



MICHIGAN'S OLDEST COURTHOUSE

**Lapeer County Board
of Commissioners**

255 Clay Street
Lapeer, Michigan 48446

phone 810 area code
667-0366
667-0369 FAX
www.county.lapeer.org

COMMITTEE OF THE WHOLE

****COMMISSION CHAMBERS****

JANUARY 25, 2007

8:15 A.M.

A-G-E-N-D-A

****Attendance Roll Call; Opening Prayer; and Pledge of Allegiance****

- 1) CONSIDERATION OF **MINUTES** OF THE **JANUARY 11, 2007** COMMITTEE OF THE WHOLE MEETING
and
REVIEW OF **OVERNIGHT TRAVEL REQUESTS AND BUDGET AMENDMENTS** (*distributed and reviewed throughout the meeting*)
- 2) **PUBLIC TIME** – Citizens Comments, etc.
- 3) **EMERGENCY MANAGEMENT** – PRESENTATION AND RESOLUTION REGARDING THE MICHIGAN EMERGENCY MANAGEMENT ASSISTANCE COMPACT (MEMAC)
- 4) **ADMINISTRATION** -
 - A. REQUEST TO AUTHORIZE PAYMENT TO JOHNSON, ROSATI, LABARGE, ASELTINE & FIELD, PC
 - B. RESOLUTION – DECLARING 2007 AS THE YEAR OF THE CHILD IN MICHIGAN
 - C. REVIEW OF THE REVISED B.O.C. RULES OF PROCEDURES
- 5) **PUBLIC TIME** – Citizens Comments, etc.

6) BUDGET AMENDMENTS / APPROPRIATION TRANSFERS
(requiring Board approval)

- A.
- B.
- C.

7) OTHER BUSINESS:

- A.
- B.
- C.

CLOSED SESSION *(if needed)*

ADJOURN...

NOTE: *New Commissioners' Orientation is being held **TODAY** immediately following the Committee of the Whole in Room 302, Third Floor. Please make sure your lunch orders and monies are turned into Doreen before the presentations begin.*

**COMMITTEE OF THE WHOLE
January 11, 2007
8:15 a.m.**

Vice-Chair Clark called the meeting to order at 8:20 a.m. in the Commission Chambers on the lower level of the County Complex Building. Commissioner Schneider opened the meeting with prayer. The Pledge of Allegiance was recited.

Present: Commissioners Dyle Henning, Ian Kempf*, Lenny Schneider,
Gary Roy, Cheryl A. Clark, Linda M. Jarvis

Excused: Dave Taylor

Others: John Biscoe, County Controller/Administrator, Craig Horton, Chief
Financial Officer, Lynette Stanford, Deputy County Clerk

The draft minutes of the December 14, 2006 Committee of the Whole Meeting were briefly reviewed.

Motion by Schneider, supported by Henning, to approve the draft minutes from the December 14, 2006 Committee of the Whole Meeting. Motion carried.

The "Selected Invoice Summary" and budget amendments were distributed and reviewed by the Commissioners throughout the meeting.

PUBLIC TIME –No comments were received.

Melissa DeVaugh, Register of Deeds, requested authority to renew the contract with CherryLan Systems, Inc. Discussion followed.

Motion by Schneider, supported by Jarvis, to recommend to the Full Board, to enter into a one-year non renewal contract with CherryLan Systems, Inc., for the period of January 1, 2007 through December 31, 2007, at a cost of \$19,900.00, to be paid from the Automation Fund 256-236-933.000. Motion carried.

Motion by Schneider, supported by Jarvis, to recommend to the Full Board, to authorize the renewal of Liability Insurance coverage through Michigan Municipal Risk Management Authority, in the amount of \$430,000.00, for the period of January 1, 2007 through January 1, 2008. Motion carried.

Motion by Henning, supported by Schneider, to recommend to the Full Board, to approve the agreement between the County of Lapeer and Deerfield Disposal Services for the Lapeer Community Recycling Drop-off Program, for the period of January 1, 2007 through December 31, 2007, and to authorize the Chairman or Vice-Chair to sign said agreement; and further, to authorize the Administration Office to pay the quarterly payments, totaling \$6,000.00, throughout Fiscal Year (FY) 2007, as specified in said agreement, to be paid from line item 227-526-813.000. Motion carried.

Motion by Schneider, supported by Roy, to recommend to the Full Board, to authorize payment to Johnson, Rosati, LaBarge, Aseltyne & Field, P.C., in reference to invoice #1048676, in the amount of \$999.50, and in reference to invoice #1048677, in the amount of \$187.50, for services rendered 11/01/06 – 11/30/06, to be paid from line item 101-210-801.020. Motion carried.

Motion by Schneider, supported by Roy, to recommend to the Full Board, to authorize payment to Howard L. Shifman P.C., in the amount of \$5,451.00, for legal services rendered 12/01/06 – 12/31/06, to be paid from line item 101-210-801.020. Motion carried.

Motion by Henning, supported by Schneider, to recommend to the Full Board, to approve the transfer of \$99,245.00, representing the first of three installments toward the annual allocation of \$297,735.00, from Community Mental Health line item 101-990-999.222 (Appropriations) to Community Mental Health line item 222-990-695.010 (Expenditures). Motion carried.

Motion by Schneider, supported by Roy, to recommend to the Full Board, to approve the agreement between the County of Lapeer and the Lapeer/Genesee Chapter of American Red Cross, to designate the Lamb Steele Facility as an Emergency Disaster Shelter. Motion carried.

Motion by Schneider, supported by Roy, to recommend to the Full Board, to adopt the draft policy regarding Post Employment Health Care Savings Program (PEHCSP), as submitted by the Administration Office. Motion carried.

The Commissioners gave brief reports on meetings and conferences that they have recently attended, as well as upcoming meetings and events.

PUBLIC TIME --No comments were received.

Motion by Schneider, supported by Henning, to go into closed session for the purpose of Labor Negotiations. Roll Call Vote: Schneider, aye; Clark, aye; Henning, aye; Jarvis, aye; Kempf, absent; Roy, aye; Taylor, absent. 5 ayes, 2 absent. Motion carried. 9:50 a.m.

*Commissioner Kempf arrived. 9:52 a.m.

Motion by Schneider, supported by Jarvis, to go out of closed session. Motion carried 9:55 a.m.

Motion by Schneider, supported by Kempf, to approve the minutes of the closed session.
Motion carried.

Motion by Henning, supported by Schneider, to recommend to the Full Board, to approve the Tentative Agreement with Teamsters Local 214 (District Court Unit). Motion carried.

Motion by Kempf, supported by Schneider, to adjourn the meeting. 9:57 a.m.

Cheryl A. Clark, Vice-Chair
Committee of the Whole

DATE: January 23, 2007

XX REQUEST FOR ACTION

___ FOR YOUR INFORMATION

___ REQUEST FOR INFORMATION

TO: BOARD OF COMMISSIONERS – COMMITTEE OF THE WHOLE

FROM: MARY STIKELEATHER

SUMMARY OF REQUEST / INFORMATION: See attached documentation and draft Resolution regarding the Michigan Emergency Management Assistance Compact

ADDITIONAL INFORMATION:

CONTACT PERSON(S): Mary Stikeleather 667-0242

BACKGROUND INFORMATION:

SUPPORTING DOCUMENTS:

DRAFT MOTION:

MOTION BY _____, SUPPORTED BY _____, TO RECOMMEND TO THE FULL BOARD TO ADOPT THE ATTACHED RESOLUTION REGARDING THE MICHIGAN EMERGENCY MANAGEMENT ASSISTANCE COMPACT, WHICH AUTHORIZES INTERJURISDICTIONAL MUTUAL ASSISTANCE; AND FURTHER, TO AUTHORIZE THE CHAIR OR VICE-CHAIR TO SIGN SAID RESOLUTION.

ATTACHMENTS YES ___ NO XXX

MEMAC Talking Points

1. MEMAC is primarily intended for catastrophic emergencies and disasters, not day-to-day mutual aid. However, activation of MEMAC does not require a governor's declaration.
2. The MEMAC does not replace or supersede existing local mutual aid agreements. MEMAC will not prevent formation of new local compacts. It supplements existing day-to-day mutual aid agreements between adjacent or nearby localities in the event the local agreements are overwhelmed by a catastrophic event.
3. Jurisdictions must be a member of MEMAC to be eligible for deployment under EMAC. This is the only method in place to make local resources state assets.
4. MEMAC is purely a voluntary program.
5. Members of MEMAC can withhold request resources, if it causes a hardship within their own jurisdiction. (Reason must be in writing to EMHSD.)
6. MEMAC provides form and structure setting forth common procedures and expectations.
7. MEMAC solves potential problems and concerns related to liability, insurance, and reimbursement up-front. (Many local jurisdictions are reluctant to send aid to distant communities without agreements on these issues.)
8. Each requesting and assisting party bears the risk of its own actions, as it would in normal, day-to-day operations, and determine what kinds and amounts of insurance it should carry. Jurisdictions should be reminded to check their insurance policies to assure coverage when employees are working outside their normal day-to-day venues.
9. Personnel, equipment and other resource of assisting parties that respond outside of Michigan through the concurrent activation of MEMAC and EMAC, shall be considered as state assets for the purposes of liability, immunity and worker's compensation.
10. In the event that the state is the requesting party, then the state will provide reimbursement.
11. MEMAC provides for the reimbursement of all eligible costs from the requesting party to the assisting party.
12. Requesting and assisting governments may negotiate reimbursement waivers among themselves.
13. Locals will not have to reimburse the state for assistance that normally is not charged at present.
14. MEMAC is designed for and will be activated by local government entities, not controlled by the state. (MSP-EMHSD will facilitate activations and will administer vital records.)
15. Individual agencies within each local government jurisdiction will not sign; the governing body must sign the MEMAC resolution.

16. MEMAC supports the subsequent reimbursement of eligible costs from the federal government to the requesting party, in the event of a federal disaster declaration.
17. Equipment rates will be reimbursed at the FEMA reimbursement rates (updated rates found on FEMA's website).
18. Assisting agencies continue to pay their personnel, and then submit for reimbursement.
19. MEMAC members can withdraw from the compact with 30 day written notice.
20. Operational annexes or MOU's for detailed operational services such as fire and dispatchers (TERT) to be added.
21. Implementation Guide being developed by EMHSD.
22. Not every jurisdiction will choose to participate, but every addition strengthens the compact.
23. MEMAC leverages our collective resources.
24. September 11, 2001 and the Hurricane Katrina Response showed that Americans want to help each other in a crisis. In the event that Michigan ever has such a large event, as to activate MEMAC, most first responders and government agencies are inclined to respond, with or without MEMAC. MEMAC puts the mechanism in place to facilitate the response and make it run smoother.
25. Items needed from signatories:
 - The executed agreement (page 17).
 - The "Authorized Representation Contact Information" (page 18).
 - A resolution from governing body (sample on page 35).
 - A letter describing types and amounts of insurance carried by the entity (page 32, item 3, under "How to become a participating member of the MEMAC").

Electronic copies of the MEMAC can be obtained at www.michigan.gov/emhsd (MEMAC link at bottom of the page).

Direct questions/comments regarding MEMAC to:
Sgt. Shelley Heindel
MSP/EMHSD Field Support Section
4000 Collins Rd.
Lansing, MI 48910
(517) 333-4624
heindels@michigan.gov

Resolution # _____

WHEREAS, the State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended M.C.L. 30.401 et seq. authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended among political subdivisions within the State;

NOW, THEREFORE, be it resolved by the **County of Lapeer** that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster we hereby adopt the Michigan Emergency Management Assistance Compact which is attached hereto and incorporated by reference.

ADOPTED BY: _____

DATE: _____

I certify that the foregoing is an accurate copy of the Resolution/Ordinance adopted by _____ on

BY: _____

TITLE: _____

DATE: _____

Information Sheet to become Members of the Michigan Emergency Management Assistance Compact (MEMAC)

Signing the Agreement

The original signed copy of the MEMAC, with **original signatures**, should be forwarded to:

F/Lt. Ralph Hobrat
Michigan State Police
Emergency Management & Homeland Security Division
4000 Collins Rd.
Lansing, MI 48910

Make sure to include:

- The completed execution page signed by the Authorized Representative of your respective political subdivision. (page 17 of the agreement).
- The contact information page (page 18). Contact information should be reviewed at least once a year, and updates forwarded to the EMHSD.
- The resolution authorizing MEMAC participation. (Sample resolution language on page 35.)
- A letter describing the types and the amounts of insurance carried by your political subdivision

Note: A copy of the MEMAC resolution should be filed with your county clerk's office.

Copies of the MEMAC

Electronic copies of the MEMAC can be obtained at www.michigan.gov/emhsd (MEMAC link at bottom of the page).

For more information, or questions regarding the MEMAC, please contact:

Lt. Harry Partridge
Michigan State Police
Emergency Management Homeland Security Division
411-B East Genesee Street
Saginaw Michigan 48607
989-758-1910
partridh@michigan.gov

F/Lt. Ralph Hobrat
Michigan State Police
Emergency Management & Homeland Security Division
4000 Collins Rd.
Lansing, MI 48910
517-333-5048
hobratr@michigan.gov

DATE: January 18, 2007

REQUEST FOR ACTION

FOR YOUR INFORMATION

REQUEST FOR INFORMATION

TO: LAPEER COUNTY BOARD OF COMMISSIONERS

FROM: LINDA K. HESS

SUMMARY OF REQUEST / INFORMATION: Billing for Johnson, Rosati, LaBarge, Aseltyne & Field, P.C. in reference to

- 1) First American Title Company in the amount of \$3,922.96 (December, 2006), and
- 2) General Council in the amount of \$50.00 (December, 2006)

BACKGROUND INFORMATION:

ADDITIONAL INFORMATION:

CONTACT PERSON(S): Linda K. Hess

SUPPORTING DOCUMENTS: Billing Statements

DRAFT MOTION:

To authorize payment from line item #101-210-801.020 to Johnson, Rosati, LaBarge, Aseltyne & Field, P.C. in reference to

- a) invoice #1049056 in the amount of \$3,922.96 for services rendered 12/1/06 – 12/31/06; and
- b) invoice #1049057 in the amount of \$50.00 for services rendered 12/1/06 – 12/31/06.

ATTACHMENTS YES NO

JOHNSON, ROSATI, LaBARGE,
ASELTYN & FIELD, P.C.
34405 W. Twelve Mile Rd., Suite 200
Farmington Hills, MI 48331
(248) 489-4100 Tax ID# 38-3107356

January 11, 2007

Lapeer County
Attn: Mr. John Biscoe
255 Clay Street
Lapeer, MI 48446

Invoice # 1049056

In Reference To: First American Title Company vs. Lapeer County, et al

Professional Services Rendered Through December 31, 2006

			<u>Hrs/Rate</u>	<u>Amount</u>
12/4/2006	MLH	Receipt/review of correspondence from client regarding pending legislation	0.10 125.00/hr	12.50
	MLH	Research of current status of legislation	0.90 125.00/hr	112.50
	MLH	Correspondence to client regarding current legislative analysis	0.50 125.00/hr	62.50
	MLH	Review of Defendants' Brief on Appeal in preparation for oral argument	2.60 125.00/hr	325.00
	MLH	Research of state immunity case law in preparation for oral argument	1.70 125.00/hr	212.50
12/5/2006	MLH	Review of Plaintiff's Brief on Appeal in preparation for oral argument	1.30 125.00/hr	162.50
	MLH	Review of authority cited by Plaintiff in preparation for oral argument	2.70 125.00/hr	337.50

			<u>Hrs/Rate</u>	<u>Amount</u>
12/5/2006	MLH	Review of case law by all parties in preparation for oral argument	1 80 125.00/hr	225.00
12/6/2006	MLH	Travel to Cincinnati, Ohio for oral argument	5 20 125.00/hr	650.00
	MLH	Meeting with Co-Defendant's attorney regarding oral argument	0.60 125.00/hr	75.00
12/7/2006	MLH	Preparation for oral argument	1 40 125.00/hr	175.00
	MLH	Multiple meetings with defense attorney	0.80 125.00/hr	100.00
	MLH	Appearance at oral argument	2.00 125.00/hr	250.00
	MLH	Return travel to Detroit from Cincinnati, Ohio	5 50 125.00/hr	687.50
12/8/2006	MLH	Preparation of Status Report regarding oral argument	0.40 125.00/hr	50.00
	MLH	Telephone conference with client regarding oral argument and house bill statutes	0 80 125.00/hr	100.00
12/11/2006	MLH	Continued preparation of Status Report regarding oral argument	0.50 125.00/hr	62.50
	MLH	Telephone conference with Sixth Circuit Court of Appeals regarding oral argument tape	0.20 125.00/hr	25.00
12/12/2006	MLH	Research of newspaper article on Oakland County on live records	0 60 125.00/hr	75.00
	MLH	Correspondence to client	0.10 125.00/hr	12.50
	MLH	Correspondence to defense attorney	0.10 125.00/hr	12.50

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	29.80	\$3,725 00

Additional Charges :

	<u>Qty/Price</u>	
12/7/2006 Travel Expense - One night hotel stay, shuttle to/from airport and hotel, airport parking and meals while in Cincinnati, Ohio for oral argument [M. Howe]	1 197 96	197 96

Total additional charges	\$197.96
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Total amount of this bill	\$3,922.96
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Previous balance	\$999.50 Pd
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Balance due	\$4,922.46
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Please include your Invoice Number on your payment. All payments should be mailed to the Farmington Hills' office listed above. Thank you.

JOHNSON, ROSATI, LaBARGE,
ASELTYNE & FIELD, P.C.
34405 W. Twelve Mile Rd., Suite 200
Farmington Hills, MI 48331
(248) 489-4100 Tax ID# 38-3107356

January 11, 2007

Lapeer County
Attn: Mr. John Biscoe
255 Clay Street
Lapeer, MI 48446

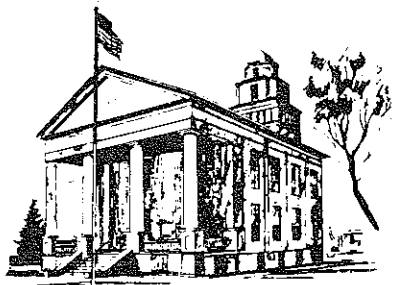
Invoice # 1049057

In Reference To: General Counsel

Professional Services Rendered Through December 31, 2006

	<u>Hrs/Rate</u>	<u>Amount</u>
12/14/2006 CJJ Telephone conference with J Biscoe	0.40 125.00/hr	50.00
For professional services rendered	0.40	<u>\$50.00</u>
Previous balance		\$187.50 pd
Balance due		<u>\$237.50</u>

Please include your Invoice Number on your payment. All payments should be mailed to the Farmington Hills' office listed above. Thank you.



Lapeer County, Michigan

RESOLUTION

- WHEREAS,** Tax dollars are scarce and should be reserved for important public policy efforts which demonstrates results; and,
- WHEREAS,** State government has expressed a desire to manage its resources based on principles of prioritizing spending and eliminating programs and services that are least valuable to the citizens; and,
- WHEREAS,** Children and families with high service and resource needs depend upon a myriad of different public resiliency which has a lifetime impact; and,
- WHEREAS,** Families are the primary source of nurturing, permanency, and support for children and need the support of communities to be successful in raising children to be productive members of their community; and,
- WHEREAS,** Local community-based collaborative planning to align local services is an efficient and cost-effective tool which maximizes the value of dollars invested; and,
- WHEREAS,** Early assessment and intervention are proven to further enhance savings by preventing more costly services from being utilized.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Lapeer, that 2007 be declared the Year of the Child in Michigan, and encourage all children's agencies and organizations to hold focus workshops and conferences to strengthen the development and implementation of service to Michigan's children and their families; and,

BE IT FURTHER RESOLVED, that the County Clerk forward copies of this resolution to Governor Granholm, members of the legislature, all state department heads whose responsibilities include Michigan's children, local Department of Human Services directors, local Department of Community Health directors, local family court judges, all intermediate school superintendents, and the Michigan Association of Counties.

Cheryl A. Clark, Vice-Chairperson
Lapeer County Board of Commissioners

I hereby certify that the foregoing Resolution was adopted by a vote at the meeting of the Board of Commissioners of the County of Lapeer, State of Michigan, on this 1st day of February, 2007

Marlene M. Bruns, County Clerk
Clerk of the Board