Members Present: Trubac, Stivers, Tennis (left at 7:13 p.m.), Koenig (arrived at 7:17 p.m.), Morgan (left at 7:20 p.m.), Slaughter, and Naeyaert.

Members Absent: None.

Others Present: Commissioner Bryan Crenshaw, Commissioner Randy Maiville, Jared Cypher, Linda Vail, Lindsey McKeever, Ed Dore, Gloria Kovnot, Timothy Morgan, Brian Collins, Joe Reeves, Marion Owen, Jessy Gregg, Lori Noyer, Elizabeth Noel, and Michael Tanis.

The meeting was called to order by Chairperson Trubac at 6:30 p.m. virtually via Zoom in accordance with the Governor’s Executive Order 2020-154 regarding the Open Meetings Act.

Approval of the August 24, 2020 Minutes


Additions to the Agenda

Substitute –
5. Health Department
   b. Resolution to Convert a Health Educator II Position to a Health Educator Lead Position in the Strong Start Healthy Start Program

Change –
1. Interviews
   a. Senior Citizens Advisory Committee
   b. Board of Health

Late –
5. Health Department
   j. Resolution to Amend Resolution #20-214 to Include a Schedule of Civil Monetary Penalties of up to $1,000 per Violation of an Ingham County Health Department Order

Limited Public Comment

Jessy Gregg, East Lansing Mayor Pro Tem, stated that she supported the passage of Agenda Item No. 5j. She further stated that the schedule of civil monetary penalties would be another tool in the City of East Lansing’s toolbox in their fight against COVID-19.
1. **Interviews**
   a. Senior Citizens Advisory Committee

   Gloria Kovnot interviewed for the Senior Citizens Advisory Board.

1. **Interviews**
   b. Board of Health

   Ed Dore interviewed for the Board of Health.

**MOVED BY COMM. NAEYAERT, SUPPORTED BY COMM. TENNIS, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS:**

2. **Special Transportation Millage** – Resolution Authorizing the Sixth Amendment to the Agreement with the Capital Area Transportation Authority Dated January 1, 2016 through December 31, 2020

3. **Ingham County Fair**
   a. Resolution to Authorize a Contract with Debbi Katz Productions to Host a Halloween Event at the Ingham County Fairgrounds
   b. Resolution Amending Resolution #19-210 to Include Winter Storage Fees for the Ingham County Fairgrounds

4. **Parks Department**
   a. Resolution to Authorize a Contract with JH Construction for Concrete Work at Hawk Island County Park
   b. Resolution to Authorize a Contract with Rowe Professional Services Company for the Hawk Island Boardwalk Replacement Project
   c. Resolution to Authorize a Contract with PNP Supply LLC as a Sole Source Vendor for the Snow Making Pipe at Hawk Island
   d. Resolution to Authorize a Purchase Order with Vortex as a Sole Source Vendor for Splash Pad Equipment for Hawk Island

5. **Health Department**
   a. Resolution to Amend Staffing Services Agreement with Cross Country
   b. Resolution to Convert a Health Educator II Position to a Health Educator Lead Position in the Strong Start Healthy Start Program
   c. Resolution to Accept Grant Funding from Georgetown University
   d. Resolution to Accept Michigan Department of Health and Human Services (MDHHS) Funding for Minority Health Community Capacity Building 2021 Initiative
   e. Resolution to Accept Grant Funds from HRSA
   f. Resolution to Amend an Agreement with Health Stream, Inc. for an Online Learning Management System
   g. Resolution to Extend Agreement with Lara and Appriss Inc.
h. Resolution to Authorize an Agreement with Uber Health
i. Resolution to Amend Resolution #19-476

6. Racial Equity Task Force – Resolution to Authorize an Agreement with the Equity Collaborative LLC to Serve as the County’s Racial Equity Taskforce Consultant

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Koenig.

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

5. Health Department
j. Resolution to Amend Resolution #20-214 to Include a Schedule of Civil Monetary Penalties of up to $1,000 per Violation of an Ingham County Health Department Order

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

Linda Vail, Health Officer, stated that the idea of a civil monetary penalty schedule for violations of health orders was within the Public Health Code, but not something Ingham County had done. She further stated that, while the County dealt with an urgent issue, there was a problem of being no immediate way to resolve it.

Ms. Vail stated that for the County to have a civil situation penalty where local law enforcement officers in agreement with the Ingham County Health Department had the advantage of immediacy and not being part of a criminal record process. She further stated that immediate consequences were important.

Ms. Vail stated that when the Health Department issued the health order, she went to the City of East Lansing to hand them warning letters to issue to violators. She further stated that a ticket seemed like a better solution as it addressed things more immediately.

Ms. Vail stated that the way the current schedule was written was because she had never thought of this before, as she had never written this many health orders in her career. She further stated that she did not know that the civil monetary penalty schedule was embedded in the Public Health Code.

Ms. Vail explained the civil monetary penalty schedule to the Human Services Committee.

Ms. Vail stated that she talked to Dave Stoker, County Attorney, because Commissioner Schafer was concerned about the amount of the civil monetary penalties. She further stated that the conversation got her to include “up to…” in the amount of civil monetary penalties and he agreed with her.
Ms. Vail stated that anytime she wrote a specific health order, she would determine the penalty for a violation of that order. She further stated that, for example, if she had to issue a mask order, it would not necessarily be a $500 penalty, so there was the ability of discretion.

Ms. Vail stated that the individual penalties would be within the health orders. She further stated that she would communicate with the courts and local law enforcement agencies what the penalty was for a violation of a specific health order, so the local law enforcement agencies would write in the ticket the violation of the specific law and note the Ingham County Emergency Order number.

Ms. Vail stated that the quarantine health order that she had written today had the misdemeanor in it because the Board of Commissioners had not yet passed this resolution. She further stated that while this was in the Public Health Code, it had never been enforced before.

Ms. Vail stated that the Public Health Code had been written in a way that was difficult to enforce. She further stated that civil monetary penalties kept the criminal record part out of it, and so she thought this was the best way forward.

Discussion.

Commissioner Morgan stated that as the County went through this process and proper authorities considered penalties, that the County was not inadvertently treating Michigan State University (MSU) students with kid gloves. He further stated that he did not want the County to provide a different allowance to 20-year-olds in the City of East Lansing than 20-year-olds in Southwest Lansing.

Commissioner Morgan stated that MSU students were adults, and if students were violating public health orders and were a threat to the public, they should not be treated differently than anyone else. He further stated that he was not equating it to a Brock Turner-type of situation, but it was along the vein of making sure that they were treating people equally in the system.

Ms. Vail stated that she agreed with Commissioner Morgan. She further stated that this was meant to establish a system of civil monetary penalties when it was appropriate across the board.

Ms. Vail stated that the reason she included the “up to…” in the amount of civil monetary penalties so that the penalty amount was not left up to another system that would treat people individually. She further stated that the “up to…” meant to leave her the ability to write individual health orders to determine the individual penalty for violating that specific health order.

Commissioner Morgan stated that he knew that she was mindful of these kinds of topics. He further stated that he appreciated everything that she did.

Commissioner Naeyaert thanked Ms. Vail.
Commissioner Naeyaert stated that she wanted to give credit to Ms. Vail for doing this, even if the East Lansing City Council had wanted this resolution passed. She further stated that she thought that the conversation should be directed toward MSU students, and that these penalties would help.

Ms. Vail provided an update to the Human Services Committee on the health order she had issued earlier in the day in the City of East Lansing because of anecdotal evidence of student parties.

Chairperson Trubac thanked Ms. Vail for all of her work.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Koenig.

Commissioner Tennis left the meeting at 7:13 p.m.

7. **Health Services Millage** – Evaluation/Monitoring of Ingham Health Plan Corporation Contract (*Discussion*)

Jared Cypher, Deputy Controller, stated that he had asked for this item to be on the Agenda because the County’s current contract to evaluate and monitor the Ingham Health Plan Corporation (IHP) ended on September 30, 2020. He further stated that several years ago, the County had lost faith in the Ingham County Health Plan Corporation.

Mr. Cypher stated that, because the County gave IHP a sizable chunk of the Health Services Millage, the Board of Commissioners had put into the resolution to authorize the County’s contract with IHP that the contract would be monitored by a third party. He further stated that the County hired someone to review invoices before the County paid them out.

Mr. Cypher stated that the County had hired former County Controller Mary Lannoye in 2015. He further stated that in those five years, she had reached a point where she did not want to do the job anymore.

Mr. Cypher stated that in those five years, she had only found one discrepancy. He further stated that he and Ms. Lannoye had increased faith and confidence in the IHP leadership.

Mr. Cypher stated that he and Ms. Lannoye recommend the discontinuation of the monitoring arrangement. He further stated that the County gave a sizable chunk of the Health Services Millage to Community Mental Health (CMH), but did not have the same arrangement with that organization.

Mr. Cypher stated that he thought the Controller’s Office could accept and pay their invoices. He further stated that this was specialized work and the County was lucky to have Ms. Lannoye for her services.

Mr. Cypher stated that the County only spent $7,000 to Ms. Lannoye for her services. He further stated that he recommended not renewing her contract and handling everything in the Controller’s Office.
Commissioner Koenig arrived at 7:17 p.m.

8. **Elder Persons Millage – Discussion**

Mr. Cypher stated that he had asked for this to be on the Agenda because, at the Human Services Committee budget meeting, there were a few Commissioners who had felt that they had not agreed to give all of the Elder Persons Millage funds to Tri-County Office on Aging (TCOA). He further stated that he planned to work with TCOA to develop a similar contract to IHP, and so he wanted to be sure with the Commissioners that TCOA was the agency meant to receive the Elder Persons Millage funds before he would proceed.

Commissioner Stivers stated that unfortunately, the Commissioner who had made that comment was Commissioner Tennis, but he had to leave early. She further stated that she had thought that TCOA was the only program that was receiving money from the Elder Persons Millage.

Commissioner Stivers stated that she hoped all of the Commissioners agreed that was the intent of the original millage language.

Commissioner Naeyaert stated that as the Liaison to TCOA and someone who had suggested this millage, she thought the County did a disservice to TCOA if the money they planned to get was deviated from. She further stated that she understood that TCOA would be receiving a windfall, as described by another Commissioner, but she did not believe it was a good enough argument.

Chairperson Trubac stated that it was unfortunate that Commissioner Tennis could not be here for this discussion. He further stated that in the absence of a viable alternative to TCOA, there was not much to discuss.

Commissioner Morgan left at 7:20 p.m.

Commissioner Slaughter asked Mr. Cypher if he was correct that the contract would similar to the Ingham County Health Plan Corporation. He further asked if monitoring would be done internally.

Mr. Cypher stated that monitoring would be done internally through the Controller’s Office. He further stated that the Ingham County Health Plan Corporation had a special circumstance, but the Controller’s Office had many special contract millages handled through their office.

Commissioner Naeyaert asked if she was correct that the reason the County had asked Ms. Lannoye to monitor the IHP was due to several questions that then-Board of Commissioners had.

Commissioner Naeyaert stated that there was no question how diligent TCOA was in terms of their accounting records.

Mr. Cypher stated that there were zero issues with TCOA.
Commissioner Slaughter stated that he would like to see a report of where TCOA was servicing seniors in the County. He further stated that he would like a better understanding of where funding was going toward supporting seniors in the Tri-County area.

Commissioner Koenig asked if Commissioner Slaughter was trying to get at that he wanted to be sure that the Ingham County millage dollars were being used toward Ingham County citizens.

Commissioner Slaughter stated yes.

Commissioner Koenig stated that it was complicated because of services that were not direct services, but instead dollars used for support mechanisms for the whole organization.

Commissioner Koenig asked Mr. Cypher how that worked.

Mr. Cypher stated that it would involve discussions with TCOA because of required reporting in the contracts. He further stated that he had not yet had discussions with TCOA, but they would be discussing it over the next couple of months.

Marion Owen, Tri-County Office on Aging (TCOA) Executive Director, stated that she supported the issuance of reports. She further stated that because so many of the funds were designated and restricted, her office was used to only spending specific funds on targeted services.

Announcements
None.

Public Comment
None.

Adjournment
The meeting was adjourned at 7:26 p.m.