

FINANCE COMMITTEE  
September 19, 2018  
Minutes

Members Present: Grebner, Crenshaw, Tennis, Morgan, Anthony, Koenig (arrived at 6:02 p.m.), and Schafer

Members Absent: None.

Others Present: Sue Graham, Bonnie Toskey, Shelly Neal, Melissa Buzzard, Jessy Gregg, Andy Bouck, Michael Townsend, Lindsey LaForte, and others.

The meeting was called to order by Chairperson Grebner at 6:00 p.m. in Conference Room D & E of the Human Services Building, 5303 South Cedar Street, Lansing, Michigan.

Additions to the Agenda

10. Human Services Committee
  - b. Resolution to Amend Resolution #18-113 Authorizing an Agreement with Weitz & Luxenberg, P.C. to Represent Ingham County in Litigation Against Manufacturers and Wholesale Distributors of Opioids
  
8. Parks Department
  - c. Resolution to Authorize Construction of a Sidewalk at Lake Lansing Park South
  
17. Board of Commissioners - Consideration of a Written Legal Opinion within Attorney-Client Privilege (*Closed Session*)

Limited Public Comment

None.

Commissioner Koenig arrived to the meeting at 6:02 p.m.

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

1. Homeland Security & Emergency Management – Resolution to Accept Grant Funds from the State of Michigan Emergency Management Performance Grant (EMPG) for FY 2019
  
2. Sheriff's Office
  - a. Resolution to Authorize Various Transfers within the Sheriff's Office Budget
  - b. Resolution to Authorize a Contract to Purchase and Train a New Corrections K-9 Dog

3. Circuit Court – General Trial Division
  - a. Resolution to Continue the Grant Funded Three-Quarter Time ICEA Court Professional 5 Mental Health Court – Court Services Coordinator Position; Add a Full-Time ICEA Court Professional 5 Mental Health Court – Case Coordination Specialist, and Enter into Subcontracts for Fiscal Year 2018-2019
  - b. Resolution to Accept the FY 2019 Swift and Sure Sanctions Probation Program Grant, Continue the Grant Funded Three-Quarter Time SSSPP Case Management Coordinator Position, and Enter into Subcontracts
  
4. Circuit Court – Juvenile Division
  - a. Resolution to Amend Contract for Attorney Services for the Juvenile Division
  - b. Resolution to Amend Contract with Ingham Intermediate School District for Educational Instruction
  - c. Resolution to Continue the Michigan Drug Court Grant for the Ingham County Family Dependency Treatment Court
  
5. 9-1-1 Dispatch Center
  - a. Resolution to Amend a Contract Renewal for Pre-Employment Testing
  - b. Resolution to Authorize Purchase of an ESRI ArcGIS Software License for the 9-1-1 Center
  - c. Resolution to Authorize a Contract with EG Workforce Solutions for Recruiting Services for Ingham County 9-1-1
  - d. Resolution to Authorize Software Purchase Agreement with TriTech for Inform CAD API to Enhance the 9-1-1 Center Computer Aided Dispatch (CAD) System
  - e. Resolution to Authorize Software Purchase Agreement with TriTech for Inform CAD/Mobile Test Systems to Enhance the 9-1-1 Center Computer Aided Dispatch (CAD) and Public Safety Mobile Systems
  - f. Resolution to Authorize a Contract for Software Support and Services for the NICE 9-1-1 Recorder System for the Ingham County 9-1-1 Center
  
6. Animal Control
  - a. Resolution to Increase Oversight of Spay/Neuter Vouchers Purchased
  - b. Resolution to Accept a Bissell Pet Foundation Empty the Shelters Free Adoption Grant
  
8. Parks Department
  - a. Resolution to Authorize an Application to the Ingham County Trails and Parks Millage Fund for Accessibility Improvements to Hawk Island
  - b. Resolution to Authorize an Application to the Ingham County Trails and Parks Millage Fund for Accessibility Improvements to Lake Lansing South
  - c. Resolution to Authorize Construction of a Sidewalk at Lake Lansing Park South
  
9. Health Department
  - a. Resolution to Accept 2018 Health Center Quality Improvement Funds
  - b. Resolution to Extend Agreement with MDHHS with Additional Funds to Provide Refugee Health Assessments
  - c. Resolution to Amend Clean Sweep Agreement

- d. Resolution to Authorize a Purchase and Services Agreement with Otech Group LLC
  - e. Resolution to Create Staff Positions for Sparrow-VOA
  - f. Resolution to Authorize an Agreement with Southeastern Michigan Health Association
  - g. Resolution to Convert WIC Family/Child/Infant Advocate Position to Medical Assistant I Position
10. Human Services Committee
- a. Resolution to Authorize a Cooperative Cash Match Agreement with Michigan Rehabilitation Services
12. Innovation & Technology Department
- a. Resolution to Approve the Renewal of Darktrace
  - b. Resolution to Approve the Purchase of Additional Microsoft Software Licenses through CDWG
  - c. Resolution to Approve the Contract for Network Access Control Implementation
  - d. Resolution to Approve the Contracts for Network Redesign Project for Sentinel Technologies
  - e. Resolution to Approve the Purchase of a Wireless Site Survey from Sentinel Technologies, Inc.
13. Road Department – Resolution to Authorize the Purchase of Truck Hoist Repair Parts
14. Human Resources – Resolution to Authorize a Contract for Job Recruitment Services
15. Controller/Administrator’s Office – Resolution to Proceed with Plan for Constructing, Equipping and Financing a New Combined Justice Complex Facility
16. Board Referrals
- a. Resolution from the Sanilac County Board of Commissioners Regarding Their Opposition to Senate Bill 1031
  - b. Resolution from the Van Buren County Board of Commissioners Regarding Their Opposition to Senate Bill 1031
  - c. Resolution from the Tuscola County Board of Commissioners Regarding Their Opposition to Senate Bill 1031
  - d. Resolution from the Tuscola County Board of Commissioners Regarding Their Opposition to House Bill 6049 and Senate Bill 1025
  - e. City of East Lansing Assessing Officers Report for Industrial Facility Exemption Certificates

THE MOTION CARRIED UNANIMOUSLY.

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY.

- 7. Fair Office – Resolution to Authorize an Agreement with Spicer Group to Develop Specifications for the Improvements to the Four Pole/Horse Barns on the Ingham County Fairgrounds

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

Commissioner Schafer stated that he remembered a time when there was an architect who was on the staff for the County. He further stated that perhaps they needed to examine having one again because it seemed like they used the Spicer Group a lot.

Chairperson Grebner stated that they used the same architect a lot but they had not been on staff. He further stated that perhaps that was something that could be looked at again.

Chairperson Grebner stated that it would be helpful to have an architect who worked for four-figure money instead of 5-figure money. **He further stated that it would be helpful to suggest this to Purchasing.**

THE MOTION CARRIED UNANIMOUSLY.

10. Human Services Committee

- b. Resolution to Amend Resolution #18-113 Authorizing an Agreement with Weitz & Luxenberg, P.C. to Represent Ingham County in Litigation Against Manufacturers and Wholesale Distributors of Opioids

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

Commissioner Schafer stated that this was seemed like a money grab similar to the tobacco lawsuits a few years ago. He further stated that if they wanted to go after industries that were harmful to residents, then they should go after the alcohol industry too based on damage caused.

Commissioner Tennis stated that he would disagree that this was a money grab. He further stated that there had been an increased cost for law enforcement, medical examiner and other departments directly related to the increase in opioid use over the last six years.

Commissioner Tennis stated that the misuse of opioids was a direct result of manufacturers not following their own guidelines and ignoring government guidelines. He further stated that this was seeking fair compensation for cost of their behavior.

Commissioner Crenshaw left the room at 6:08 p.m.

Commissioner Schafer stated that he did not disagree with Commissioner Tennis. He further stated that he felt that there were other industries that the County could pursue litigation against such as alcohol or food.

Chairperson Grebner stated that he agreed with Commissioner Schafer to some extent. He further stated that once an industry lost legal protection, everyone goes after that industry like piranhas.

Chairperson Grebner stated that these problem industries were not dealt through legislation, but by releasing the piranhas.

Commissioner Morgan stated that it was discussed in the Human Services Committee that Weitz & Luxenberg had stripped out various County purchasing policies from the contract. He further stated that the Committee had decided to include some of the policies.

Commissioner Crenshaw returned to the room at 6:11 p.m.

Commissioner Morgan stated that he would oppose this resolution, not because he was against the litigation, but because not all County policies were included. He further stated that the County should include all policies all the time and if one was not worth having, then the policy should be removed from the County policies.

Commissioner Tennis stated that there was a long discussion on Monday night's Human Services Committee. He further stated that Weitz & Luxenberg asked to stick to their pro-forma agreement which they had also made with 50 other counties.

Commissioner Tennis stated that the key issue was indemnification. He further stated that the Board of Commissioners had been in discussion prior to the first resolution.

Commissioner Tennis stated that Weitz & Luxenberg had a clause stating that they would not charge for costs unless there was a settlement, but after a case in Florida they decided that it was not something they could agree to have in a contract. He further stated that Weitz & Luxenberg asked if the County could stick to their standard contract.

Commissioner Tennis stated that on Monday night the Committee decided to leave off the indemnification piece of the original contract because Weitz & Luxenberg's history was that they did not seek cost unless there was a recovery. He further stated that the Committee felt that the important piece was to leave in the Vendor Code-of-Conduct, Non-Discrimination, Living Wage policies.

Commissioner Tennis stated that the vote approving this resolution was not unanimous in the Human Services Committee. He further stated that what was left out of the contract were small clauses that were not as important.

Commissioner Tennis stated that the County Attorney pointed out that this was a unique situation.

Chairperson Grebner stated that there was a class-action suit that the County had been involved in in the past. He further stated that perhaps it had happened a few times.

Commissioner Tennis stated that the Human Services Committee decided to put some of the County policies back into the contract and Weitz & Luxenberg seemed to be ok with it too. He further stated that the Human Services Committee had done their best to keep the spirit of policy the best that they could.

Commissioner Koenig stated that she voted against the resolution in the Human Services Committee because she did not like going outside of the normal County policy. She further stated that it was unnecessary to remove the policy.

Commissioner Koenig stated that she thought that Weitz & Luxenberg would have agreed to the County's terms. She further stated that she thought that when the County has advice from the County Attorney, they should take the advice.

Commissioner Koenig stated that they were citing a Florida case and not a Michigan case. She further stated that if you were to think about all the no-fee lawyer advertisements you heard on late night televisions, it becomes evident that this happened all the time.

Commissioner Koenig stated that it bothered her a little bit that they agreed on the terms and then changed their minds which she found unfair and a bit of bad faith. She further stated that she would also be voting no on the resolution tonight.

Chairperson Grebner stated that they can guarantee not to charge a fee on those commercials but these are costs and there was technically a difference.

Commissioner Koenig stated that the situation seemed a bit off to her.

THE MOTION CARRIED. Yeas: Grebner, Crenshaw, Tennis, Anthony, and Schafer Nays: Morgan and Koenig Absent: None.

11. Equal Opportunity Committee – Resolution to Adopt a Revised Equal Opportunity Employment Plan

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

Commissioner Schafer asked if the Equal Opportunity Committee (EOC) had helped determine County Policy in the past.

Commissioner Anthony stated that the EOC had made recommendations to the Board of Commissioners in the past.

Commissioner Schafer stated that he felt that item number 7 in the proposed plan should include that the person if offended needed to let the other party that it was offensive.

Commissioner Crenshaw asked Sue Graham, Human Resources Director, to speak about the plan.

Ms. Graham stated that the EOC felt that if someone was not comfortable speaking up, then they should not be forced to speak up.

Commissioner Schafer asked if it should be added.

Ms. Graham stated that it was implicit in the plan that people may speak up for themselves.

Commissioner Schafer stated that he thought it was needed because someone could be doing something they did not see as offensive.

Commissioner Anthony asked Ms. Graham to thank the EOC for their work on this policy. She further stated that there had been a time when the County annually verified with banks and other contractors that they were still compliant to the policy.

Commissioner Anthony stated that they had been told that there was a lack of staff and that verification had not been happening. She asked if Ms. Graham knew if the verification was happening.

Ms. Graham stated that in her short time with the County that had not been discussed. She further stated that vendor agreements had those requirements.

Commissioner Anthony stated that she was looking at the verification side of it.

Ms. Graham stated that she could bring it to the EOC.

**Commissioner Anthony asked if Ms. Graham could follow up with the EOC concerning verification and also provide the last few years of verification reports.**

Commissioner Morgan asked why the requirement for salary reporting was problematic.

Ms. Graham stated that it was linked with discrimination toward women and minorities. She further stated that people should be compensated based upon what they were worth in the job, and not what they made at their last position.

Chairperson Grebner stated that this committee was set up in the 1970s when several department heads were outwardly racist and as a historic matter the tenor had changed over time. He asked if the LGBTQ clause was in the contracts under the Sheriff.

Bonnie Toskey, County Attorney, stated that Chairperson Grebner was incorrect because there was a basic gender and sex clause in bargaining contracts.

Chairperson Grebner asked if that included sexual orientation.

Ms. Graham stated that the clause may include other protected classes.

Chairperson Grebner stated that they were not a protected class. He further stated that he thought that some bargaining units' contracts included that clause, but not Sheriff's Office.

Ms. Toskey stated that there was an argument that Title 7 of the Federal law may provide protection.

Commissioner Anthony stated that this policy did not bind County-wide elected officials.

Chairperson Grebner stated that the Board of Commissioners could not force an elected official to sign a contract but the Board of Commissioners could encourage it.

Commissioner Tennis read a portion of the UAW contract which included protections based on sexual preference.

Chairperson Grebner stated that maybe the County could include sexual preference in the Sheriff's bargaining contracts. He further stated that since there was a new Sheriff, perhaps this was the time to encourage it.

Commissioner Anthony thanked the Board of Commissioners for having the EOC because there was some discussion in 2012 about the lack of need for this committee. She further stated that it was clear that the work was still very present.

Chairperson Grebner stated that in the original existence of the EOC was to hold hearings for specific complaints, but he believed that no such hearing ever had happened. He further stated that it was not how Ingham County handled those complaints.

Commissioner Tennis stated that nothing in the Road Patrol contract that he could see with the title of Non-Discrimination but it may be buried.

**Chairperson Grebner asked for a spreadsheet showing the Non-Discrimination clauses in contracts for the County.**

Commissioner Koenig stated that sounded like a lot of work but it was helpful and this was time to make these changes.

THE MOTION CARRIED UNANIMOUSLY.

17. Board of Commissioners - Consideration of a Written Legal Opinion within Attorney-Client Privilege (*closed session*)

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. TENNIS, AT 6:29 P.M., TO MOVE THE MEETING INTO CLOSED SESSION FOR THE PURPOSE OF DISCUSSING ATTORNEY-CLIENT PRIVILEGE.

THE MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE. Absent: None.

MOVED BY COMM. TENNIS, SUPPORTED BY COMM. CRENSHAW, TO RETURN TO OPEN SESSION AT APPROXIMATELY 7:04 P.M.



THE MOTION CARRIED UNANIMOUSLY.

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. TENNIS, TO ACCEPT THE RECOMMENDATIONS OF THE COUNTY ATTORNEY.

THE MOTION CARRIED UNANIMOUSLY.

Discussion.

Announcements

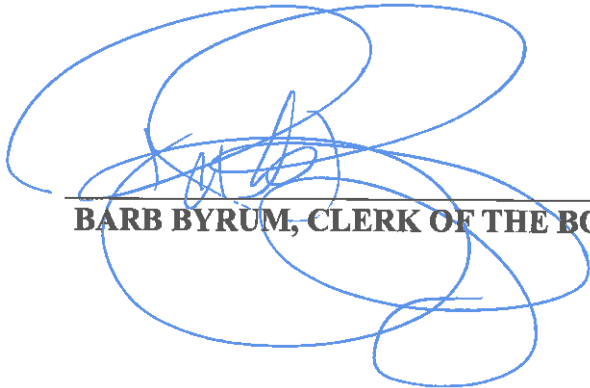
None.

Public Comment

None.

Adjournment

The meeting was adjourned at 7:05 p.m.



**BARB BYRUM, CLERK OF THE BOARD**

