COUNTY SERVICES COMMITTEE
June 2, 2020
Minutes

Members Present: Sebolt, Celentino, Grebner, Koenig, Stivers, and Maiville.

Members Absent: Naeyaert.

Others Present: Teri Morton, Becky Bennett, Patrick Lindemann, Paul Pratt, Paul Stauder, Roger Swets, Sue Graham, Dillon Rush, Elizabeth Noel, and Michael Tanis.

The meeting was called to order by Chairperson Sebolt at 6:30 p.m. virtually via Zoom in accordance with the Governor’s Executive Order 2020-75 regarding the Open Meetings Act.

Approval of the May 19, 2020 Minutes

CHAIRPERSON SEBOLT STATED THAT, WITHOUT OBJECTION, THE MINUTES OF THE MAY 19, 2020 COUNTY SERVICES COMMITTEE MEETING WERE APPROVED AS WRITTEN. Absent: Commissioner Naeyaert

Additions to the Agenda

Substitute –
1. Drain Commissioner – Resolution Pledging Full Faith and Credit to Montgomery Drain Drainage District Bonds

7. Controller’s Office – Resolution of Intent to Enter into Contract of Lease with Ingham County Building Authority; to Authorize Publication of Notice of Intent; and to Declare Intent to Reimburse

Late –
8. Board of Commissioners – Resolution Designating the Month of June, 2020 as LGBTQ Pride Month in Ingham County

Limited Public Comment

Dillon Rush, Lansing Economic Area Partnership Tri-County Development & Placemaking Manager, stated that he was available to answer any of the questions that the County Services Committee had about Agenda Item No. 3.

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. KOENIG, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS:
2. **Financial Services Department** – Resolution to Authorize a Business Associate Agreement with Plante and Moran, PLLC Relative to the Annual Audit

3. **Ingham County Brownfield Redevelopment Authority** - Resolution to Expend Brownfield Fund 240 Bond Proceeds for Environmental Remediation & Redevelopment Purposes

4. **Road Department**
   a. Resolution of Support for the Local Bridge Program Funding Applications for Fiscal Year 2023
   b. Resolution to Approve the Special and Routine Permits for the Ingham County Road Department

5. **Facilities Department**
   a. Resolution to Authorize an Agreement with Tower Pinkster for the Architectural and Engineering Design Services at the Ingham County Probate Court Office
   b. Resolution to Authorize an Agreement with Du-All Cleaning Inc. for Janitorial Services at Several County Facilities

6. **Health Department**
   a. Resolution to Convert the Clinical Data Analyst Position from ICEA 08 to ICEA 07
   b. Resolution to Authorize the Extended Cooperative Operational Agreement with the Ingham Community Health Center Board of Directors

7. **Controller’s Office** – Resolution of Intent to Enter into Contract of Lease with Ingham County Building Authority; to Authorize Publication of Notice of Intent; and to Declare Intent to Reimburse

8. **Board of Commissioners** – Resolution Designating the Month of June, 2020 as LGBTQ Pride Month in Ingham County

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Naeyaert

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

1. **Drain Commissioner** – Resolution Pledging Full Faith and Credit to Montgomery Drain Drainage District Bonds

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. STIVERS, TO APPROVE THE RESOLUTION.

Commissioner Celentino stated that had a conversation with Dion’trae Hayes, Lansing Township Supervisor, to talk about the Montgomery Drain Drainage District Bonds, among other topics. He further stated that he wanted to refer to the memo that the Commissioners received from the Drain Commissioner in terms of why the cost increased from nearly $36 million to $56 million. He asked what the City of Lansing and the Michigan Department of Transportation (MDOT) wanted done
and was that still a commitment to them that the City of Lansing and MDOT would bear the costs of the $16.1 million with the budgetary problems that municipalities faced.

Paul Pratt, Deputy Drain Commissioner, stated that the full amount of that request had not been made yet. He further stated that the City of Lansing wanted the County to do sanitary/sewer work and road paving in the Frandor Hills subdivision, on the east side of Coolidge Road.

Mr. Pratt stated that the County would be tearing up part of the road for new storm sewers, and so it made sense to do that work at the same time. He further stated that there was a binding contract signed that may need to be updated, but they had committed to pay that portion of the costs.

Mr. Pratt stated that, in terms of their work with MDOT, they were constructing storm sewers that would take water from part of the Montgomery Drain District, west of US-127. He further stated that most of construction was in Lansing Township and was connected in the 1960s, when US-127 was built, over to the main Drainage District by a syphon.

Mr. Pratt stated that the syphon was dangerously old, so MDOT was paying them to take the water down Howard Street, and under US-127 with a normal pipe to the Red Cedar Park, where it would be part of their storm water treatment system. He further stated that the agreement was signed by Patrick Lindemann, Drain Commissioner, and the Drainage Board, and was awaiting signature by MDOT, and it was all agreed to.

Mr. Pratt stated that there were a couple of issues that the City of Lansing had talked about, but they would have to be covered by a binding agreement before they borrowed the money. He further stated that they were determined to make sure that the $16.1 million cost include the engineering that they do and the cost of issuance of that portion of the bonds, and it was not meant to be a subsidy in anyway by the Drainage District.

Chairperson Sebolt stated that while the full price would be going under the County’s Full Faith and Credit, there was a mechanism to have the City of Lansing and MDOT pay their costs. He asked if that was correct.

Mr. Pratt stated yes.

Commissioner Celentino asked Mr. Lindemann to elaborate on the last statement in the provided memo, where he stated that he was optimistic that he and his team could make the projects happen at a lower price than was stated. He further asked what steps they would be taking in the future to address that.

Commissioner Celentino stated that he knew that all that was being asked from the Commissioners tonight was to pledge Full Faith and Credit. He further stated that, in talking to Supervisor Hayes who had voted against it, and knowing that they did not have the authority to stop the project, if the Commissioners did not pledge Full Faith and Credit, that did not give the Drain Commissioner the tool needed to try to receive lower interest rates, which would benefit all of the constituents.
Commissioner Celentino stated that Lansing Township would pass on the cost to people who lived in the township, and those in the City of Lansing would be bearing the cost. He further stated that it was not a good time to pass the cost onto the taxpayers, however, getting the best interest rates would help them in the long-run.

Mr. Lindemann stated that they did not have all of the bids in yet, and this was a very complicated project that had a lot of different parts to it, but it would come together to equal one number. He further stated that they anticipated more than one borrowing.

Mr. Lindemann stated that the Full Faith and Credit was based upon an estimated figure, which was $56.125 million, and that number was made up of all of the different components that Mr. Pratt discussed earlier. He further stated that they anticipated the whole project to be $34.9 million, but it could be $35 million because they did not have all of the bids together yet.

Mr. Lindemann stated that, as soon as they had all of the bids together, they would know what that section costs. He further stated the City of Lansing had not yet made a decision on the final plans for the sewage project.

Mr. Lindemann stated the City of Lansing had a special benefit package to work with other property owners in the area that they wanted to participate in. He further stated that they had not received the numbers for what the Highway Department wanted.

Mr. Lindemann stated that $56.125 million equaled what they thought the outside costs could be. He further stated that, during the whole process of taking these bids and reexamining the scope of the project every day, they looked at different ways to build and constantly did value engineering, which brought down the costs.

Mr. Lindemann stated that there had been a lot of talk about slowing down the project. He further stated that based on every study he had read on the legal ramifications for stopping the project, it could add another third to the total cost, which was not something they wanted.

Mr. Lindemann stated that financing was something they could work with, and they had talked to the City of Lansing about it, and so they were flexible about doing that. He further stated that this came at the worst time due to COVID-19, as the shutdown was hard on every person, but stopping the project would make things worse.

Mr. Lindemann stated that there were nearly 2,000 jobs that went along with this project, and all of those people depended on the work. He further stated that this was a good project to start up the economy.

Mr. Lindemann stated that, throughout this whole process, they had done everything they could to minimize the costs and still get the removal of as much as they could to the river and rebuild the dilapidated system that currently existed. He further stated that he could not tell the Commissioners the final numbers, but they strived to make it be as low as possible.
Mr. Lindemann stated that, hopefully, the project would come in less than $34 million for the drain portion of the project. He further stated that the $16.1 million figure, which was the special benefits package for the highway, depended on how the City of Lansing decided to use their special benefit, and that could be $10 million instead of $16.1 million.

Mr. Lindemann stated that, in case the figure did come in at $16.1 million, what the County had heard from them of what they want was in that figure. He further stated that they might not do all of that, therefore, it may be less.

Commissioner Maiville stated that he and Commissioner Schafer had been on the Drain Board for approximately a year. He further stated that the drain was 115 years old, and there was a component that went under US-127 that no one knew the condition of because they could not get a camera to see it.

Commissioner Maiville stated that there had been concerns from the Lansing Regional Chamber of Commerce about the cost of the project, but as Mr. Lindemann said, the $35 million was theirs, and what was being asked was for the additional work. He further stated that they were doing a lot of open drainage work, which cheaper to do and easier to maintain in the long-run.

Commissioner Maiville stated that this project had been underway since 2014, and it was not like the train had left the station, but rather a rollercoaster had left the station. He further stated that to stop now, as Mr. Lindemann said, would add an additional 25% to 33% cost, so he would be voting in favor of the project.

Commissioner Grebner stated that, in the first place, he wondered if he should recuse himself since his residence was 50 feet from Randy Park, and so he benefitted from the project. He further stated that, although he was part of the Drainage District, he was not specifically taxed from the City of East Lansing, so he was not taxed more than anyone on the other side of town.

Discussion.

Commissioner Grebner stated that he thought the Commissioners should articulate the situation because the Lansing Regional Chamber of Commerce kept raising these points, and so they should explicitly say that the Board of Commissioners had a decision of pledging the County's Full Faith and Credit for these bonds, but not involving whether the project went ahead. He further stated that, in the past, he guessed that there would be a one hundred basis point difference in the bonds as the County issued them as they would be issued by the Drainage District.

Commissioner Grebner stated that the actual difference of the basis point difference was about half of one hundred, but they were still talking about several hundred thousand dollars in interests costs. He further stated that their real decision was whether to give this project their blessing or not.

Commissioner Grebner stated that he had grave doubts about the scope of this project, but that was irrelevant, because it was entirely within the Drain Commissioner's powers and the rollercoaster had left the station. He further stated that if the Lansing Regional Chamber of Commerce thought
that the Board of Commissioners had a vote on this, then someone needed to explain this to them more patiently than it had already been explained.

Commissioner Grebner stated that their decision was to brace this enough that they were issued as Ingham County bonds, which he was in favor of. He further stated that, if someone had a plan and wanted to derail this project, it would be doubtful in his mind because they had already spent $12 million, and had committed nearly another $5 million in enforceable obligations.

Commissioner Grebner stated that, in terms of the drain portion of the project, there was only $20 million left, because $15 million had already been spent or committed. He further stated that to do anything that involved stopping it would be a train wreck.

Commissioner Grebner stated that that there was not much money left to save. He further stated that the question one could ask was how one could spend $15 million to get to this point without moving so much as a shovel full of dirt. He further stated that they were about to proceed to spend many shovels full of soil around the site.

Commissioner Grebner stated that he was in favor of it, but he had a long personal history with the Drain Commissioner's Office, and so he hoped that no one believed that he generally thought what they were doing was sensible. He further stated that no one believed that.

Mr. Pratt stated that they had moved forward on two of the divisions that had been bid and were projects that were time sensitive, in that MDOT wanted their syphon connections started so that it did not interfere with their rebuild of US-127 in a couple of years. He further stated that the other problem was that there were portions of their improvements that were under permits of the now Michigan Department of Environment, Great Lakes, and Energy (EGLE) that expired next year.

Mr. Pratt stated that they needed to give people time to move forward with that, so he did not think that it was necessary to revisit the discussions of the project since 2014. He further stated that the fact was they needed to get it done, and so they had started it and needed to continue it.

Mr. Pratt stated that he thought it would be less expensive if the Board of Commissioners pledged the County's Full Faith and Credit.

Roger Swets, Dickinson Wright Bond Counsel, stated that, to comment on Commissioner Grebner's statement, his first instinct was mostly correct in that the lack of the County’s Full Faith and Credit would increase interest rates. He further stated that the bigger hardship for the municipalities would be the plan to allow them to have time so that their annual payments were not overly burdensome as to pay back the bond over 30 years.

Mr. Swets stated that if they did not have the County’s Full Faith and Credit, he thought that they would have to cut their timeframe in half and cause them to have to pay back over 15 or 20 years. He further stated that, in that case, it would be a significant hardship over what was planned.
Chairperson Sebolt stated that he knew the Lansing Regional Chamber of Commerce in a letter that criticized the project for growing in scope, but he thought it sounded like that was not due to the Drain Commissioner, but rather outside entities. He further stated that it made sense to rip things up if there was an opportunity to fix other things all at once, and end up saving money in the long-run by combining some of these features.

Chairperson Sebolt asked if they had any idea of what percentage of the workforce would be local or broadly local that might be working on the project.

Mr. Lindemann stated that the hired contractors were from Ingham County or if someone added up all of the counties surrounding Ingham County, it would equal 7 counties. He further stated that their workforce was from the 7 surrounding counties within a 20-minute driving range.

Mr. Lindemann stated that none of the contractors were from out of the 7 surrounding counties. He further stated that most of their workforce lived in or close to Ingham County, including, for example, Jackson County.

Chairperson Sebolt asked if there was a very high percentage of regional workers.

Mr. Lindemann stated yes. He further stated that there were some exceptions, including pieces of equipment that came from Toledo, Ohio, and those pieces might be installed by manufacturers outside of the 7 surrounding counties, but the construction workers, carpenters, cement workers, and so on, were within the 7 surrounding counties.

Chairperson Sebolt stated that he liked to hear that because, coming out of the COVID-19 situation, a project like this could benefit the local workforce.

Commissioner Grebner stated that Mr. Pratt told him recently that intermediate term notes were sold at a rate of nearly 1.6% between 1 and 2 years, but he could be wrong. He further stated that, if that was correct, they suggested their credit worthiness and access to bond market was good enough that they would not pay a large premium.

Commissioner Grebner stated that it was a moot point as they would never experience that reality, but they were playing here for a few hundred thousand dollars a year in excess costs. He further stated that, as Mr. Swets said, the short terms of the bonds would force the repayment at a much higher rate, and so the individual taxpayer would face a substantial increase in cash flow for 15 years.

Mr. Swets stated that it might be helpful for the Commissioners to know that the $56 million was not an increase over the $34.9 million. He further stated that the supplemental benefits were always contemplated and the estimates that were given out at the time that the apportionments were done for this project included numbers close to that $56 million figure for the supplemental benefits.

Mr. Swets stated that it was not really an increase, but rather it was not part of the project that was focused on because that was not a part that gets assessed to municipalities without their consent.
Mr. Pratt stated that he and Commissioner Grebner had had theological discussions regarding the difference between bonds and notes, but regardless of that, they were talking about two different sources of money. He further stated that he was clear to brag to him that in the most recent 1.69% Drainage District note they had gotten, it was because Mr. Swets and others had worked hard to cultivate relations with half a dozen banks in Lower Michigan that bought their short-term notes and those banks were familiar with Ingham County and the Drain Commissioner’s Office.

Mr. Pratt stated that that he believed they got a better rate that they would not be subject to getting in a bond situation. He further stated that it was likely that Mr. Swets was right that it was the bigger number of basis points, and it was that they managed to cultivate good relations and be a preferred client.

Mr. Lindemann stated that he had a 45-page document with the legal ramifications involved in stopping the project, including the additional costs. He further stated that he had other documents that showed projects that were delayed for a variety of reasons and how their costs had increased.

Mr. Lindemann stated that whatever they could do to facilitate everyone, to make sure everyone was happy, and to get these people back to work, and to make this project move forward at the lowest possible price, was their goal.

Chairperson Sebolt thanked Mr. Lindemann for his comments.

THE MOTION TO APPROVE THE RESOLUTION CARRIED UNANIMOUSLY. Absent: Commissioner Naeyaert

Announcements

None.

Public Comment

None.

Adjournment

The meeting was adjourned at 7:07 p.m.

BARB BYRUM, CLERK OF THE BOARD