following conditions exist:
  - The final fee for the prior FOIA request was not more than 105% of the estimated fee;
  - The public records made available contained the information sought in the prior written request and remain in the County's possession;
  - The public records were made available, subject to payment, within the time frame estimated by the County to provide the records;
  - 90 days have passed since the County notified the individual in writing that the records were available for pickup or mailing;
  - The individual is unable to show proof of prior payment to the County; and
  - The County has provided a detailed and itemized estimate that is the basis for the current request's increased deposit.
- The County will not require the estimated 100% deposit if any of the following apply:
  - The individual making the request is able to show proof of prior payment in full to the County;

- The County is subsequently paid in full for all applicable prior FOIA requests; or
- 365 days have passed since the request was made for which full payment was not remitted to the County.

#### **4. Calculation of Fees**

- A fee will not be charged for the cost of search, examination, review, and the deletion and separation of exempt from non-exempt information unless failure to charge a fee would result in unreasonably high costs to the County because of the nature of the request in the particular instance, and the County identifies the nature of the unreasonably high costs.
- In accordance with the FOIA, the County may charge for the following six fee components when processing a FOIA request:
  - Labor costs associated with searching for, locating and examining a requested public record;
  - Labor costs associated with a review of a record to separate and delete exempt information from non-exempt information which is disclosed;
  - The costs of computer discs, computer tapes or other digital or similar media when the request asks for records in non-paper physical media;
  - The cost of duplication or publication, not including labor, of paper copies of public records;
  - Labor costs associated with duplication or publication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet; and
  - The actual cost of mailing or sending responsive public records to a requester.
- Labor Costs
  - All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
  - Labor costs will be charged at the hourly wage of the lowest-paid employee capable of doing the work in the specific fee category, regardless of who actually performs the work.
  - If the County does not employ a person capable of separating and deleting exempt from non-exempt information, contracted labor costs will be charged at an hourly rate not exceeding an amount equal to 6 times the state established minimum hourly wage rate.
  - Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- Non-paper Physical Media
  - The cost for records provided on non-paper physical media, such as

computer discs, computer tapes, or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.

- This cost will only be assessed if the County has the technological capability necessary to provide the public record in the requested non-paper physical media format.

- Paper Copies

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$0.10 per sheet of paper. Copies for non-standard sized sheets will reflect the actual cost of reproduction.
- The County may provide records using double-sided printing, if doing so is convenient, cost-saving and available.

- Mailing Costs

- The cost to mail public records will use a reasonably economical and justified means.
- When appropriate under the circumstances, the County will charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless requested.

## 5. Fee Reduction

- The County will waive the first \$20.00 of the processing fee for responding to a FOIA request if an affidavit is provided stating:
  - That the requester is indigent and receiving specific public assistance; or
  - If not receiving public assistance, stating specific facts demonstrating an inability to pay because of indigency.
- A requester is not eligible to receive a \$20.00 waiver if:
  - The requester has previously received discounted copies of public records from the County twice during the calendar year; or
  - The requester is requesting information on behalf of other persons who are offering or providing payment to the individual to make the request.
- The County will waive the fee for a nonprofit organization requesting public records meeting all of the following conditions:
  - The organization is designated by the State under federal law to carry out activities under the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, and the Protection and Advocacy for Mentally Ill Individuals Act of 1986, Public Law 99-319, or their successors;
  - The request is made directly on behalf of the organization or its clients;
  - The request is made for a reason wholly consistent with the provisions

of federal law under Section 931 of the Mental Health Code, 1974 PA 258 [MCL § 330.1931]; and

- The request is accompanied by documentation of the organization's designation by the State.

## **6. Appeals**

- Denials of all or a portion of a FOIA request may be appealed to the Board of County Commissioners. The appeal must be filed in writing, specifically state the word "appeal", and identify the reason or reasons that the denial is believed to be improper.
- Appeals received by the Board of County Commissioners are not considered received until the first regularly scheduled meeting of the Board following submission of a written appeal.
- Within 10 business days of receiving the appeal, the Board of County Commissioners shall do one of the following:
  - Reverse the disclosure denial;
  - Uphold the disclosure denial and provide a written notice of the same; or
  - Reverse the disclosure denial in part and uphold the disclosure denial in part, and provide written notice of the same.
- Regardless of whether an appeal of a denial is submitted to the Board of County Commissioners, a civil action may be commenced in Genesee County Circuit Court within 180 days of the County's final determination to deny the FOIA request.
- If a requestor believes the fee charged by the County to process the FOIA request exceeds the amount permitted by state law, the requestor must first submit a written appeal of the fee charged to the Board of County Commissioners. The appeal must: be in writing; specifically state the word "appeal;" and identify the basis for contesting the fee charged.
- Within 10 business days after receiving the appeal, the Board of County Commissioners will respond in writing in one of the following ways:
  - Waive the fee;
  - Reduce the fee along with a written determination of the basis supporting the remaining fee;
  - Uphold the fee with a written determination indicating the basis for upholding the fee; or
  - Issue a notice extending the time to respond by not more than 10 business days.
- Within 45 days of receipt of the Board's determination on the appeal of the

fee charged, the requestor may commence a civil action in the Genesee County Circuit Court for a fee reduction.

The foregoing is only a summary of Genesee County's FOIA Policy and Procedures, and is provided for informational purposes only as required by the FOIA. A copy of the County's full FOIA Policy and Procedures is available at the Genesee County website at: [www.gc4me.com](http://www.gc4me.com).

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

LADIES AND GENTLEMEN:

WHEREAS, the County Road Law (the "Road Law"), Public Act 283 of 1909, MCL 1224.1 et seq., authorizes either the appointment, as determined by the board of county commissioners, or the election of members of a board of county road commissioners where the county contains all or part of 12 surveyed townships; and

WHEREAS, the County of Genesee, Michigan, having more than 12 surveyed townships within its borders, has to date opted to appoint the members of the county road commission; and

WHEREAS, this Board of County Commissioners of Genesee County, Michigan has reviewed its policy regarding appointment of county road commissioners and has determined that it is in the best interests of the County to authorize the election of members of the county road commission.

NOW, THEREFORE, BE IT RESOLVED, by this Board of County Commissioners, that county road commissioners shall henceforth be elected in partisan elections held in accordance with Road and Election Laws, as the terms of the sitting road commissioners come to an end.

BOARD OF COMMISSIONERS  
(On agenda with consent of Board Chairperson)

B----  
CDG:ag  
06-11-15  
06-15-B03

B03

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 Genesee County Metropolitan Planning Commission to approve the awards of 2015 HOME Investment Partnership funds in the amount of \$417,860.70 to Genesee County Habitat for Humanity for the construction of six new homes for low-income residents, and in the amount of \$77,000.00 to Metro Community Development for Tenant Based Rental Assistance, is approved, and the Chairperson is authorized to execute the agreements on behalf of Genesee County (a copy of the memorandum request dated June 8, 2015, and agreements being on file with the official records of the June 8, 2015, meeting of the Community & Economic Development Committee of this Board).

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

C060815VIA  
ACT:ag  
06-09-15  
06-15-C01

C01

15-211

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 Commissioners of Genesee County, Michigan, that the request by the Genesee County Metropolitan Planning Commission to approve Neighborhood Stabilization Program & HOME Program participating lender agreements with J.P. Morgan Chase Bank, Fifth Third Bank, FirstMerit Bank N.A. and Talmer Bank and Trust is approved, and the Chairperson is authorized to execute the participating lender agreements on behalf of Genesee County (a copy of the memorandum request dated June 8, 2015, and template participating lender agreement being on file with the official records of the June 8, 2015, meeting of the Community & Economic Development Committee of this Board).

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

C060815VIB  
ACT:ag  
06-09-15  
06-15-C02

C02

15-212

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

LADIES AND GENTLEMEN:

WHEREAS, the Genesee County Metropolitan Planning Commission has requested the following fund transfers within the Community Development Block Grant Consolidated Plan:

- Transfer \$1,257.65 to 2013 City of Fenton Removal of Architectural Barriers, Activity # 2015, from 2014 City of Fenton Needs Assessment;
- Transfer \$5,200.00 to 2014 Flint Township Street Improvements, Activity # 2101, from 2014 Flint Township Code Enforcement, Activity # 2090.
- Transfer \$1,400.00 to 2014 Flint Township Street Improvements, Activity # 2101, from 2014 Flint Township Sidewalk Improvements, Activity # 2100.
- Transfer \$15,000.00 to 2015 Forest Township Senior Center Improvements, from 2015 Richfield Township CDBG Allocation.
- Transfer \$56,000.00 to 2015 Genesee Township Street Improvements, from 2015 Richfield Township CDBG Allocation.
- Transfer \$13,000.00 to 2015 Thetford Township Senior Center Improvements, from 2015 Richfield Township CDBG Allocation.
- Transfer \$23,045.70 to 2015 Habitat for Humanity New Construction, Scattered Site, from 2010 CHDO Operating Funds.
- Transfer \$37,008.00 to 2015 Habitat for Humanity New Construction, Scattered Site, from 2011 CHDO Operating Funds.
- Transfer \$50,000.00 to 2015 Habitat for Humanity New Construction, Scattered Site, from 2012 Down Payment Assistance.
- Transfer \$115,917.00 to 2015 Habitat for Humanity New Construction, Scattered Site, from 2013 HOME HIP Funds.
- Transfer \$808.00 to 2015 Habitat for Humanity New Construction, Scattered Site, from 2014 HOME HIP Funds.
- Transfer \$191,082.00 to 2015 Habitat for Humanity New Construction, Scattered Site, from 2015 CHDO Reserve Funds.

- Transfer \$150,000.00 to 2015 Genesee County Demolition – Ramada, from 2011 CDBG Planning and Admin.

NOW THEREFORE, BE IT RESOLVED, by this Board of Commissioners of Genesee County, Michigan, that, for the reasons explained in the memorandum request dated June 8, 2015, on file with the minutes of the June 8, 2015, meeting of the Community & Economic Development Committee, the requested fund transfers are approved, and that the Genesee County Metropolitan Planning Commission is authorized to transfer the funds.

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

C060815VIC  
ACT:ag  
06-09-15  
06-15-C03

C03

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 expedited action taken on June 1, 2015, by the Finance Committee of this Board authorizing converting an existing vacant Legal Assistant position in the Office of the Prosecuting Attorney to a Paralegal position, pay scales for said positions being identical (a copy of the memorandum request dated May 4, 2015, and supporting documentation being on file with the official records of the June 1, 2015, meeting of the Finance Committee of this Board).

BE IT FURTHER RESOLVED, that this Board also ratifies the finding of extenuating circumstances supporting waiver of the hiring freeze, and the directive to the Director of the Human Resources Department 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

F060115VIA  
CDB/ag  
06-05-15  
06-15-F01

F01

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 expedited action taken on June 1, 2015, by the Finance Committee of this Board authorizing establishing and filling four positions within the Genesee County Community Action Resource Department ("GCCARD") as described below (a copy of the memorandum request dated May 18, 2015, and supporting documentation being on file with the official records of the June 1, 2015, meeting of the Finance Committee of this Board):

- Two part-time, no benefits Nutrition Educator positions, salary grade \$17.5000;
- One part-time, no benefits Clerical Assistant position, salary grade \$16.5000; and
- One full-time, non-union, non-supervisory Finance Specialist position, salary Grade 16.

BE IT FURTHER RESOLVED, that this Board also ratifies the finding of extenuating circumstances supporting waiver of the hiring freeze, and the directive to the Director of the Human Resources Department 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

F060115VIIB  
CDB/ag  
06-05-15  
06-15-F02

F02

15-215

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 Commissioners of Genesee County, Michigan, that the request by the Controller to approve the Participation Agreement, Grant Agreement, and Implementation and Support Services Agreement with the Michigan Municipal Services Authority and CGI Technologies and Solutions, Inc., for a new County financial management system is approved, and the Chairperson of this Board is authorized to sign the Agreements on behalf of Genesee County (a copy of the memorandum request dated May 13, 2015, and the Agreements being on file with the official records of the May 18, 2015, meeting of the Finance Committee of this Board).

FINANCE COMMITTEE

F051815VIA  
ACT:ag  
06-09-15  
05-18-F01

F03



15-216

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 \$2,127,674.56 for the period ending May 22, 2015,  
including \$98,838.19 from the General Fund; and in the amount of \$1,826,192.15 for  
the period ending May 29, 2015, including \$81,344.32 from the General Fund.

GOVERNMENTAL OPERATIONS COMMITTEE

G060815VIIA  
ACT:ag  
06-09-15  
06-15-G01

G01

15-217

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 Commissioners of Genesee County, Michigan, hereby ratifies the expedited action taken by the Governmental Operations Committee on June 8, 2015, approving the request by the Sheriff to accept the transfer of a 2000 International van, VIN #1HTSLAAKOYH213083, from the City of Flint Police Department, said vehicle to be used as a Dive Team response vehicle, and the Sheriff's signature on the title to the vehicle accepting it is also ratified (a copy of the memorandum request dated June 2, 2015, and supporting documentation being on file with the official records of the June 8, 2015, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G060815VIID  
ACT:ag  
06-09-15  
06-15-G02

G02

15-218

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, hereby ratifies the expedited action taken by the Governmental Operations Committee on June 8, 2015, approving the request by the Treasurer to approve the EPA Brownfield Cleanup Revolving Loan Fund Grant Agreement, Sub-Grant to the City of Flint, and Management Agreement Amendment between the City of Flint and the Genesee County Land Bank Authority, and that the execution of the documents on behalf of Genesee County by the Treasurer and the Chairperson of this Board is also ratified (a copy of the memorandum request dated June 2, 2015, being on file with the official records of the June 8, 2015, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G060815VIIE  
ACT:ag  
06-09-15  
06-15-G03

G03

15-219

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 Commissioners of Genesee County, Michigan, hereby ratifies the expedited action taken by the Governmental Operations Committee on June 8, 2015, approving the request by the Director of Animal Control to establish and fill a part-time Shelter Veterinarian position within Animal Control (a copy of the memorandum request dated June 4, 2015, and supporting documentation being on file with the official records of the June 8, 2015, meeting of the Governmental Operations Committee of this Board).

BE IT FURTHER RESOLVED, that this Board also ratifies the finding that extenuating circumstances exist supporting waiver of the hiring freeze, and the actions by the Director of the Human Resources Department 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.

GOVERNMENTAL OPERATIONS COMMITTEE

G060815VIIF  
ACT:ag  
06-09-15  
06-15-G04

G04

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 July 1, 2015, through July 31, 2015, such requests and asserted justifications appearing in the official records of the June 8, 2015, 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 Commissioners of Genesee County, Michigan, that the sum of \$57,729.00 is appropriated from General Fund Contingencies - Reserve for Overtime (Fund No. 101.00.00.9010.70075.000) and allocated as specified to the Overtime Account (No. 30055) of the respective departments as detailed below:

<u>Account</u>	<u>Department</u>	<u>Amount</u>
101.00.00.1311	Circuit Court	0
101.00.00.1320	Jury Board	184
101.00.00.1360	District Court	5,074
101.00.00.1390	Family Court	0
101.00.00.1485	Probate Court	0
101.00.00.2160	County Clerk	3,136
101.00.00.2292	Prosecutor	0
101.00.00.2310	Court Services	0
101.00.00.2364	Register of Deeds	1,565
101.00.00.2530	Treasurer's Office	0
101.00.00.3020	Sheriff Court Security-Transport	729
101.00.00.3025	Sheriff Court Security-Transport-McCree	588

101.00.00.3028	Sheriff Court Security-Transport-Probate	224
101.00.00.3030	Sheriff Corrections Division	24,824
101.00.00.3110	Sheriff Investigative Division	1,811
101.00.00.3111	Sheriff Drug Team	0
101.00.00.3145	Sheriff Overtime	1,734
101.00.00.3160	Sheriff Marine Section	1,520
101.00.00.3205	Sheriff Tether	0
205.00.00.4300	Animal Shelter	0
623.00.00.2236	Controller	0
628.00.00.2582	IT	0
630.00.00.2332	Purchasing	765
631.00.00.2653	Building and Grounds	6,040
631.00.00.2656	Building and Grounds – McCree	320
631.00.00.3030	Building and Grounds – Jail	640
645.00.00.2334	Motor Pool	0
670.00.00.2260	Human Resources	7,575

**TOTAL**

**\$ 57,729**

to cover all anticipated overtime costs during the month of July 2015 in these departments.

GOVERNMENTAL OPERATIONS COMMITTEE

G060815VIIG  
 ACT:ag  
 06-08-15  
 06-15-G05

G05

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 ("Board") of Genesee County, Michigan, recognizes and strongly supports the First Amendment rights of citizens to express their concerns about their government, and the officers elected and appointed to positions of leadership within the government; and

WHEREAS, this Board has, however, observed and been informed of social media commentary and in person statements by individuals and organizations that goes beyond criticism of governmental officials, and instead constitutes threats of violence against County officers, employees, and contractors, and further advocates the destruction of County property; and

WHEREAS, this Board finds that such threats are disruptive to the daily business of the County, causing fear and uncertainty among officers and employees, and harming the County's ability to retain services from competent professional contractors.

NOW THEREFORE, BE IT RESOLVED, by this Board of County Commissioners, that it is the policy of Genesee County that any person who makes or endorses statements that a Genesee County officer, employee, or contractor should be killed, kidnapped, or harmed in any way, or who makes statements advocating the destruction of County property, shall be denied access to County buildings to the full extent authorized by law.

GOVERNMENTAL OPERATIONS COMMITTEE

G060815----  
ACT:ag  
06-09-15  
06-15-G06

G06

15-222

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 IT Department, currently assigned to the Finance Committee pursuant to the *2013 Certain Procedures Applicable to the Genesee County Board of Commissioners and the Board's Standing Committees*, as amended by Resolution # 15-119, is hereby reassigned to the Governmental Operations Committee, effective immediately.

GOVERNMENTAL OPERATIONS COMMITTEE

G060815---  
ACT:ag  
06-09-15  
06-15-G07

G07



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 Interim Director of the IT Department to approve the hiring of temporary employees for up to 200 hours of work at a cost not to exceed \$19,000.00, is approved.

GOVERNMENTAL OPERATIONS COMMITTEE

G060815---  
ACT:ag  
06-09-15  
06-15-G08

G08

15-224

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 expedited action taken June 1, 2015, by the Human Services Committee of this Board approving the request by the Executive Director of the Genesee County Community Action Resource Department ("GCCARD") to authorize accepting the contract amendment number 5 to Michigan Department of Health and Human Services contract DOE13-25012 providing a third year allocation in the amount of \$438,049 effective July 1, 2015 upon issuance of the Notice of Funds Available (a copy of the memorandum request dated June 1, 2015, and Agreement being on file with the official records of the June 1, 2015, meeting of the Human Services Committee of this Board), and the Executive Director of GCCARD is authorized to execute the Agreement on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H060115VIIA2  
CDB/ag  
06-01-15  
06-15-H01

H01

15-225

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 Executive Director of the Genesee County Community Action Resource Department ("GCCARD") to authorize entering lease and operational agreements with the below listed school districts, church, or agencies for use as classroom sites for the 2015-16 Head Start and Early Head Start Program year is approved:

- (1) Clio, Flushing, Genesee, Kearsley, Linden, and Mt. Morris school districts will provide rent, utilities, and maintenance of Head Start and Early Head Start classrooms free of charge;
- (2) Grand Blanc, Lakeville, Montrose, Swartz Creek, Westwood Heights, and St. John the Evangelist Catholic Church-Davison will provide rent, utilities, and maintenance of Head Start classrooms free of charge; and
- (3) Atherton, Bendle, Fenton and Mt. Morris School districts will provide land for the location of a modular classroom free to the Head Start Program.

(a copy of the memorandum request dated June 1, 2015 and sample lease and operational agreements being on file with the official records of the June 1, 2015 meeting of the Human Services Committee of this Board), and the Chairperson of this Board is authorized and directed to sign the various lease and operational agreements on behalf of Genesee County, as necessary.

HUMAN SERVICES COMMITTEE

H060115VIA3  
CDB:ag  
06-05-15  
06-15-H02

H02

15-226

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 Genesee County Health Officer to approve overnight travel and attendance by Health Department employee April Swartout, Public Health Program Coordinator, to the mandatory CDC Mass Antibiotic Dispensing ("MAD") Workshop in Traverse City, MI on September 14-15, 2015, a pre-requisite to the MAD Train the Trainer course in Lansing on September 16-18, 2015, to be funded from county funding account no. 6083-46495, is approved (a copy of the memorandum request dated June 1, 2015, and supporting documentation to be placed by the committee clerk on file with the official records of the June 1, 2015, meeting of the Human Services Committee of this Board).

HUMAN SERVICES COMMITTEE

H060115VIIB1  
CDB:ag  
06-01-15  
06-15-H03

H03

15-227

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 Medical Examiner, forwarded through the Purchasing Manager, to approve the professional services contract with STAT EMS, LLC, for medical examiner investigator services is approved, and the Board Chairperson is authorized to execute the contract on behalf of Genesee County (a copy of the memorandum request dated June 2, 2015, and professional services contract being on file with the official records of the June 8, 2015, meeting of the Public Works Committee of this Board).

PUBLIC WORKS COMMITTEE

P060815VIIA  
ACT:ag  
06-09-15  
06-15-P01

P01

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 Medical Examiner, forwarded through the Purchasing Manager, to approve the professional services contract with Preferred Removal Services, Inc., for body removal services is approved, and the Board Chairperson is authorized to execute the contract on behalf of Genesee County (a copy of the memorandum request dated June 2, 2015, and professional services contract being on file with the official records of the June 8, 2015, meeting of the Public Works Committee of this Board).

PUBLIC WORKS COMMITTEE

P060815VIIB  
ACT:ag  
06-09-15  
06-15-P02

P02

15-229

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 7<sup>th</sup> Circuit Court, forwarded through the Purchasing Manager, to approve the one year extension to the electronic legal research services contract with West Publishing is approved, and the Board Chairperson is authorized to execute the contract extension on behalf of Genesee County (a copy of the memorandum request dated June 3, 2015, and extension amendment being on file with the official records of the June 8, 2015, meeting of the Public Works Committee of this Board).

PUBLIC WORKS COMMITTEE

P060815VIIC  
ACT:ag  
06-09-15  
06-15-P03

P03

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 County Surveyor, forwarded through the Purchasing Manager, to approve professional services contracts with Delta Land Surveying & Engineers, Inc., Fleis & VandenBrink Engineering, Inc., Kraft Engineering & Surveying, Inc., Meridian Land Surveying, Inc., Powell Land Surveying, and Rowe Professional Services Company, said contracts being for surveying services pursuant to the 2015 Remonumentation Grant Program, is approved, and the Board Chairperson is authorized to execute the contracts on behalf of Genesee County (a copy of the memorandum request dated May 27, 2015, and professional services contracts being on file with the official records of the June 8, 2015, meeting of the Public Works Committee of this Board).

PUBLIC WORKS COMMITTEE

P060815VIID  
ACT:ag  
06-09-15  
06-15-P04

P04