FINANCE COMMITTEE
December 4, 2019
Minutes

Members Present: Grebner, Crenshaw, Maiville, Polsdofer, Schafer, and Tennis (arrived at 6:03 p.m.).

Members Absent: Morgan.

Others Present: Treasurer Eric Schertzing, Alan Fox, Charles A. Lawler, Cynthia Wagner, Teri Morton, Jodi LeBombard, Michael Townsend, Liz Noel, and others.

The meeting was called to order by Chairperson Grebner at 6:01 p.m. in Conference Room D & E of the Human Services Building, 5303 South Cedar Street, Lansing, Michigan.

Approval of November 20, 2019 Minutes

WITHOUT OBJECTION, CHAIRPERSON GREBNER STATED THAT THE MINUTES OF THE NOVEMBER 20, 2019 FINANCE COMMITTEE MEETING WERE APPROVED AS PRESENTED. Absent: Commissioners Tennis and Morgan

Additions to the Agenda

2. Circuit Court/Juvenile Division
d. Resolution for Acceptance of the Child and Parent Legal Representation Grant from the Michigan Department of Health and Human Services

11. Human Resources
g. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the CCLP 911 Non-Supervisory Unit
h. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the ICEA Park Rangers Unit
i. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the ICEA County Professional Employees Unit
j. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the CCLP Animal Control Officers, Veterinarian Technicians and Animal Care Specialists Unit

14. Fair Board – Resolution Authorizing Off-Season Fees for the Ingham County Fair
2. **Circuit Court/Juvenile Division**
   c. Resolution Authorizing Training-of-Trainers for Effective Practices in Community Supervision

4. **9-1-1 Dispatch Center** – Resolution to Authorize Purchase Orders for Necessary Modifications to Communication Towers Owned by SBA II LLC (Leslie and Mason Towers) for the MPSCS/Ingham County Radio Communications System Project

Commissioner Tennis arrived at 6:03 p.m.

**Limited Public Comment**

None.

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. SCHAFER, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS:

1. **Treasurer’s Office**
   b. Resolution Receiving Advice from the County Treasurer as to a Surplus which can be Transferred from the Ingham County Delinquent Tax Revolving Fund to the Ingham County General Fund
   c. Resolution to Transfer All Unsold Tax Reverted Properties Rejected by Local Units to the Ingham County Land Bank Fast Track Authority

2. **Circuit Court/Juvenile Division**
   a. Resolution to Authorize Funds to Purchase a New Transport Vehicle for the Ingham County Family Center
   b. Resolution for Acceptance of the Michigan Drug Court Grant Program for the Ingham County Family Recovery Court (Formerly Family Dependency Treatment Court)
   c. Resolution Authorizing Training-of-Trainees for Effective Practices in Community Supervision
   d. Resolution for Acceptance of the Child and Parent Legal Representation Grant from the Michigan Department of Health and Human Services

3. **Animal Control**
   a. Resolution to Adjust Staffing at Ingham County Animal Control and Shelter

4. **9-1-1 Dispatch Center** – Resolution to Authorize Purchase Orders for Necessary Modifications to Communication Towers Owned by SBA II LLC (Leslie and Mason Towers) for the MPSCS/Ingham County Radio Communications System Project

5. **Health Services Millage**
   a. Resolution Authorizing a Health Services Millage Contract with the Ingham Health Plan Corporation (IHPC)
6. **Health Department**
   a. Resolution to Authorize the Acceptance of Grant Funds from Blue Cross Blue Shield of Michigan and Authorize an Agreement with Sparrow Hospital
   b. Resolution to Authorize Month to Month Lease Extension for 306 W. Willow Street
   c. Resolution to Increase Position #601053 Community Health Rep II from .75 FTE to 1.0 FTE
   d. Resolution to Authorize Agreements with Wayne Children’s Healthcare Access Program to Act as the Fiduciary/Payee for Agency Funding
   e. Resolution to Authorize an Agreement with CaptureRX
   f. Resolution Amending Resolution #16-309 with NEC Networks, LLC DBA CaptureRX, for 340B Prescription Third Party Administrator and Resolution #19-247 to Rite Aid Corporation for 340B Prescription Drug Services to Include McKesson Corporation as 340B Drug Wholesaler

8. **Equalization Department** – Resolution to Authorize Participation in the 2020 Tri-County Region Aerial Imagery Partner Agreement

9. **Innovation and Technology Department** – Resolution to Approve the Lease of SAN and Compute Hardware from Avalon Technologies, Inc.

10. **Road Department**
    a. Resolution for HVAC Controller System Replacement at the Road Department Administration Building
    b. Resolution to Approve a Contract with Severance Electric Co., Inc. for Bid Packet #212-19, Traffic Signal Construction Services

11. **Human Resources**
    a. Resolution Approving Modifications to the 2019 Managerial and Confidential Employee Personnel Manual for 2020
    b. Resolution Approving the Collective Bargaining Agreement Wage Reopener with the Michigan Nurses Association, Nurse Practitioners/Clinic Nurses Unit
    c. Resolution Approving the Collective Bargaining Agreement Wage Reopener with the OPEIU Local 459, AFL-CIO, Circuit Court/Family Division Professional Employees Unit
    d. Resolution to Authorize a Contract for Self-Funded Workers’ Compensation Third Party Administration
    e. Resolution Approving the Collective Bargaining Agreement Wage Reopener with the Command Officers Association of Michigan 911 Supervisory Unit
    f. Resolution Approving the Collective Bargaining Agreement Wage Reopener with the ICEA Professional Court Employees Unit
    g. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the CCLP 911 Non-Supervisory Unit
    h. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the ICEA Park Rangers Unit
    i. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the ICEA County Professional Employees Unit
j. Resolution Approving the Collective Bargaining Agreement 2020 Wage Reopener with the CCLP Animal Control Officers, Veterinarian Technicians and Animal Care Specialists Unit

12. Controller/Administrator’s Office
   a. Resolution Approving Various Contracts for the 2020 Budget Year
   b. Resolution Authorizing Adjustments to the 2019 Ingham County Budget
   c. Resolution Authorizing an Agreement with the Ingham County Conservation District
   d. Resolution to Amend the Business Travel and Reimbursement Policy

14. Fair Board – Resolution Authorizing Off-Season Fees for the Ingham County Fair

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Morgan

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY. Absent: Commissioner Morgan

1. Treasurer’s Office
   a. Presentation – Update Regarding PA 123 of 1999 Lawsuits Against the County Treasurer and County

Charles A. Lawler, Clark Hill Attorney, presented an update and provided a memo to the Committee on surplus proceeds litigation.

Chairperson Grebner asked if similar lawsuits were happening in other states.

Mr. Lawler stated that Vermont had had a similar lawsuit recently, but states handled foreclosures and excess proceeds differently, so there was no consistency or continuity across the country. He further stated that the issue should go before the United States Supreme Court, but first needed to see what happened in the Michigan Supreme Court.

Commissioner Tennis stated that the facts in the Rafaeli case were particularly dreadful. He asked how Commissioners should respond if they received calls from constituents asking if the County did this.

Mr. Lawler stated he represented many County Treasurers, and none of their ambitions were not to foreclose, but to collect the owed taxes and usually go above and beyond the payment plans and withholding alternatives so the property is not lost. He further stated that the Rafaeli case was bad, because the foreclosure was due to $8.41, and the owner had paid their taxes in the two years after that.

Treasurer Schertzing stated in the County, cases like Rafaeli were found but they did not move forward with those. He further stated there was a difference in magnitude between the County and Oakland or Wayne Counties.
Commissioner Tennis stated he had thought that when the County foreclosed on a property for tax purposes and the property was then sold, the excess revenues from the sale after the owed taxes would be returned to the former owner, but that was not the case.

Mr. Lawler stated that was not the case any place in Michigan. He further stated if the excess funds were returned, the question remained of what happened with those where back taxes were not fully collected, and if the former owners would be responsible.

Discussion.

Commissioner Tennis stated it was a difficult political question for the Commissioners to go before their voters and say the County collected more than it had been owed on a property.

Mr. Lawler stated there was a three-year process, in which the property owner could have sold the house or refinanced in that time rather than have the government decide what to do with the property.

Discussion.

Chairperson Grebner asked how much of all of the millage assessed in the County was collected.

Treasurer Schertzing stated the County collected all of the millage funds, because any taxes not collected were charged back to the municipalities.

Discussion.

Treasurer Schertzing stated that one day, the question of who had the liability would be posed. He further stated that it would not be the Treasurer, it would be the County.

Treasurer Schertzing stated that there was also some question of whether the State would be liable.

Discussion.

3. Animal Control
   b. Resolution to Authorize an Additional Animal Control Officer Position to be Assigned to Cruelty Investigations

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SCHAFER, TO APPROVE THE RESOLUTION.

Commissioner Crenshaw stated that he had concerns about creating a new position, when the Committee had just passed a resolution to eliminate an Animal Control Officer position. He further stated he had nothing against the employee, it was about the process of creating a new position when an employee wanted to leave another position.
Commissioner Crenshaw stated this had not been done before and he thought it would set a bad precedent.

Commissioner Schafer stated he would support the resolution. He further stated that he thought anytime a great employee wanted to transfer out of a position and into another, the County should try to accommodate them.

Commissioner Schafer stated if the employee was happier in the new position, they would do a better job. He further stated that he thought in this case, the employee had decided they did not want to be in management, and as long as the employee was doing a good job, he had no problem with that.

Commissioner Maiville stated he agreed with Commissioner Schafer. He further stated that this was a relatively temporary situation of having an extra position in Animal Control.

Chairperson Grebner stated for clarification, the position in the resolution would be a permanent position within the department, but once there was a vacant Animal Control Officer position, that vacant position would be eliminated.

Commissioner Crenshaw stated he disagreed with his fellow Committee members. He further stated that after the employee had resigned from their current position, Commissioner Koenig had come up with the idea.

Commissioner Crenshaw stated he thought this resolution would set a bad precedent, to create a new position for even a small period of time. He further stated that going forward, he did not think that was the right thing to do.

Commissioner Tennis asked for background on the situation at hand.

Teri Morton, Deputy Controller, explained how the resolution came to be. She further stated that it had not been the employee that had come up with the idea for the new position.

Commissioner Tennis asked what precedent this resolution would be setting for the County.

Commissioner Crenshaw stated the County would then have to do something similar for other employee groups going forward. He further stated that he believed new positions would need to be found if employees came to them wanting to leave their current position.

Discussion.

Chairperson Grebner stated a similar situation had happened before, where instead of resigning or retiring, the employee had taken a lower position.

Commissioner Crenshaw stated that in the instance Chairperson Grebner had referenced, the department had had an open position available. He further stated that department had not created a new position.
Chairperson Grebner stated he believed other instances like this had occurred, as he believed lateral transfers had happened in the Health Department when a Medical Director had gone back to work in a clinic.

Discussion.

Chairperson Grebner stated that most precedents told the Board of Commissioners how to act, and he did not believe an employee who was in some other situation would be able to point to this resolution as justification for creation of a new position for them. He further stated that this was discretionary for the Board of Commissioners, but it could encourage other employees to think about this option.

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. MAIVILLE, TO AMEND THE RESOLUTION BY ADDING THE FOLLOWING CLAUSE:

BE IT FURTHER RESOLVED, the Board of Commissioners will not regard this as setting a precedent for future employment actions.

THE MOTION TO AMEND THE RESOLUTION CARRIED.  
Yea: Grebner, Maiville, Polsdorfer, Schafer, Tennis  
Nays: Crenshaw  
Absent: Morgan

Commissioner Maiville stated the Board of Commissioners had spoken before about retaining exceptional talent in the County, and he thought it was prudent in this case.

THE MOTION TO APPROVE THE RESOLUTION, AS AMENDED, CARRIED.  
Yea: Grebner, Maiville, Polsdorfer, Schafer, Tennis  
Nays: Crenshaw  
Absent: Morgan

5. Health Services Millage  
b. Resolution to Authorize a Contract with the Community Mental Health Authority of Clinton, Eaton and Ingham Counties (CMH) for Health Services Millage Eligible Services

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. TENNIS, TO APPROVE THE RESOLUTION.

Commissioner Schafer stated that Community Mental Health (CMH) received dollars from the County. He asked how it was audited, or how it was known, that the number of dollars from the County increased the number of County residents served by CMH.

Commissioner Tennis stated that CMH had to bring the patient numbers to the County, and was only allowed to claim compensation for those residents who met the requirements to be served by the Health Services Millage. He further stated that he assumed many more County residents were served by CMH, but the cap on the contract amount had been met.
Commissioner Tennis stated the only way CMH could receive Health Services Millage was by showing they had provided services to millage-eligible County residents.

Commissioner Schafer stated that there was a baseline that CMH was servicing the County, and this contract allowed for more than $1 million in additional support, so he expected to see that much more in services provided to County residents.

Chairperson Grebner stated for clarification that Commissioner Schafer was wondering if any of the people served by CMH would have been served anyway, without the millage funding.

Commissioner Tennis stated the County residents might have still been seen without the Health Services Millage funds, but it could mean there would be fewer programs or bed space available.

Commissioner Schafer stated he did not want the Health Services Millage funds flowing over to benefit the residents of other counties instead of County residents.

Commissioner Tennis stated he believed CMH did audit that information county by county.

**Commissioner Schafer stated he would like to see the audit from CMH.**

**Discussion.**

**THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Morgan**

7. **Potter Park Zoo** – Resolution to Submit to the Electorate a Special Millage Question for the Reauthorization of Funding for the Operation of the Ingham County Potter Park Zoo and Potter Park, Including Funding for Operations, Maintenance and Improvements

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. TENNIS, TO APPROVE THE RESOLUTION.

Commissioner Schafer stated he would not support an increase in the Potter Park Zoo Millage. He further stated he would have supported a renewal of the current millage rate.

Commissioner Maiville stated he would support a Potter Park Zoo Millage renewal, but he would not support an increase in the millage rate.

**Discussion.**

Chairperson Grebner stated there was currently $9.8 million in the Trails and Parks Millage fund balance.

**THE MOTION CARRIED.**  **Yeas:** Grebner, Crenshaw, Polsdsofer, Tennis  **Nays:** Maiville, Schafer  **Absent:** Morgan
13. **Board Referrals**
   a. Notice of Public Hearing from the City of Lansing Regarding the Approval of Brownfield Plan #75 - Capital City Market Brownfield Redevelopment Project for the Property Commonly Referred to as 636 E. Michigan Avenue in Lansing
   b. Notice of Public Hearing from the City of Lansing Regarding the Approval of Brownfield Plan #78 - Temple Redevelopment Project for the Property Commonly Referred to as 502 E. Cesar E. Chavez Avenue in Lansing

Chairperson Grebner placed the referrals on file.

**Announcements**

Commissioner Schafer asked what the rationale was for moving the Finance Committee meetings to 6:30 p.m. next year.

Commissioner Grebner stated it was the incoming Chairperson’s decision of what time the meeting started.

**Discussion.**

Commissioner Crenshaw stated setting the meeting time was at the Chairperson’s discretion, and he believed it had been done to accommodate members who worked, to allow them to get to the Committee meetings on time.

**Discussion.**

**Public Comment**

None.

**Adjournment**

The meeting was adjourned at 6:39 p.m.

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[Signature]

**BARB BYRUM, CLERK OF THE BOARD**