

BOARD LEADERSHIP MEETING

October 22, 2018

Draft Minutes

Members Present: Anthony, Banas (arrived at 6:04 p.m.), Celentino, Crenshaw, Grebner, Hope, Nolan, Sebolt, Tennis (arrived at 6:06 pm.), Maiville, and Naeyaert

Members Absent: Koenig, Morgan, and Schafer

Others Present: Sheriff Scott Wriggelsworth, Judge Thomas Boyd, Derrell Slaughter, Carol Koenig, Tim Dolehanty, Jared Cypher, Teri Morton, Becky Bennett, Lindsey LaForte and others.

The meeting was called to order by Vice-Chairperson Celentino at 6:00 p.m. in the Personnel Conference Room “D & E” of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the August 13, 2018 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. GREBNER, TO APPROVE THE MINUTES OF THE AUGUST 13, 2018 BOARD LEADERSHIP MEETING.

THE MOTION TO APPROVE THE MINUTES, AS WRITTEN, CARRIED UNANIMOUSLY.
Absent: Commissioners Koenig and Schafer.

Additions to the Agenda

4. CATA Seat Discussion

Limited Public Comment

None.

1. Update on the Jail

Scott Wriggelsworth, Ingham County Sheriff, stated that he would like to give an update on the Justice Complex project. He said there was currently an RFP out seeking an owner's representative.

Sheriff Wriggelsworth stated that there had been discussion about the complex being located somewhere other than Mason. He further stated that they had been in contact with Michigan State University (MSU) about potentially purchasing property.

Sheriff Wriggelsworth stated that after a lot of scheduling difficulties there was a phone meeting with MSU scheduled for tomorrow. He further stated that he had three questions: 1) if it was doable, 2) if so, what the process was, and 3) how long it would take.

Sheriff Wriggelsworth stated that he had heard that the bureaucracy of working through a land purchase from MSU may take years. He further stated that the Ingham County Sheriff's Office (ICSO) and the County Jail did not have that kind of time.

Sheriff Wriggelsworth stated that he would report back to update the Board of Commissioners. He further stated that he knew that some members of the Board of Commissioners had expressed concern about ICSO maintaining an office in the County Seat.

Sheriff Wriggelsworth stated that even though the ICSO's principal office needed to remain in Mason, the County Jail could be constructed anywhere. He further stated that the ICSO's principal office could remain in the County Seat, but what it would look like was unknown at the time.

Sheriff Wriggelsworth stated that at this point that was the least of the concerns, if they could get a Justice Complex built in a new location, with a consolidated Court that was most important. He further stated that would be the best way to serve the County for the next 40 years.

Discussion.

Commissioner Banas arrived to the meeting at 6:04 p.m.

Vice-Chairperson Celentino asked Tim Dolehanty, Controller, if he wanted add anything.

Mr. Dolehanty stated that he would wait for the presentation about the District Court Consolidation and present his information. He further stated that would be the best way to tie everything together.

Commissioner Naeyaert asked how many presentations about the Justice Complex Millage had been given prior to the 2018 August Election.

Sheriff Wriggelsworth stated that there had been 63 informative presentations given about the Justice Complex Millage.

Commissioner Naeyaert asked if at any time did they mention it that the Justice Complex would be built elsewhere.

Sheriff Wriggelsworth stated that they had not suggested that it would be built elsewhere.

Commissioner Anthony asked if voters who had supported this millage did so because of the location or if they did so because a new jail was needed. She further stated that some voters may have supported the Justice Complex Millage because of humanitarian concerns with the current County Jail and the poor conditions for both employees and inmates.

Commissioner Anthony stated that it was possible that voters would have supported the Justice Complex Millage for separate reasons. She asked if it would mislead voters to move the location.

Commissioner Anthony asked if remaining in Mason was a part of the sell.

Commissioner Tennis arrived to the meeting at 6:06 p.m.

Sheriff Wriggelsworth stated that he had not asked people why they voted in support of the millage. He further stated that in the 63 informative presentations they included that the County Jail would be built on the same site in Mason.

Sheriff Wriggelsworth stated that the location was not a huge part of the sell but it was in the sell for the millage. He further stated that after the millage was passed, they started to consider what it was best way to serve justice in this County for the next 40-50 years.

Sheriff Wriggelsworth stated that it seemed to be that a location change may be the best way to serve the County, so it was time to consider a move. He further stated that he had talked to Mason residents and the City Manager, and it seemed that many saw this would be an opportunity, not a drawback, for the City.

Commissioner Crenshaw stated that as a part of selling the millage, people were told that the jail would be built on the same property in order to utilize the current kitchen and laundry facilities. He asked how much the cost savings were by using those facilities.

Commissioner Naeyaert stated that was about a \$4.5 million savings.

Commissioner Crenshaw asked who would pay for the extra costs of building new kitchen and laundry facilities.

Sheriff Wriggelsworth stated that there would be a few different things adding to the cost if the jail was located outside of Mason. He further stated that adding new laundry and kitchen facilities to the County Jail would require an additional \$4.5 million, plus the increased cost to cover the price of land, and they would require additional space for booking.

Sheriff Wriggelsworth stated that they estimated that booking would need to be about 30% bigger because of the increased fresh arrests ICSO would be processing. He further stated that Redstone estimated the cost for the increased booking space to be about \$1.2 million.

Commissioner Crenshaw asked if the Cities of Lansing and East Lansing agreed to pay for that additional funding needed.

Sheriff Wriggelsworth stated that he had not taken all the numbers to the Cities of East Lansing and Lansing, but with this plan, the Cities of East Lansing and Lansing would be out of the jail business. He further stated that the City of Lansing wanted to be done with lock up badly, but it was advantageous for both to be done.

Commissioner Nolan stated that she had recently spoken to one Mason resident who was concerned about the State Constitution and expressed concern that ICSO should remain in Mason. She further stated that the County needed to approach this wisely with words and show how this would be a win for the County.

Commissioner Nolan stated that it would be helpful to frame this issue well, so people could understand.

Commissioner Banas apologized for arriving late to the meeting. She asked what the additional cost would be if the Justice Complex was built at a new location.

Sheriff Wriggelsworth stated that the kitchen and laundry facilities added about \$4.5 million to the cost. He further stated that they would need to purchase about 20 acres of land for an unknown cost.

Sheriff Wriggelsworth stated that another additional cost was the \$1.2 million needed for the additional space for booking.

Commissioner Banas asked if there was an idea of how much the land would cost.

Sheriff Wriggelsworth stated that he was not sure. He further stated that they were looking at land that was on MSU's campus and was currently a cornfield.

Sheriff Wriggelsworth stated that he had heard estimates of that land costing about \$20,000 per acre and other estimates valued it higher.

Commissioner Maiville asked if Sheriff Wriggelsworth was willing to separate his Office and the County Jail and have two locations.

Sheriff Wriggelsworth stated that having two locations was not the ideal situation, but if that was what needed to happen, he was willing to make that sacrifice.

Commissioner Maiville stated that Circuit Court need to remain in Mason.

Sheriff Wriggelsworth stated that there was a suitable courthouse for the Circuit Court.

Commissioner Maiville stated that on Saturday he had been at the Jolly Road and Collins Road area and his map app on his phone estimated that it was only an extra 8 minutes to Mason. He asked if that extra 8 minutes was worth the move.

Sheriff Wriggelsworth stated that the Cities of East Lansing and Lansing did not want to drive to Mason.

Commissioner Naeyaert asked what those cities would do if they did want to drive to Mason if the new Justice Complex was located there.

Sheriff Wriggelsworth stated they would continue to do lockup on their own.

Commissioner Naeyaert stated that it was ironic that the Board Leadership meeting was schedule to discuss this issue tonight, but the meeting with MSU to discuss the purchase of property was tomorrow. She further stated that really bothered her since they were at this meeting to learn more.

Commissioner Naeyaert stated that it was the Board of Commissioners' decision if they were to move forward with anything. She further stated that she was not the message she was receiving from the City of Mason's leadership concerning a possible move of the County Jail.

Commissioner Naeyaert stated that her constituents had expressed concerns about the possible economic impact as a result of this.

Sheriff Wriggelsworth stated that the meeting being tomorrow was not for lack of planning and it was not his choice to have it delayed so long.

Commissioner Naeyaert stated that Carol Koenig, former Board of Commissioners Chairperson, had not had time at the last Joint Caucus meeting to give all the information about this project.

Vice-Chairperson Celentino invited Ms. Koenig to come to the table and share any information.

Discussion.

Ms. Koenig stated that there were a lot of moving pieces with this potential change in location of the Justice Complex and it had been difficult to follow along because of that. She further stated that they had a conversation with CB Ellis to explore other available properties.

Ms. Koenig stated that MSU owned most of the land around that portion of Ingham County but there was one 20-acre parcel that may be an alternative location if MSU did not want to sell. She further stated that she had spoken with some people and was told how fortunate the County was to even have a President at MSU who was willing to discuss this.

Ms. Koenig stated that even with that, being able to purchase the property was a long shot.

Ms. Koenig stated that she was not sure this will come back in a timely enough fashion and that there was cost for all of this. She further stated that going forward there was a drop dead date of the end of this year in order to decide the Justice Complex location.

Ms. Koenig stated that the City of Lansing appreciated having that end date also, because they are working on planning a new city hall and they needed to know if they should plan for a lock up or to have space for a District Court.

Ms. Koenig stated that accomplishing this project would be a huge achievement, maybe the greatest achievement of our generation. She further stated that this would be one of the greatest collaborations with the greatest savings for taxpayers that we will see in our lifetime.

Commissioner Banas stated that it was a fact that MSU did not contribute to the municipal cost that occurred because of their use of the various things like emergency services and roads. She further stated that in other places, cities and counties were able to be reimbursed by a university for the cost to deliver services to them.

Commissioner Banas asked if the County could use that as a bargaining chip.

Ms. Koenig stated that had not been discussed as a part of this issue. She further stated that MSU and the City of East Lansing had a similar discussion in the past.

Commissioner Banas stated that did not exactly work out.

Ms. Koenig stated that it did work out in a way. She further stated that MSU had offered the City of East Lansing \$10 million, it just was not what the City had wanted.

Ms. Koenig stated that this might have been a good start of a relationship which would allow the County to engage MSU more often. She further stated that it was a mystery why they did not collaborate more.

Commissioner Banas it might not work as a negotiating chip, but it seems that MSU should reimburse local governments for some of the costs they incur providing services to the university.

Commissioner Anthony asked whom from the Board of Commissioners would be responsible for these conversations moving forward.

Commissioner Crenshaw stated that he had taken the lead in that issue as the Chair of the Law & Courts Committee.

Discussion.

Commissioner Tennis asked if there had been a discussion about what kind of remediation would happen for the current site in Mason.

Sheriff Wriggelsworth stated that demolition of the site was accounted for in the price of the Justice Complex and no matter the location of the complex, the demolition would happen.

Sheriff Wriggelsworth stated that he was sure that the City of Mason would want the property. He further stated that using an alternative location was not a sure thing at this point.

Sheriff Wriggelsworth stated that a relocation did not help the ISCO. He further stated that it involved moving, taking on thousands of fresh arrests, and an increased workload.

Sheriff Wriggelsworth stated that he was willing to do so, if it would best serve the citizens of the County. He further stated that the ICSO lost the most of everyone if this went through.

Commissioner Anthony asked where the funding for the demolition cost would come from.

Sheriff Wriggelsworth stated that those costs had been provided for in the millage funding.

Commissioner Sebolt asked if some of the equipment could be moved from laundry and kitchen to the new location in order to reduce costs.

Sheriff Wriggelsworth stated that they had not had that conversation at this point. He further stated that he would like to have that conversation because that would mean that they would be planning for a move.

Commissioner Nolan asked if she heard correctly, that this would be decided by January.

Sheriff Wriggelsworth stated that it was not his decision, but he would like to have answers to all of these questions in order to move quickly. He further stated that he would like for the Board of Commissioners to be able to decide by January.

Discussion.

2. Update on District Court Consolidation

Judge Thomas Boyd, 55th District Court, stated that the District Court Consolidation was really important to be considered with the first discussion. He further stated that it was important to be doing this.

Judge Boyd stated that the County had been looking to do this for years. He further stated that for the Court Consolidation cost savings could happen now with three locations, but the savings grew if there were only two locations.

Judge Boyd stated that if the District Courts consolidated to two locations, there could be able to be a \$1.2 million per year savings. He further stated that the Controller and the staff looked at consolidating to one location which could realize the greatest amount of savings.

Judge Boyd stated that with a complete consolidation of locations, they would be able to acquire money from the Cities of East Lansing and Lansing totaling about \$1.5 million per year. He further stated that this would be the greatest consolidation in the State of Michigan in our generation if this were to happen.

Judge Boyd stated that the County built a new jail more centrally located, the District Court would not need two judges in Mason. He further stated that the Sheriff's Office and Courthouse could be left in Mason with one District Court Judge and if the County spent a bit of money, they could all be in the current 55th District Court building.

Judge Boyd stated that because economies of scale offered the greatest savings consolidation, it would allow the District Courts to offer better services for a better price. He further stated that the residents of Lansing Township should not have to drive by the Lansing District Court to go to the District Court in Mason.

Judge Boyd stated the consolidation could provide a blanket service that people could understand. He further stated that the operational consolidation savings were real.

Judge Boyd stated that the City of Lansing would contribute to their own facility or could contribute to a combined District Court Facility. He further stated that the District Courts could consolidate with or without consolidating location.

Judge Boyd stated that State Representative Sam Singh had a bill in the Michigan Legislature that allowed for this consolidation as long as County and Cities agreed by November 2019. He further stated that they would consolidate to the 54th District Court because that mattered to some people, but not him.

Mr. Dolehanty presented information from a hand out provided to the Board of Commissioners. He further stated that the County would not do this for free.

Mr. Dolehanty stated that it did not make sense to do this alone, but when the Cities were saving over a million dollars per year due to no longer doing lock up there would be savings for them.

Judge Boyd stated that those figures did not consider liability costs, which were very high for the City of Lansing.

Mr. Dolehanty stated that the Cities of Lansing and East Lansing were under financial stress and the greater benefit would be to consolidate District Court and their locations.

Judge Boyd stated that the City of Lansing was moving their District Court somewhere. He further stated that the mayors of the Cities of Lansing and East Lansing had both come to him and asked for this consolidation.

Judge Boyd stated that the Cities were pushing for this, not the County. He further stated that District Courts were created in the constitution in the 1963 and at this point there were only six counties with city courts, and they were mostly consolidating down.

Judge Boyd stated that the city level of District Courts were created for cities to gain revenue and that was not common at this point.

Vice-Chairperson Celentino asked if the City of Lansing would save over \$1 million by not having a lock up.

Judge Boyd stated that that they would save over \$1 million just for the District Court consolidation, and not having lock up would bring additional savings. He further stated that the County would not make money on this.

Commissioner Grebner stated that this consolidation would likely be as beneficial for the County as the 9-1-1 Call Center consolidation had been.

Judge Boyd stated that it was up to the Board of Commissioners to decide how to move forward.

Commissioner Crenshaw asked about the temporary holding facilities that the City of Lansing had asked about.

Mr. Dolehanty stated that the temporary lock up was included in the building plans. He further stated that it would be similar to the temporary lock up in the Veteran's Memorial Courthouse, used for the Circuit Court for day-use and not overnight stays.

Judge Boyd stated that temporary lock up was included in the numbers.

Commissioner Crenshaw asked if space for the magistrate was included.

Judge Boyd stated that there was an area for a magistrate built into the numbers.

Commissioner Crenshaw asked about space for the judicial needs.

Judge Boyd stated that this was broken down too and that some needs would be less, for instance, the District Court Judges did not all need jury boxes. He further stated that he would provide more detailed number to the Board of Commissioners.

Judge Boyd stated that it was not common for District Court matters to go to a jury trial, so they could share that space which was a workable model. He further stated that it would mean that Judges were not assigned specific court rooms but it did not matter to him as he could put his whole life on a cart and move.

Commissioner Anthony asked if there was a sense of if Representative Singh's bill would become law during the lame duck session.

Judge Boyd stated that Representative Singh had assurance that it would be taken up in the State House or Representatives. He further stated that it was a bit unclear if this would successfully go through the Senate Judiciary Committee.

Judge Boyd stated that this lame duck session was difficult to predict because of the change in power.

Commissioner Anthony stated that had some questions about the diversity and equity piece. She further stated that there were some conversations with Judge Hugh Clarke and others about racial diversity and how it may affect the District Court.

Commissioner Anthony stated that there was a growing concern about Judges reflecting the diversity of the entire County. She further stated that there were some additional concerns about jury selection.

Commissioner Anthony stated that there were some real implications in the County.

Judge Boyd stated that in two weeks there would be an African-American District Court Judge in Lansing, for the first time since 1982. He further stated that African-Americans were not elected often in the City of Lansing for some reason.

Judge Boyd stated that Judge Clarke had run for that seat a couple of times. He further stated that county-wide there would be an African-American elected for the second time in the last decade.

Judge Boyd stated that he did not have all the political insight on this issue. He further stated that there was proof that county-wide it seemed easier to get African-Americans elected to the bench than on the City of Lansing bench.

Judge Boyd stated that there were jury pool concerns because people did not read the bill well. He further stated that the jury pool developed for the District Court for Lansing and Lansing Township would come from those jurisdictions.

Judge Boyd stated that the same thing would happen for East Lansing and then again for out-county. He stated that forever there would be three jury pools.

Judge Boyd stated that when the consolidation happened in Genesee County, jury pools were a problem because the portions of the court went from being a mainly urban, diverse jury pool to a county-wide pool. He further stated that they would avoid those issues with this plan.

Commissioner Naeyaert asked about what would be needed in Mason.

Judge Boyd stated that they needed nothing in Mason, but in terms of the caseload, a judge and a part-time magistrate would be sufficient. He further stated that he thought that Williamstown Township, Williamston City, Delhi Charter Township, and Meridian Charter Township would all go to the central location for District Court.

Judge Boyd stated that those communities were too similar and geographically it made sense to move them together. He further stated that just moving Meridian and Lansing Townships at the very least made sense.

Judge Boyd stated that they needed to make administrative decisions that would make the most sense to best provide services. He further stated that the County wanted to move the Jail only, then they did not have to move everything.

Discussion.

Vice-Chairperson Celentino asked about judicial election of the eight judges for a consolidated 54th District Court.

Judge Boyd stated that under the current plan, for the next eight years, four judges would be elected in Lansing and Lansing Township, two would be elected in East Lansing, and another two would be elected in the out-county areas. He further stated that after those 8 years, the elections would move to a county-wide election for the District Court.

Commissioner Anthony asked about how specialty courts would be affected under the consolidation.

Judge Boyd stated that this would make things easier for specialty courts. He further stated that he had to rewrite the State of Michigan Judicial Code to move people around for the specialty courts which was the only reason why it worked now.

Judge Boyd stated that he and Judge Allen had standing orders to swap cases and it balanced out well. He further stated that could happen across the County which would put people in the right place to get the right help with people best able to help.

Vice Chairperson Celentino asked about the timeline. He asked if this was not passed by the end of the year or not finished in 2019, what would happen.

Judge Boyd stated that it would go back to the way it currently was just like what happened in 2011.

Commissioner Grebner stated that this issue would never die.

Judge Boyd stated that in 2011 they tried to get it through and it broke down at negotiations between the County and Cities at the State Court Administrative Office. He further stated that he was told that he just needed to outlast everyone else in order to make this happen.

Discussion.

3. Update on Filling Commissioner Vacancy

Becky Bennett, Board of Commissioners Office Director, stated that she had received some inquiries but no one had filed for the position.

Commissioner Grebner stated that at the Democratic Caucus meeting, he would like to make the recommendation that they reappoint the current Commissioner.

Commissioner Crenshaw stated that he was totally against that idea. He further stated that it was disingenuous to the public and it sent the wrong message.

Commissioner Crenshaw stated that he would not entertain that motion at the caucus.

Commissioner Anthony asked about talking about another vacancy. She further stated that tomorrow was her last Board of Commissioners meeting. She further stated that she would be resigning when it made sense legally.

Commissioner Anthony stated that it made sense to fill with her seat with the Democratic nominee. She further stated that she did not want to leave a vacancy for the remainder of the year.

Commissioner Crenshaw stated that was his thought of what would happen. He further stated that they could fill the position at the Board of Commissioners meeting after the election.

Commissioner Grebner stated that going back to the first vacancy that was discussed, in that case there were actually two vacancies. He further stated that the current Board of Commissioners appointed someone to fill the current term.

Commissioner Grebner stated that the new Board of Commissioners in January would appoint in the event that there was a long-term vacancy.

Commissioner Sebolt asked if there were a refusal to be seated or if the County Attorneys had provided direction.

Ms. Bennett stated that County Attorneys felt that if Ms. Koenig was not able to serve, it would be a resignation.

Discussion.

4. CATA Seat Discussion

Commissioner Grebner stated that the CATA Board of Directors had moved to amend their bylaws to add a voting seat for the County. He further stated that the County provided CATA enough funding that they could have two seats.

Commissioner Grebner stated that if the Board of Commissioners wanted him to insist that the County be given two seats, he would do so. He further stated that things may get ugly but he was happy to get ugly.

Commissioner Grebner stated that the County provided more funding than other municipalities that have two seats. He further stated if the Board of Commissioners did not want to push for more seats, he would go with the flow.

Commissioner Grebner stated that the City of East Lansing had two seats, Meridian Charter Township had two seats, the City of Lansing had four seats, and Delhi and Lansing Townships each had one seat on the CATA Board of Directors.

Commissioner Sebolt asked about the difference for the services the County was funding versus the local municipalities.

Commissioner Grebner stated that the local municipalities were contributing funding for line haul and the County was funding the SpecTran service. He further stated that if the county only took one seat, the CATA Board of Directors were going to set a required contribution for funding.

Commissioner Grebner stated that he would insist the contribution was only \$2 million and then enter into a contract for the remaining funding. He further stated that this would give the County some leverage as CATA needed other \$2 million to provide services.

Commissioner Grebner stated that earlier Judge Boyd had mentioned that CATA had been responsive to the needs of District Court and that was because CATA needed the funding from the County.

Commissioner Tennis stated that his vote was to take least contentious part as possible. He further stated that this issue started when they barred Commissioner Grebner from a meeting and the CATA Board of Directors would not be able to do so if the County was given a seat.

Commissioner Tennis stated that he needed to disclose that he represented the drivers and staff at CATA.

Commissioner Grebner stated that this was not just their one seat, as the CATA Board of Directors had also kicked out the representative from Michigan State University from the same meeting. He further stated that essentially the County and MSU would request a seat and when be included.

Commissioner Anthony stated that as the Board of Commissioners they needed to do a check on what the relationship was with CATA. She further stated that it seemed very adversarial and having the reputation of being difficult was not the wisest thing.

Commissioner Anthony stated that perhaps this was a time to start working toward some relationship mending.

Commissioner Grebner stated that was true until about January 1 of this year. He further stated that when the administration changed, CATA had practically apologized to the County for their treatment.

Commissioner Sebolt stated that he needed to make the same disclosure as Commissioner Tennis, as CATA drivers were also members of his employer, the AFL-CIO. He further stated that he would like to take the path of least resistance.

Vice-Chairperson Celentino stated that the consensus was to take one seat.

Public Comment

Ms. Koenig stated that the consolidation of the District Courts and the County Jail with the Cities of East Lansing and Lansing's lockups really made sense. She further stated that this issue was difficult for the County, difficult for the staff, and not necessarily the best thing for the County as it was so much work.

Ms. Koenig stated that this, however, was the best thing for the people who the County serves. She further stated that she wanted to thank Judge Boyd and the Sheriff for working on this issue.

Ms. Koenig stated that they could not go this on their own and they really needed a shepherd from the Board of Commissioners. She further stated that the Board of Commissioners would really be heroes if this was to come to fruition.

Adjournment

The meeting was adjourned at 7:09 p.m.