



BOARD OF COMMISSIONERS

1200 N. Telegraph Road, Bldg. 12 East, Pontiac, MI 48341

Board of Commissioners

David T. Woodward

January 20, 2022 at 6:00 PM

MINUTES

1. Call Meeting to Order

Chairperson David T. Woodward called the meeting of the Board of Commissioners to order at 6:51 PM in Commissioners' Auditorium 1200 N. Telegraph Road, Pontiac Michigan 48341.

2. Roll Call

MEMBERS PRESENT: Kristen Nelson, Angela Powell, Gary McGillivray, Penny Luebs, Gwen Markham, Yolanda Smith Charles, Eileen Kowall, Chuck Moss, Michael Spisz, Janet Jackson, Michael Gingell, Karen Joliat, Adam Kochenderfer, Charles Cavell, David Woodward, Philip Weipert, Thomas Kuhn, Robert Hoffman, Marcia Gershenson, William Miller III (20)

MEMBERS ABSENT WITH NOTICE: Christine Long (1)

3. Invocation - Charlie Cavell

4. Pledge of Allegiance to the Flag

5. Approval of Minutes

William Miller III moved approval of the December 30, 2021 minutes, as presented. Seconded by Michael Gingell.

Motion Passed.

Vote Summary (20-0-0)

Yes: David Woodward, Michael Gingell, Michael Spisz, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer
No: None

Abstain: None

a. Clerk/Register of Deeds - Minutes Draft Minutes dated December 30, 2021

6. Approval of Agenda

Michael Spisz moved the agenda be amended as follows: add item 6a., entitled: County Response to Oxford School Shooting Incident-Request for Sunset Position Creations and Other Necessary Funding. Seconded by William Miller III.

Motion Passed.

Vote Summary (20-0-0)

Yes: David Woodward, Michael Gingell, Michael Spisz, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

a. Board of Commissioners - Resolution - County Response to Oxford School Shooting Incident - Request for Sunset Postion Creations and Other Necessary Funding

Michael Spisz moved to suspend the rules and immediately vote on the attached Resolution - County Response to Oxford Shooting Incident - Request for Sunset Position Creations and Other Necessary Funding. Seconded by Penny Luebs

Motion Passed.

Vote Summary (15-5-0)

Yes: David Woodward, Michael Gingell, Michael Spisz, Karen Joliat, Philip Weipert, Gwen Markham, Angela Powll, Chuck Moss, Marcia Gershenson, William Mileer III, Charles Cavell, Penny Luebs, Janet Jackson, Robert Hoffman, Adam Kochenderfer.

No: Kristen Nelson, Eileen Kowall, Thomas Kuhn, Yolanda Smith Charles, Gary McGillivray.

Michael Spisz moved to adopt the attached Resolution: - County Response to Oxford School Shooting Incident - Request for Sunset Postion Creations and Other Necessary Funding. Seconded by Michael Gingell.

Motion Passed.

Vote Summary (16-3-1)

Yes: David Woodward, Michael Gingell, Michael Spisz, Karen Joliat, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Robert Hoffman, Adam Kochenderfer

No: Thomas Kuhn, Charles Moss, Gary McGillivray

Abstain: Kristen Nelson

MISCELLANEOUS RESOLUTION #22-001

Sponsored By: Michael Spisz

IN RE: - County Response to Oxford School Shooting Incident - Request

for Sunset Position Creations and Other Necessary Funding

WHEREAS the school shooting incident in Oxford Township on November 30, 2021, has required a substantial response from the Oakland County government due to the trauma created for school students and other local residents, as well as the legal complexity and amount of evidence involved in prosecuting crimes related to the incident; and

WHEREAS \$600,000 was previously appropriated by the Board of Commissioners in the Prosecuting Attorney's Office budget via Miscellaneous Resolution #21507 for temporary emergency personnel and security expenditures associated with the Oxford High School shooting incident; and

WHEREAS the Prosecuting Attorney's Administration has reviewed its operations and the anticipated extraordinary workload related to the incident; and

WHEREAS it has been determined that nine (9) full-time eligible (FTE) positions will be needed for the duration of the criminal cases, which is expected to be no less than three (3) years; and

WHEREAS these positions will be created with a sunset date of January 31, 2024, and their continuation is contingent upon reconsideration as part of the regular annual budget proceedings in 2023; and

WHEREAS two (2) FTE Prosecutor Investigators positions are requested to assist the trial attorneys with evidence review and analysis, follow-up witness interviews, and additional investigation related to this incident, with one of those positions specifically to supervise and manage physical security; and

WHEREAS two (2) FTE Paralegal positions are requested to assist with receiving, organizing, and indexing evidence, redacting evidence, producing discovery, and trial presentation; and

WHEREAS one (1) FTE Victim Advocate position is requested to provide support and assistance to victims and witnesses, which will be reimbursed with a state grant; and

WHEREAS two (2) FTE Office Support Clerk–Senior positions are requested to support the additional Investigators, Paralegal, and Victim Advocate, and to file pleadings, and to process correspondence and calls; and

WHEREAS eliminating one (1) GF/GP part-time non-eligible (PTNE) 1,000 hours per year vacant Assistant Prosecutor position will help offset the cost of creating one FTE Assistant Prosecutor position; and

WHEREAS one (1) FTE Assistant Prosecutor position is requested to assist the Chiefs of the Circuit Court, Juvenile Justice and Family Support divisions who have had to set aside other cases to work exclusively on the Oxford prosecutions; and

WHEREAS it is also requested to create a new classification and one (1) GF/GP FTE position titled Prosecutor Community Liaison to manage media inquiries, press releases, social media, and the organization of press conferences; and

WHEREAS the estimated cost for the creation of the above sunset positions is \$2,147,701 for FY 2022 through FY 2024; and

WHEREAS funding totaling \$500,000 is required for communications, information technology, security, and other related costs related to the response and prosecution by the Prosecuting Attorney; and

WHEREAS funding totaling \$20,000 is required to provide counseling services for Sheriff's Office personnel who responded to the incident; and

WHEREAS funding totaling \$100,000 is required to support Oxford area economic recovery, including organizations and businesses that have provided indispensable assistance and resources following the shooting incident. This funding will be administrated by the Oxford Response Ad Hoc Committee established by the Oakland County Board of Commissioners. The Ad Hoc Committee will develop criteria, establish a timeline, review and select awards for the Oxford area economic recovery; and

WHEREAS funding totaling \$500,000 is required to support the mental health needs of students, families, and educators who have directly been impacted as a result of the Oxford school shooting incident; and

WHEREAS in light of the urgency of the County's response to the shooting incident, funding for the sunset positions and other identified funding needs is available to be advanced from the County General Fund on an emergency basis, with anticipated reimbursement in part or in whole from the federal government; and

WHEREAS additional mental health support for students and members of the Oxford community is being provided through non-County funding sources, with anticipated additional support through separate federal grant funding.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the creation of the following new Merit classification:

<u>Classification</u>	<u>Grade</u>	<u>FLSA Status</u>
Prosecutor Community Liaison	119	Exempt

BE IT FURTHER RESOLVED to create the following nine (9) GF/GP FTE positions to be sunset January 31, 2024:

<u># Pos</u>	<u>Classification</u>	<u>Division/Unit</u>	<u>Division/Unit #</u>
Two (2)	Office Support Clerk - Senior	Administration/Administration	4010101

Two (2)	Prosecutor Investigator	Administration/Administration 4010101
Two (2)	Paralegal	Administration/Administration 4010101
One (1)	Prosecutor Community Liaison	Administration/Administration 4010101
One (1)	Victim Advocate	Administration/Administration 4010101
One (1)	Assistant Prosecutor	Administration/Administration 4010101

BE IT FURTHER RESOLVED to delete one (1) GF/GP PTNE 1,000 hour per year Assistant Prosecutor position (#4010201-12285) in the Prosecuting Attorney, Litigation Division (#4010201).

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners authorizes a one-time appropriation from the General Fund Assigned Fund Balance totaling \$3,247,701 which will be appropriated from the Assigned Fund balance for Oxford Response (GL Account #383555) for the costs of these positions and other funding necessary to effectively respond to the shooting incident.

BE IT FURTHER RESOLVED that the vehicle fleet is expanded by two (2) vehicles for the Prosecutor Investigator positions.

BE IT FURTHER RESOLVED that the Prosecutor's Office shall submit a quarterly report to the Public Health and Safety and Finance Committees on the use of the \$500,000 used for communications, information technology, security, and other related costs related to the response and prosecution by the Prosecutor's Office.

BE IT FURTHER RESOLVED that the Finance Committee shall review during annual budget hearings the continued needs for the newly created positions in the Prosecutor's office.

BE IT FURTHER RESOLVED that the Board of Commissioners establishes the Oxford Response Ad Hoc Committee to develop criteria, establish a timeline, review and select awards for the Oxford area economic recovery monies appropriated.

BE IT FURTHER RESOLVED that the Oxford Response Ad Hoc Committee will be appointed by the Chairman of the Board of Commissioners.

BE IT FURTHER RESOLVED the Oxford Response Ad Hoc Committee shall make recommendations to the Board of Commissioners which will detail the program prior to the release of the \$500,000 appropriated within this resolution. The purpose of the program is to support the mental health needs of students, families, and educators who have directly been impacted as a result of the Oxford school shooting incident.

BE IT FURTHER RESOLVED that all applicable County departments are authorized to apply for any available funding from the U.S. Department of Justice or other appropriate federal or state source related to this incident and that, upon receipt of the funds as approved by the Board of Commissioners, those funds be credited as appropriate to reimburse the costs of the County's response to the Oxford school shooting incident in place of the advanced emergency funding authorized by this resolution.

BE IT FURTHER RESOLVED that the FY 2022 – FY 2024 budget amendment is amended as detailed in Schedule A.

Vote Summary (16-3-1)

Yes: David Woodward, Michael Gingell, Michael Spisz, Karen Joliat, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Robert Hoffman, Adam Kochenderfer

No: Thomas Kuhn, Charles Moss, Gary McGillivray

Abstain: Kristen Nelson

Attachments:

1. Prosecuting Attorney Sunset Positions HR Write Up.01-20-22
2. Response to Oxford School Shooting Positions Schedule A R1 - Update 1-20-22 final

7. Communications

a. Board of Commissioners - Presentation Dana Lasenby, CEO - Oakland Community Health Network Update

Dana Lasenby, CEO, Oakland Community Health Network, addressed the Board to give a presentation entitled: School Mental Health Navigator Program.

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

b. Board of Commissioners - Appointment Community Corrections Advisory Board - Judge Brennan

Fred Miller, Oakland County Deputy Clerk/Register of Deeds, addressed the Board to read a communication from Kevin Oeffner, 6th Judicial Circuit Court Administrator, notifying the Board that Jeffery Matis, Oakland County Circuit

Court Chief Judge, recommends the appointment of Mary Ellen Brennan, Oakland County Circuit Court Judge, to the Community Corrections Advisory Board, for a four-year term beginning February 28, 2022.

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

c. Board of Commissioners - Appointment Library Board - Judge Savin

Fred Miller, Oakland County Deputy Clerk/Register of Deeds, addressed the Board to read a communication from Kevin Oeffner, 6th Judicial Circuit Court Administrator, notifying the Board that Jeffery Matis, Oakland County Circuit Court Chief Judge, recommends the appointment of Lorie Savin, Oakland County Circuit Court Judge, to the Library Board, for a term ending August 24, 2024.

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

d. Board of Commissioners - Communications CE Appointment to Economic Development Corporation - E. Masserang

Fred Miller, Oakland County Deputy Clerk/Register of Deeds, addressed the Board to read a communication from David Coulter, Oakland County Executive, recommending the appointment of Elizabeth Masserang as the Oakland County Director of the Economic Development Corporation (EDC), for a term ending January 18, 2028.

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

e. Board of Commissioners - Other Action Resignation Oakland County Public Transportation Authority - M. Piana

Fred Miller, Oakland County Deputy Clerk/Register of Deeds, addressed the Board to read a communication from Melanie Piana, Mayor, City of Ferndale, submitting her resignation from the Oakland County Public Transit Authority (OCPTA), effective January 18, 2022.

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

f. Board of Commissioners - Other Action Grant Exception - Medical Marihuana Operation and Oversight Grants

Fred Miller, Oakland County Deputy Clerk/Register of Deeds, addressed the Board to read a communication from Chairperson David Woodward notifying the Board that he has authorized submission of the following Grant Application:

Name: Medical Marihuana Operation and Oversight Grants

Amount: \$454,786

Grant Application Deadline: January 1, 2022

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam

Kochenderfer
No: None
Abstain: None

- g. Board of Commissioners - Communications Thank you to Board - P. Dib**
Fred Miller, Oakland County Deputy Clerk/Register of Deeds, addressed the Board to read a letter from Patti Dib, Oakland County Board of Commissioners Chief of Staff, thanking the Board for their kind expression of sympathy on the passing of her mother.

Michael Gingell moved to receive and file the attached Communications.
Seconded by Gary McGillivray.

Motion Passed.

Vote Summary (19-0-0)
Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Charles Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer
No: None
Abstain: None

8. Nomination and Election of Vice Chairperson

Gwen Markham moved to nominate Commissioner Marcia Gershenson as Vice Chairperson of the Oakland County Board of Commissioners. Seconded by Robert Hoffman.

Motion Passed.

Vote Summary (18-0-1)
Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer
No: None
Abstain: Chuck Moss

9. Public Comment

The following people addressed the Board during Public Comment #1: Jonathan Landsman, Sandra Carolan, Ross Baranco, Melissa Williams, Tasha Shurgin, Laura Galuardi, Susan Thompkins, Kathy Cross, Sidney Ross, Gerald Riley and Michelle Zonca.

Reports of Standing Committees

CONSENT AGENDA

Michael Gingell moved to recommend approval of the attached resolutions on the Consent Agenda. Seconded by Penny Luebs.

Motion Passed.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

10. ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE – WILLIAM MILLER

a. Board of Commissioners - Road Improvement Fiscal Year 2022 Appropriation with the Charter Township of West Bloomfield for Tri-Party Road Improvement Program – Project No. 55041

Michael Gingell moved to adopt the attached Road Improvement : Fiscal Year 2022 Appropriation with the Charter Township of West Bloomfield for Tri-Party Road Improvement Program – Project No. 55041 . Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-002

Sponsored By: Kristen Nelson, Christine Long

IN RE: Fiscal Year 2022 Appropriation with the Charter Township of West Bloomfield for Tri-Party Road Improvement Program – Project No. 55041

WHEREAS since the 1970s, the Oakland County Board of Commissioners has authorized the Tri-Party Road Improvement Program to assist Oakland County's cities, villages and townships (CVTs) with the construction, maintenance and repair of roads under the supervision, direction and control of the Road Commission for Oakland County (RCOC); and

WHEREAS on September 29, 2021, the Oakland County Board of Commissioners approved Miscellaneous Resolution #21378 which appropriated \$2,000,000 for the FY 2022 Tri-Party Road Improvement Program allocation for projects managed by the RCOC; and

WHEREAS the Charter Township of West Bloomfield, along with the RCOC, has identified a project and said project is ready to be undertaken immediately; and

WHEREAS the project meets the terms and conditions of the Tri-Party Road Improvement Program and the local cost participation agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves the project submitted by the Charter Township of West Bloomfield and authorizes the transfer of Tri-Party Road Improvement Program funds in the amount of \$92,266 from Non-Departmental Transfers appropriation (9090101).

BE IT FURTHER RESOLVED additional project costs, not greater than 15% from the original agreement, which are consistent with the project as originally approved, will be paid when invoiced and appropriated in the quarterly forecast resolution.

BE IT FURTHER RESOLVED that additional project costs exceeding 15% of the original agreement will require a separate resolution.

BE IT FURTHER RESOLVED that the Oakland County Clerk is requested to forward copies of this resolution to the Road Commission for Oakland County, Oakland County Fiscal Services, and the Charter Township of West Bloomfield.

BE IT FURTHER RESOLVED that the FY 2022 budget shall be amended as described in the attached Schedule A – Budget Amendment.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Schedule A - Budget Amendment - Project No. 55041
2. Tri Party-Twp West Bloom Project 55041

b. Board of Commissioners - Road Improvement Fiscal Year 2022 Appropriation with the City of Wixom for Tri-Party Road Improvement Program – Project No. 56561

Michael Gingell moved to adopt the attached Road Improvement : Fiscal Year 2022 Appropriation with the City of Wixom for Tri-Party Road Improvement Program – Project No. 56561 . Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-003

Sponsored By: Christine Long, Philip Weipert, Gwen Markham

IN RE: Fiscal Year 2022 Appropriation with the City of Wixom for Tri-Party Road Improvement Program – Project No. 56561

WHEREAS since the 1970s, the Oakland County Board of Commissioners has authorized the Tri-Party Road Improvement Program to assist Oakland County's cities, villages and townships (CVTs) with the construction, maintenance and repair of roads under the supervision, direction and control of the Road Commission for Oakland County (RCOC); and

WHEREAS on September 29, 2021, the Oakland County Board of Commissioners approved Miscellaneous Resolution #21378 which appropriated \$2,000,000 for the FY 2022 Tri-Party Road Improvement Program allocation for projects managed by the RCOC; and

WHEREAS the City of Wixom, along with the RCOC, has identified a project and said project is ready to be undertaken immediately; and

WHEREAS the project meets the terms and conditions of the Tri-Party Road Improvement Program and the local cost participation agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves the project submitted by the City of Wixom and authorizes the transfer of Tri-Party Road Improvement Program funds in the amount of \$150,000 from Non-Departmental Transfers appropriation (9090101).

BE IT FURTHER RESOLVED additional project costs, not greater than 15% from the original agreement, which are consistent with the project as originally approved, will be paid when invoiced and appropriated in the quarterly forecast resolution.

BE IT FURTHER RESOLVED that additional project costs exceeding 15% of the original agreement will require a separate resolution.

BE IT FURTHER RESOLVED that the Oakland County Clerk is requested to forward copies of this resolution to the Road Commission for Oakland County, Oakland County Fiscal Services, and the City of Wixom.

BE IT FURTHER RESOLVED that the FY 2022 budget shall be amended as described in the attached Schedule A – Budget Amendment.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Schedule A - Budget Amendment - Project No. 56561
2. Tri Party-City of Wixom Project 56561

c. Facilities Maintenance and Operations - Resolution Pontiac Health Center Building Renovation Project

Michael Gingell moved to adopt the attached Resolution: Pontiac Health Center Building Renovation Project. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-004

Sponsored By: William Miller III

IN RE: Pontiac Health Center Building Renovation Project

WHEREAS the ongoing operation of the Sheriff's Evidence Processing Center is critical; and

WHEREAS the existing evidence processing center located in the basement of the jail is operating in inadequate building conditions, which has been subject to flooding on several occasions; and

WHEREAS Facilities Maintenance and Operations (FM&O) is recommending the renovation of the south side of the existing Pontiac Health Center Building to provide a modern evidence processing center; and

WHEREAS the building will receive previously planned building maintenance improvements; and

WHEREAS the project will also include lower-level renovations that will provide storage to various County departments; and

WHEREAS the renovation and relocation will be performed by in-house staff and outside contractors obtained through the Purchasing Division; and

WHEREAS the design services for this project will be provided by Hooker DeJong Architects of Muskegon, MI and the construction management services will be provided by Frank Rewold & Son of Rochester, MI (both competitively bid annual contractors); and

WHEREAS funding for these renovations is included in the Building Improvement Fund; and

WHEREAS the total cost of the project is \$4,690,789, which includes \$2,241,676 for the main level building renovation; \$1,148,494 for previously planned building maintenance improvements; \$751,290 for inflationary contingency; \$366,279 for lower-level storage area renovations; \$152,050 for roof solar panel system installation; and \$31,000 for architectural, engineering, and construction administration fees (see attached project estimate); and

WHEREAS funding in the amount of \$4,427,259 is available for transfer from the FY 2022 Capital Improvement Program/Building Improvement Fund (#40100) to the Project Work Order Fund (#40400) for the Pontiac Health Center Building Renovation Project; and

WHEREAS additional funding in the amount of \$263,530 is available from previously approved projects in the Project Work Order Fund (#40400) that were completed under budget as follows:
-\$197,141 Project Work Order Fund (#40400) Remodeling and Expansion of

Forensic Laboratory Toxicology Unit Project #100000001812 -\$66,389 Project Work Order Fund (#40400) Patrol Services Relocation Project #100000001829.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby authorizes the Pontiac Health Center Building Renovation Project in the amount of \$4,690,789.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the transfer of funding for the Pontiac Health Center Building Renovation Project (#100000003618) in the amount of \$4,690,789 from the Capital Improvement Program/Building Improvement Fund (#40100) to the Project Work Order Fund (#40400) as detailed below:

<u>BUILDING</u> <u>IMPROVEMENT FUND</u> <u>(#40100)</u>	<u>FY 2022</u>
<u>Revenues:</u>	
1040801-148020-695500- Transfer In-Proj Work 40400 Order	\$263,530
1040801-148020-665882 Planned Use of Balance	<u>\$4,437,259</u>
Total Revenues	\$4,690,789

<u>Expenditures:</u>	
1040801-148020-788001- Transfer Out - Proj Work 40400 Order	<u>\$4,690,789</u>
Total Expenditures	<u>\$4,690,789</u>

<u>PROJECT WORK</u> <u>ORDER FUND (#40400)</u> Project ID 100000003618, Activity PROJ	
<u>Revenues:</u>	
1040801-148020-695500 Transfer In - Building Fund	<u>\$4,690,789</u>
Total Revenues	\$4,690,789

<u>Expenditures:</u>	
1040801-148020-796500 Budgeted Equity Adjust	<u>\$4,690,789</u>
Total Expenditures	\$4,690,789

<u>PROJECT WORK</u> <u>ORDER FUND (#40400)</u> Project ID 100000001812, Activity PROJ	
<u>Revenues:</u>	
1040101-148020-665882 Planned Use of Balance	<u>\$197,141</u>

	Total Revenues	\$197,141
<u>Expenditures</u>		
1040101-148020-788001-40100	Transfer Out - Building Fund	<u>\$197,141</u>
	Total Expenditures	\$197,141

PROJECT WORK
ORDER FUND (#40400)

Project ID 100000001829, Activity
PROJ

Revenues:

1040101-148020-665882	Planned Use Balance	<u>\$66,389</u>
	Total Revenues	\$66,389

Expenditures

1040101-148020-788001-40100	Transfer Out - Building Fund	<u>\$66,389</u>
	Total Expenditures	\$66,389

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. MR Pontiac Health Sheriff's Renovation 12.28.21
2. Project Location-34East
3. Sheriffs Dept. Pontiac Health Renovation - Project Estimate (1)

11. FINANCE COMMITTEE – GWEN MARKHAM

There were no items on the Consent Agenda for the Finance Committee.

12. LEGISLATIVE AFFAIRS AND GOVERNMENT OPERATIONS COMMITTEE – KRISTEN NELSON

a. Board of Commissioners - Resolution Designating January 11, 2022 as National Human Trafficking Awareness Day and January 2022 as Slavery and Human Trafficking Prevention Month in Oakland County

Michael Gingell moved to adopt the attached Resolution: Designating January 11, 2022 as National Human Trafficking Awareness Day and January 2022 as Slavery and Human Trafficking Prevention Month in Oakland County. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-005

Sponsored By: Janet Jackson

IN RE: Designating January 11, 2022 as National Human Trafficking Awareness Day and January 2022 as Slavery and Human Trafficking Prevention Month in Oakland County

WHEREAS human trafficking is a form of modern-day slavery and is a crime against humanity that violates the most basic human rights; and

WHEREAS human trafficking victims are children - boys and girls, along with adults - men and women who are recruited, harbored, obtained, or exported through force, fraud, or coercion for the purposes of sexual exploitation, forced labor, involuntary servitude, debt bondage and other methods of slavery; and

WHEREAS an estimated 100,000 to 300,000 American children - boys and girls, some as young as 14 years old, are at risk of being trafficked for commercial sex in the United States each year as part of the \$9.8 billion U.S. sex trafficking industry, according to a report from anti-trafficking group Shared Hope International; and

WHEREAS even with the diligent efforts of federal, state, and local law enforcement, human trafficking is the fastest growing and second largest criminal industry in the world today, according to the U.S. Department of Health and Human Services; and

WHEREAS the International Labor Organization estimates that there are over 40 million victims of human trafficking worldwide; and

WHEREAS the State of Michigan has the 7th largest call volume to the National Human Trafficking Resource Center hotline; and

WHEREAS in 2019, Michigan had 364 trafficking cases, 184 victims identified, and 145 businesses were involved in trafficking; and

WHEREAS in 2007, the U.S. Senate designated January 11th as National Human Trafficking Awareness Day to raise awareness of sexual slavery and human trafficking worldwide; and

WHEREAS in 2010, President Barack Obama continued to address the injustice of modern slavery and human trafficking and proclaimed January as National Slavery and Human Trafficking Prevention Month, culminating in the annual celebration of National Freedom Day on February 1st; and

WHEREAS Michigan's Attorney General has identified human trafficking as a serious concern for law enforcement agencies, coordinating efforts for training, awareness, and victim care; and

WHEREAS the Human Trafficking Commission Act, Act 325 of 2014, established the Michigan Human Trafficking Commission for the prevention, intervention, and rehabilitation to the illegal act of human trafficking in the State;

and

WHEREAS the Oakland County Board of Commissioners sponsored a successful event in 2014 to provide human trafficking professional training and public awareness; and

WHEREAS on January 14, 2015, a majority of the new legislation from the 2014 Human Trafficking Legislative Package took effect to fight against the horrific crimes of human trafficking. It was in 2015, that the Oakland County Human Trafficking Task Force was created; and

WHEREAS Oakland County is dedicated to preventing and combating human trafficking and, through a collaborative effort, has launched the Oakland County Human Trafficking website to enhance public awareness, conduct outreach in the community, and work with the victims of human trafficking; and

WHEREAS Oakland County remains unrelenting in its efforts to end the exploitation and injustice suffered by the victims of this crime and in 2018, in partnership with Common Ground, launched the Oakland County Human Trafficking Hot Line to provide trafficking victims crisis support, intervention and program services; and

WHEREAS all people must work to dismantle trafficking networks, help survivors rebuild their lives, address the underlying forces that push so many into bondage, develop economies that create legitimate jobs, and build a global sense of justice that says no child or adult should ever be exploited.

NOW THEREFORE BE IT RESOLVED the Board of Commissioners recognizes January 11, 2022, as Human Trafficking Awareness Day and January 2022 as Slavery and Human Trafficking Prevention Month to bring awareness and prevention to the crime of human trafficking in Oakland County and every day strive to restore to all people the most basic rights of freedom, dignity, and justice.

BE IT FURTHER RESOLVED that the Oakland County Clerk/Register of Deeds is requested to forward a copy of this resolution to the Michigan Abolitionist Project, the Michigan Human Trafficking Task Force, the Michigan Rescue and Reach Coalition, Sheriff Michael Bouchard, Oakland Schools, CARE House of Oakland County, Common Ground, Sanctum House, Centro Multicultural La Familia, Crossroads for Youth, Jewish Family Services, and Youth Assistance for Oakland County.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

b. Human Resources - Resolution for a COVID-19 Temporary Emergency Leave Policy Extension

Michael Gingell moved to adopt the attached Resolution: for a COVID-19 Temporary Emergency Leave Policy Extension. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-006

Sponsored By: Kristen Nelson

IN RE: for a COVID-19 Temporary Emergency Leave Policy Extension

WHEREAS in an effort to provide flexibility for departments to address employees who may be experiencing issues due to COVID-19, the Board of Commissioners approved a Temporary Emergency Leave Policy ("Policy") with M.R. #20334, and an extension to this policy with M.R. #20636; and

WHEREAS to qualify under the Policy, the absence must be related to needs as a result of COVID-19, or an involuntary or voluntary furlough due to COVID-19; and

WHEREAS qualifying leaves referenced in the Policy must be approved by the employee's department as well as the Human Resources Department; and

WHEREAS the Policy allows departments and employees flexibility regarding work schedules / work hours that meet the Policy criteria and will require employees to sign an agreement that overtime will be calculated based on over 40 hours per week; and

WHEREAS the Human Resources Department is proposing to extend the Policy (with the exception of the Expanded FMLA) and provide an additional 40 hours of Temporary Emergency Leave to all full-time employees and an additional 20 hours of Temporary Emergency Leave to all part-time, non-eligible employees to use in case of illness or school/daycare closures, effective upon Board of Commissioners approval through June 30, 2022; and

WHEREAS no additional funding is required at this time and any required overtime due to department staffing requirements will be monitored.

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners approves extending the COVID-19 Temporary Emergency Leave Policy from January 1, 2022, through June 30, 2022.

BE IT FURTHER RESOLVED that no budget amendment is required at this time.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam

Kochenderfer
No: None
Abstain: None

Attachments:

1. HR - COVID 19 Additional NPH hours for 2022
2. HR - COVID 19 Temporary Emergency Leave Policy Revised 12-28-2021

13. PUBLIC HEALTH AND SAFETY COMMITTEE – PENNY LUEBS

a. Emergency Management & Homeland Security - Grant Application with the Federal Emergency Management Agency for the Hazard Mitigation Grant Program

Michael Gingell moved to adopt the attached Grant Application: with the Federal Emergency Management Agency for the Hazard Mitigation Grant Program.
Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-007

Sponsored By: Penny Luebs

IN RE: with the Federal Emergency Management Agency for the Hazard Mitigation Grant Program

WHEREAS the Emergency Management & Homeland Security Department (EMHSD) is applying for Hazard Mitigation Grant Funds from the Federal Emergency Management Agency (FEMA) for FY 2022 through FY 2025; and

WHEREAS the EMHSD was made aware of the availability of Hazard Mitigation Grant Funds for communities in Michigan due to disasters in 2020; and

WHEREAS the EMHSD is responsible for the completion of the Oakland County Hazard Mitigation Plan; and

WHEREAS the purpose of Hazard Mitigation activities is to reduce or eliminate future property damages and/or loss of life from natural hazards such as floods, tornadoes, and storms; and

WHEREAS FEMA provides funds for hazard mitigation planning activities; and

WHEREAS grant funding in the amount of \$135,000 is being requested to hire a consultant to assist with the completion of the Oakland County Hazard Mitigation Plan; and

WHEREAS the 25% required in-kind match of \$45,000 represents the EMHSD staff labor to support the planning process; and

WHEREAS the grant application has completed the Grant Review Process according to the Board of Commissioners Grant Procedures.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves the submission of the FEMA DR-4494-MI Hazard Mitigation Grant.

BE IT FURTHER RESOLVED that acceptance of this grant does not obligate the County to any future commitment including continuation of any special revenue positions if/when the grant expires.

BE IT FURTHER RESOLVED that no budget amendment is required at this time.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. GRANT REVIEW SIGN OFF Haz Mit Application
2. EMHSD_Hazard_Mitigation_Grant_App_2021 MR
3. HMGP_Planning_Application-0720 v2

b. Sheriff's Office - Grant Amendment #1 to Extend the FY 2021 Interlocal Agreement with Oakland Community Health Network (OCHN) for Medication-Assisted Treatment (MAT) and Jail Alliance with Support (JAWS) Programming Positions at the Oakland County Jail

Michael Gingell moved to adopt the attached Grant Amendment: #1 to Extend the FY 2021 Interlocal Agreement with Oakland Community Health Network (OCHN) for Medication-Assisted Treatment (MAT) and Jail Alliance with Support (JAWS) Programming Positions at the Oakland County Jail. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-008

Sponsored By: Penny Luebs

IN RE: #1 to Extend the FY 2021 Interlocal Agreement with Oakland Community Health Network (OCHN) for Medication-Assisted Treatment (MAT) and Jail Alliance with Support (JAWS) Programming Positions at the Oakland County Jail

WHEREAS the Oakland County Sheriff's Office is amending the Fiscal Year (FY) 2021 Interlocal Agreement with the Oakland County Health Network (OCHN) for the FY2021 Medication-Assisted Treatment (MAT) Program and the Jail Alliance with Support (JAWS) Program to extend the term by six (6) months to cover services October 1, 2021 through March 31, 2022; and

WHEREAS the MAT Program provides services to inmates inside the jail for treating opioid-use disorders; and

WHEREAS the JAWS program seeks to divert offenders with mental health needs from custody to more appropriate community-based resources; and

WHEREAS the OCHN will reimburse the County in the amount not to exceed \$44,552 for one (1) full-time eligible (FTE) Inmate Casework Specialist position (#4030320 – 12026) to work on the MAT and JAWS Programs for October 1, 2021 through March 31, 2022; and

WHEREAS the OCHN will reimburse the County in the amount not to exceed \$66,066 for one (1) full-time eligible (FTE) Inmate Caseworker position (#4030320 – 06577) to offer mental health services to inmates having serious and persistent mental illnesses and two (2) part-time non-eligible (PTNE) Inmate Caseworker positions (#4030320 – 11611 and 11612) to work on the JAWS program for October 1, 2021 through March 31, 2022; and

WHEREAS the not to exceed amount for the FTE Inmate Caseworker position (#4030320 – 06577) is \$36,615.50 for October 1, 2021 through March 31, 2022 and excludes fringe benefits; the not to exceed amount for the two PTNE Inmate Caseworker positions (#4030320 – 11611 and 11612) is \$29,450.50 and excludes fringe benefits.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves Amendment #1 to the Interlocal Agreement with the Oakland County Health Network for the FY 2021 Medication-Assisted Treatment Program and Jail Alliance with Support Program in the amount of \$110,618 for the time period October 1, 2021 through March 31, 2022.

BE IT FURTHER RESOLVED to continue one (1) General Fund/General Purpose (GF/GP) full-time eligible (FTE) Inmate Casework Specialist position (#4030320 – 12026), one (1) GF/GP full-time eligible (FTE) Inmate Caseworker position (#4030320 – 06577), and two (2) GF/GP part-time non-eligible (PTNE) 1,000 hours per year Inmate Caseworker positions (#4030320 – 11611 and 11612).

BE IT FURTHER RESOLVED that the continuation of these positions is contingent upon continued reimbursement funding.

BE IT FURTHER RESOLVED that the FY 2022 budget is amended as detailed in the attached Schedule A.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. OCSO Amendment 1 FY21 OCHN MAT & JAWS Extension Schedule A_R1
2. 2021.12.07 INTERLOC Amend #1 2021.11.30 MAT_JAWS Combined FY21-1 Final Draft

c. Sheriff's Office - Grant Acceptance with the U.S. Department of Justice, Bureau of Justice Assistance for the 2021 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program

Michael Gingell moved to adopt the attached Grant Acceptance: with the U.S. Department of Justice, Bureau of Justice Assistance for the 2021 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-009

Sponsored By: Penny Luebs

IN RE: with the U.S. Department of Justice, Bureau of Justice Assistance for the 2021 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program

WHEREAS the Oakland County Sheriff's Office applied for and has been awarded the Fiscal Year (FY) 2021 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program Grant funding in the amount of \$431,351 from the U.S. Department of Justice, Bureau of Justice Assistance; and

WHEREAS the grant period is October 1, 2021 through September 30, 2023; and

WHEREAS the Oakland County Sheriff's Office (OCSO) provides forensic laboratory services to Oakland County and its neighboring communities; and

WHEREAS grant funding will be used to continue three (3) Full-Time Eligible (FTE) Special Revenue (SR) Forensic Laboratory Analyst positions (#4030910-12173, 12450, and 12451) in the Sheriff's Office Investigative & Forensic Services Division, Forensic Services Unit (#4030910); and

WHEREAS the grant award has completed the Grant Review Process in accordance with the Grants Policy approved by the Board at their January 21, 2021 meeting.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the FY 2021 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program Grant award from the U.S. Department of Justice, Bureau of Justice Assistance in the amount of \$431,351 for the period of October 1, 2021 through September 30, 2023.

BE IT FURTHER RESOLVED to continue three (3) Full-Time Eligible (FTE) Special Revenue (SR) Forensic Laboratory Analyst positions (#4030910-12173, 12450, and 12451) in the Sheriff's Office Investigative & Forensic Services Division, Forensic Services Unit (#4030910).

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the grant agreement and to approve any grant extensions or changes, within fifteen percent (15%) of the original award, which are consistent with the original agreement as approved.

BE IT FURTHER RESOLVED the budget is amended as detailed in the attached Schedule A.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Grant Review Sign-Off FY22
2. 2021 CEBR Grant Schedule A R1
3. FY 2021 CEBR Award_15PBJA-21-GG-03137-DNAX
4. FY 2021 CEBR_Budget_OCSO_Rev 12-21_Redacted

d. Sheriff's Office - Contract Amendment #1 with the Charter Township of Oxford for the 2022-2024 Law Enforcement Services Agreement

Michael Gingell moved to adopt the attached Contract: Amendment #1 with the Charter Township of Oxford for the 2022-2024 Law Enforcement Services Agreement. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-010

Sponsored By: Penny Luebs

IN RE: Amendment #1 with the Charter Township of Oxford for the 2022-2024 Law Enforcement Services Agreement

WHEREAS the Charter Township of Oxford has contracted with the Oakland County Sheriff's Office to provide law enforcement services for the Township (M.R. #21524); and

WHEREAS paragraph 29 of the agreement provided that an amendment to this agreement must be approved by a resolution of the Oakland County Board of Commissioners and the Charter Township of Oxford; and

WHEREAS the Charter Township of Oxford has requested an amendment to

the agreement adding one (1) Patrol Investigator position beginning on January 29, 2022, and continuing until the current agreement expires or is terminated; and

WHEREAS the Sheriff has agreed to the provisions of Amendment #1 for the Charter Township of Oxford under the terms of this agreement.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners approves and authorizes its Chairperson to sign Amendment #1 to the original Oakland County Sheriff's Office 2022 – 2024 Law Enforcement Services Agreement with the Charter Township of Oxford to add one (1) Patrol Investigator position beginning on January 29, 2022 and continuing until the Oakland County Sheriff's Office 2022 - 2024 Law Enforcement Services Agreement with the Charter Township of Oxford expires or is terminated.

BE IT FURTHER RESOLVED to create one (1) GF/GP full-time eligible Deputy II position in the Sheriff's Office, Patrol Services Division, Oxford Unit (#4030626).

BE IT FURTHER RESOLVED that one (1) marked patrol vehicle with cell phone, body-worn camera, mobile radio, prep radio, MDC, and Video Camera be added to the County fleet to satisfy the requirements of Amendment #1.

BE IT FURTHER RESOLVED that the future level of service, including the continuation of position(s), is contingent upon the level of funding associated with this agreement.

BE IT FURTHER RESOLVED that this amendment will take effect January 29, 2022.

BE IT FURTHER RESOLVED the FY 2022 – FY 2024 budgets are amended as detailed in the attached Schedule A.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Sheriff Amendment #1 LES Agreement with Oxford Schedule A
2. Sheriff - Amendment #1 LES Agreement with Township of Oxford 2022-2024. Write Up
3. Sheriff 2022-2024 LES Agreement Oxford Amend #1

- e. **Sheriff's Office - Sponsorship or Donation from Mission Oakland of One (1) Therapy Canine Dog for the Therapy Canine Program**

Michael Gingell moved to adopt the attached Sponsorship or Donation: from Mission Oakland of One (1) Therapy Canine Dog for the Therapy Canine Program. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-011

Sponsored By: Penny Luebs

IN RE: from Mission Oakland of One (1) Therapy Canine Dog for the Therapy Canine Program

WHEREAS Miscellaneous Resolution #19005 requires gift donations of any value that have a financial implication to the County to be officially acknowledged by the County and accepted by resolution; and

WHEREAS the Sheriff's Office has received a donation of one (1) therapy canine dog ("Oxford") from Mission Oakland with an estimated value of \$3,000; and

WHEREAS Mission Oakland is a 501(c)3 (non-profit), established in 2019, with a mission to support the Oakland County Sheriff's Office, community organizations within Oakland County, and to lend financial assistance to those who are battling hardship and illness within the law enforcement community; and

WHEREAS a Memorandum of Understanding was entered into on June 29, 2021, between the Oakland County Sheriff's Office, the County of Oakland and the Oakland County Deputy Sheriff's Association (OCDSA) to create a Therapy Canine Program within the Sheriff's Office; and

WHEREAS the Therapy Canine Handlers will be sworn, and certified deputies and the Therapy Canine Program will be supervised by the Training Unit; and

WHEREAS the Training Unit will be responsible for ensuring each Handler is up to date on training including, but not limited to, obedience, certification, and service/therapy training with certification from a nationally recognized therapy training association; and

WHEREAS the Therapy Canine Program can be used for the following, but not limited to:

- Daily Duties (Extension of the Handler)
- Public Events
- Community Outreach and Engagement
- Major/Traumatic Incidents
- School Demonstrations
- Grief, Loss, and/or Trauma Related Events
- Natural Disaster Incidents
- Victim Forensic Interviews

- Criminal Investigation Interviews
- Crisis Intervention for both citizens and OCSO personnel/families
- Medical Facility Visits (Hospitals, Veterans Affairs (VA) Clinics, Nursing Homes, etc.)

and any use not covered by this list as deemed appropriate by the Sheriff or their designee; and

WHEREAS the cost of food, veterinary care, grooming, boarding where necessary, equipment, and other related items for the canines will be paid for by the County; and

WHEREAS a budget amendment for the care of the canines will be incorporated with the resolution adopting the collective bargaining agreement for employees represented by the OCDSA; and

WHEREAS similar to the K-9 Program, if the Handler or Therapy Canine are retired, the Handler has the option to purchase the Therapy Canine for the value of \$1.00.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the acceptance of the donation of one (1) therapy canine dog from Mission Oakland with an estimated value of \$3,000.

BE IT FURTHER RESOLVED a budget amendment is not required as the cost of food, veterinary care, grooming, boarding where necessary, equipment, and other related items for the canines will be paid for by the County and a budget amendment will be incorporated with the resolution adopting the bargaining agreement for employees represented by the OCDSA.

BE IT FURTHER RESOLVED if the Handler or Therapy Canine are retired, the Handler has the option to purchase the Therapy Canine for \$1.00.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Mission Oakland - Therapy Canine Donation - January 2022

f. Public Services - Children's Village - Grant Acceptance with the Office of Health and Nutrition Services, Michigan Department of Education for the 2021-2022 National School Lunch Program

Michael Gingell moved to adopt the attached Grant Acceptance: with the Office of Health and Nutrition Services, Michigan Department of Education for the

2021-2022 National School Lunch Program. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-012

Sponsored By: Penny Luebs

IN RE: with the Office of Health and Nutrition Services, Michigan Department of Education for the 2021-2022 National School Lunch Program

WHEREAS Oakland County Children's Village has applied for and been awarded the National School Lunch Program Grant from the Office of Health and Nutrition Services, Michigan Department of Education for reimbursement of meals and snacks provided to the residents at Children's Village for the period July 1, 2021, through June 30, 2022; and

WHEREAS the Office of Health and Nutrition Services, Michigan Department of Education administers the United States Department of Agriculture National School Lunch/Commodity Distribution, Afterschool Snack and Breakfast Programs, along with the Seamless Summer Option; and

WHEREAS the purpose of the programs is to make nutritionally balanced, low-cost meals, snacks, and milk available statewide to children through the completion of high school; and

WHEREAS the Oakland County Children's Village is licensed as a residential childcare institution; and

WHEREAS the campus residents except, Mandy's Place residents, qualify for free severe need breakfasts, free lunches, and free afterschool snacks seven days a week and are reimbursed based on rates provided in Administrative Memo No.1 dated August 17, 2021; and

WHEREAS in addition, the Michigan Department of Education, in response to the COVID-19 pandemic, has extended the SSO, Seamless Summer Option of the National School Lunch Program into the school year and expanded the qualifications for participation to include residential childcare institutions; and

WHEREAS Children's Village under the Seamless Summer Option qualifies for an extra .1125 cents per breakfast and .5675 cents per lunch served to residents; and

WHEREAS the grant amount is unknown at the time of acceptance; however, it is based on the attached per meal reimbursement rates; and

WHEREAS for the previous grant period of July 1, 2020, through June 30, 2021, the total cost of meals and snacks was approximately \$602,820, of which Children's Village was reimbursed \$144,230 from the Michigan Department of Education for the school meal programs; and

WHEREAS meal provision expenditures are not recorded by program due to cost-efficient bulk purchases that cover food services for the entire campus; and

WHEREAS there is no grant match requirement; and

WHEREAS the grant agreement has completed the Grant Review Process in accordance with the Board of Commissioners Grant Acceptance Procedures approved by the Board at their January 21, 2021 meeting.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes and accepts the 2021-2022 National School Lunch/USDA Food Distribution Agreement and Certification Statement for grant meal reimbursements for the period July 1, 2021, through June 30, 2022.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Commissioners is authorized to execute the grant agreement and to approve any grant extensions or changes, within fifteen percent (15%) of the original award, which are consistent with the original agreement as approved.

BE IT FURTHER RESOLVED that acceptance of this grant does not obligate the County to any future commitment and continuation of this program is contingent upon continued future levels of grant funding.

BE IT FURTHER RESOLVED a budget amendment is not required at this time.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Grant Review Sign-Off 2021-2022
2. NSLP 2021-2022 Grant Application

g. Health & Human Services - Health Division - Grant Acceptance with the Michigan Department of Environment, Great Lakes, and Energy for the Non-Community (Type II) Public Water Programs

Michael Gingell moved to adopt the attached Grant Acceptance: with the Michigan Department of Environment, Great Lakes, and Energy for the Non-Community (Type II) Public Water Programs. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-013

Sponsored By: Penny Luebs

IN RE: with the Michigan Department of Environment, Great Lakes, and

Energy for the Non-Community (Type II) Public Water Programs

WHEREAS the Michigan Department of Environment, Great Lakes, and Energy (EGLE) has awarded a reimbursement agreement in the amount of \$254,417 to the Oakland County Health Division for the period October 1, 2021 through September 30, 2022; and

WHEREAS the reimbursement agreement supports services related to Non-community – Type II Water Supply, Long-Term Drinking Water Monitoring, Public Swimming Pool Inspections, Septage Waste, and Campground Inspection; and

WHEREAS all the services referenced above are ongoing; and

WHEREAS the Fiscal Year (FY) 2022 EGLE reimbursement agreement in the amount of \$254,417 reflects a decrease of \$31,206 from the FY 2021 agreement amount of \$285,623 (M.R. #21013); and

WHEREAS no personnel changes have been requested for the reimbursement programs at this time; and

WHEREAS no County match is required; and

WHEREAS this grant agreement has completed the Grant Review Process in accordance with the Grants Policy approved by the Board at their January 21, 2021 meeting.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners accepts the Michigan Department of Environment, Great Lakes, and Energy Reimbursement Agreement in the total amount of \$254,417, beginning October 1, 2021 through September 30, 2022.

BE IT FURTHER RESOLVED that the Board Chairperson is authorized to execute the Reimbursement Agreement and to approve any grant extensions or changes, within fifteen percent (15%) of the original award, which are consistent with the original agreement as approved.

BE IT FURTHER RESOLVED the FY 2022 budget is amended as detailed in the attached Schedule A.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Grant Review Sign-Off FY22 EGLE
2. PH&S Health FY2022 EGLE II Schedule A
3. FY 2022 OCHD EGLE Grant Agreement
4. mdeq FY21-22 Allocation Comparison revised

h. Health & Human Services - Health Division - Grant Amendment to the FY 2022 Local Health Department (Comprehensive) Agreement for Staffing Modifications

Michael Gingell moved to adopt the attached Grant Amendment: to the FY 2022 Local Health Department (Comprehensive) Agreement for Staffing Modifications. Seconded by Penny Luebs.

Motion Passed.

MISCELLANEOUS RESOLUTION #22-014

Sponsored By: Penny Luebs

IN RE: to the FY 2022 Local Health Department (Comprehensive) Agreement for Staffing Modifications

WHEREAS the Oakland County Board of Commissioners approved Miscellaneous Resolution #21435 for the Michigan Department of Health and Human Services (MDHHS) Fiscal Year (FY) 2022 Local Health Department (Comprehensive) Agreement for the period of October 1, 2021, through September 30, 2022; and

WHEREAS the Agreement provides funding for two (2) Special Revenue (SR) Full-Time Eligible (FTE) Public Health Nutritionist II positions (#1060291-07346, #1060291-05401) to provide home and virtual visitations to eligible nutritionally at-risk clients that reside within Oakland County; and

WHEREAS the complexity of case referrals ranges from individuals who are nutritionally at-risk to those who require medical nutrition therapy; and

WHEREAS the Oakland County Health Division (OCHD) has determined that one (1) SR FTE Public Health Nutritionist III and one (1) SR Part-Time Non-Eligible (PTNE) Public Health Nutritionist III positions are needed to assist in managing medical nutrition therapy cases, which require more complex care and education: and

WHEREAS the OCHD is requesting to delete the one (1) vacant SR FTE Public Health Nutritionist II position (#1060291-07346); and

WHEREAS the OCHD is requesting to create one (1) SR PTNE 1,000 hours per year Public Health Nutritionist III position in the Health Division Health Infant Promotion unit (1060291); and

WHEREAS the OCHD is requesting to upwardly reclassify the SR FTE Public Health Nutritionist II position (#1060291-05401) to a SR FTE Public Health Nutritionist III position; and

WHEREAS this grant amendment has completed the grant review process in accordance with the Grants Policy approved by the Board of Commissioners at their January 21, 2021 meeting.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby approves to delete one (1) Special Revenue (SR) Full-Time Eligible (FTE) Public Health Nutritionist II position (#1060291-07346).

BE IT FURTHER RESOLVED to create one (1) Special Revenue (SR) Part-Time Non-Eligible (PTNE) 1,000 hours per year Public Health Nutritionist III position in the Health Division Health Infant Promotion unit (1060291).

BE IT FURTHER RESOLVED to upwardly reclassify one (1) Special Revenue (SR) Full-Time Eligible (FTE) Public Health Nutritionist II position (#1060291-05401) to a Special Revenue (SR) Full-Time Eligible (FTE) Public Health Nutritionist III.

BE IT FURTHER RESOLVED that future levels of service, including personnel, are contingent upon the level of funding from the MDHHS for this program.

BE IT FURTHER RESOLVED that no budget amendment is needed at this time as total funding from the State will remain the same and program costs will be updated for any cost shifts with the next Local Health Department amendment.

Vote Summary (19-0-0)

Yes: David Woodward, Michael Gingell, Karen Joliat, Kristen Nelson, Eileen Kowall, Philip Weipert, Gwen Markham, Angela Powell, Thomas Kuhn, Chuck Moss, Marcia Gershenson, William Miller III, Yolanda Smith Charles, Charles Cavell, Penny Luebs, Janet Jackson, Gary McGillivray, Robert Hoffman, Adam Kochenderfer

No: None

Abstain: None

Attachments:

1. Grant Review Sign-Off
2. Health - FY22 LHD Grant Amendment.writeup - DRAFT - 12-02-21 (003)

REGULAR AGENDA

14. ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE – WILLIAM MILLER

There were no items to report on the Regular Agenda for the Economic Development and Infrastructure Committee.

15. FINANCE COMMITTEE – GWEN MARKHAM

There were no items to report on the Regular Agenda for the Finance Committee.

16. LEGISLATIVE AFFAIRS AND GOVERNMENT OPERATIONS COMMITTEE – KRISTEN NELSON

There were no items to report on the Regular Agenda for the Legislative Affairs and Government Operations Committee.

17. PUBLIC HEALTH AND SAFETY COMMITTEE – PENNY LUEBS

There were no items to report on the Regular Agenda for the Public Health and Safety Committee.

18. Reports of Special Committees

19. Special Order of Business

20. Unfinished Business

21. New & Miscellaneous Business

**a. Board of Commissioners - Resolution Sponsorship for the 2022 International Bocce Tournament at Palazzo Di Bocce
MISCELLANEOUS RESOLUTION #22-015**

Sponsored By: David Woodward, Michael Gingell, Penny Luebs, Michael Spisz, Chuck Moss, Janet Jackson

IN RE: Sponsorship for the 2022 International Bocce Tournament at Palazzo Di Bocce

WHEREAS the sport of Bocce represents one of the longest played ball games known to mankind, with a history dating to ancient Egypt and Rome; and

WHEREAS Palazzo di Bocce, located in Lake Orion, was host to the 2005 World Bocce Championships, which was the first time the individual men and women championships were held at one time in a single venue; and

WHEREAS the 2005 World Bocce Championships was a resounding success, with Palazzo di Bocce playing host to 18 international countries and bringing the contest to the United States for the first time in many years; and

WHEREAS Palazzo di Bocce had planned to build upon this tremendous success as the host of the 2020 International Bocce Tournament, inviting players from the United States, Canada, Italy, Brazil, Chile, San Marino, France, Switzerland, Germany, Malta and Turkey to complete; and

WHEREAS the 2020 International Bocce Tournament was unfortunately cancelled due to COVID-19 and the authorized sponsorship dollars were returned to the County; and

WHEREAS Palazzo di Bocce is seeking to host the 2022 International Bocce Tournament which presents an opportunity to showcase and promote Oakland County as a wonderful place to work, play and live before a large national and international audience; and

WHEREAS in previous years, Oakland County sponsored this event in its efforts to continually invest in opportunities to drive growth and development in its local communities; and

WHEREAS one-time funding of \$15,000 is available in the Board of Commissioners FY 2022 Budget Professional Services (Account 731458) toward the sponsorship of the 2022 International Bocce Tournament at the Palazzo di Bocce.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes the one-time appropriation of \$15,000 from the General Fund (#10100) Board of Commissioners Professional Services (#731458) Account for sponsoring the 2022 International Bocce Tournament at the Palazzo di Bocce.

BE IT FURTHER RESOLVED that the Board of Commissioners requests that Corporation Counsel negotiate an Agreement with Palazzo Di Bocce and authorizes the Board Chairperson, or his designee, to execute the Agreement and any related documents between Oakland County and Palazzo Di Bocce.

BE IT FURTHER RESOLVED that a FY 2022 budget amendment is not required at this time

Chairperson, the following Commissioners are sponsoring the foregoing Resolution: Michael Gingell.

The Chairperson referred the resolution to the Economic Development and Infrastructure Committee. There were no objections.

b. Board of Commissioners - Resolution Establish a Regional Partnership between Oakland, Wayne, and Macomb Counties for Broadband and Equity and Water Infrastructure

MISCELLANEOUS RESOLUTION #22-016

Sponsored By: David Woodward, Marcia Gershenson, Michael Spisz, Charles Cavell, Yolanda Smith Charles, Michael Gingell, Robert Hoffman, Janet Jackson, Karen Joliat, Adam Kochenderfer, Eileen Kowall, Thomas Kuhn, Christine Long, Penny Luebs, Gwen Markham, Gary McGillivray, William Miller III, Chuck Moss, Kristen Nelson, Angela Powell, Philip Weipert

IN RE: Establish a Regional Partnership between Oakland, Wayne, and Macomb Counties for Broadband and Equity and Water Infrastructure

WHEREAS internet and broadband accessibility and water infrastructure issues are economic and social challenges which are regional in nature and are most effectively addressed by cooperation across jurisdictional boundaries; and

WHEREAS the County Commissions of Oakland, Wayne and Macomb Counties convened at the 2021 Tri-County Summit on November 12, 2021, to gain insight and collaborate toward finding regional solutions to common issues; and

WHEREAS a sustainable future is one built on meeting today's needs without compromising the ability of future generations to meet their needs, and must encompass the triple bottom line of integrity, prosperity and equity; and

WHEREAS this objective can best be achieved through joint partnerships between the County Commissions of Oakland, Wayne and Macomb; and

WHEREAS these partnership groups, to be called the Regional Partnership for Broadband Infrastructure and Equity and the Regional Partnership for Water Infrastructure, will establish a framework for dealing with a wide range of internet and broadband accessibility and water infrastructure challenges facing the Southeast Michigan region; and

WHEREAS these two partnership groups are substantive outcomes of the 2021 Tri-County Summit, as well as entities through which government, business and institutions within the region can work together to craft desired goals which result in sound solutions for a successful future; and

WHEREAS Oakland County is confident that this collaborative commitment from Tri-County communities will prove to be a model for regional growth and sustainability.

NOW THEREFORE BE IT RESOLVED that the Oakland, Wayne and Macomb County Commissions hereby recognize the significant benefit of regional cooperation and join together to establish the Regional Partnership for Broadband Infrastructure and Equity and the Regional Partnership for Water Infrastructure.

BE IT FURTHER RESOLVED that two steering committees shall be formed with bi-partisan (as appropriate) voting representatives each from the Commissions of Oakland, Wayne, and Macomb Counties to provide direction and oversight; the steering committees may include non-voting members representing county departments and subject matter experts.

BE IT FURTHER RESOLVED that the Commissions of Oakland, Wayne, and Macomb Counties shall vote regarding the establishment of the Partnerships for Broadband Infrastructure and Equity and Water Infrastructure at a meeting in early 2022; and, providing the partnership groups are established, convene the first meeting of the steering committees by February 25, 2022.

BE IT FURTHER RESOLVED that the Partnership groups will have an approximate six-month duration during which information, studies and recommendations for action will be gathered and created which will culminate in a presentation to be made at the 2022 Tri-County Summit.

Chairperson, the following Commissioners are sponsoring the foregoing Resolution: David Woodward.

The Chairperson referred the resolution to the Legislative and Government Operations Committee. There were no objections.

c. **Board of Commissioners - Resolution Urging Oakland County to Pay all Surplus Proceeds, with Interests, to any Affected Taxpayer that the County has Previously Retained from Tax-foreclosed Properties**

MISCELLANEOUS RESOLUTION #22-017

Sponsored By: Robert Hoffman

IN RE: Urging Oakland County to Pay all Surplus Proceeds, with Interests, to any Affected Taxpayer that the County has Previously Retained from Tax-foreclosed Properties

WHEREAS the July 2020 Michigan Supreme Court ruling, in case of *Rafaeli v. Oakland County*, presented a substantial change to the way Michigan municipalities must deal with surplus proceeds from tax-foreclosed properties pursuant to Michigan's General Tax Act ("the Act"); and

WHEREAS the Michigan Supreme Court has ruled that provisions of the Act violate the Michigan Constitution by permitting counties to keep taxpayers' surplus proceeds received by the counties from the foreclosure sale of taxpayers' properties; and

WHEREAS in December of 2020, in response to the *Rafaeli* decision, the Michigan Legislature has amended the Act to require the return of excess proceeds from a foreclosure sale of a taxpayer's property to the taxpayer and to provide a procedure through which the taxpayer of auctioned property can pursue their interest in the surplus proceeds of a real estate foreclosure sale; and

WHEREAS the Act, as amended, provides affected taxpayers with a process for claiming an interest in proceeds and creates a two-year limitation period for claims of possession or recovery of foreclosed property, or claims alleging violation of the laws with respect to foreclosed property; and

WHEREAS the law also imposes an affirmative obligation on potential claimants to assert their rights; and

WHEREAS concurrently with the foregoing court proceedings and legislative action in Michigan, the United States Sixth Circuit Court of Appeals has entered an opinion that has determined that Michigan counties' taking of a taxpayer's equity that exceeds a taxpayer's tax obligations, is an unconstitutional taking under the Fifth Amendment of the U.S. Constitution, entitling the taxpayer to recovery of such surplus, together with interest and with the possibility of an award of reasonable attorney fees; and

WHEREAS in response to the U.S. Sixth Circuit Court of Appeals ruling, the U.S. District Court for the Eastern District of Michigan has entered judgment in favor of the plaintiff taxpayer compelling the defendant county to pay damages for its Fifth Amendment taking in violation of the U.S. Constitution, in the sum of surplus proceeds, with interest, as computed based upon the real estate tax sale price for the taxpayer's property; and

WHEREAS the judgment entered in the U.S. District Court is now on appeal to

the U.S. Sixth Circuit Court of Appeals, seeking a ruling that the computation of damages for a Fifth Amendment taking is the greater of the surplus proceeds received by the County from the tax sale or the surplus proceeds based upon the fair market value of the property sold at the tax sale; and

WHEREAS based upon the ruling of the federal courts, and the current status of that case, the federal court's statute of limitation for taxpayers to commence legal action for the return of the surplus proceeds takes precedence in federal courts over the statute of limitation set forth in the Act, as amended; and

WHEREAS on information and belief, Oakland County is subject to future liability under an existing class action suit seeking enforcement of the federal court's ruling in favor of any and all affected taxpayers in the County of Oakland whose surplus funds have been taken by Oakland County in prior years under the Act, prior to its amendment.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners agrees to pay any surplus proceeds, with interests, to any affected taxpayer, as adjudged to be owed by the County pursuant to the federal court judgment, and that the County has previously retained from tax-foreclosed properties, and whose taxpayer's rights to recovery remain an open legal issue under the applicable statute of limitation for such federal court action, and including the County's obligation to those taxpayers as may result from the class action suit now pending in federal court relating to the same.

BE IT FURTHER RESOLVED that the Oakland County Treasurer shall inform all tax-foreclosed property owners who are deemed entitled to benefit from the class action litigation or who individually have the right to commence an action to cover lost surplus proceeds under the federal statute of limitations that is applicable to a Fifth Amendment taking in violation of the United States Constitution.

BE IT FURTHER RESOLVED that the County's Corporate Counsel research and inform the Board of Commissioners as to the statute of limitations that is applicable to bringing a Fifth Amendment violation claim in federal court pertaining to the subject matter of this resolution.

Chairperson, the following Commissioners are sponsoring the foregoing Resolution: Robert Hoffman.

The Chairperson referred the resolution to the Finance Committee. There were no objections.

- d. **Board of Commissioners - Resolution Appropriation of American Rescue Plan Act - Local Fiscal Recovery Funds for the 2022 Winter Blast Royal Oak Festival Matching Grant**
MISCELLANEOUS RESOLUTION #22-018
Sponsored By: David Woodward, William Miller III, Michael Spisz, Charles Cavell, Yolanda Smith Charles, Michael Gingell
IN RE: Appropriation of American Rescue Plan Act - Local Fiscal Recovery

Funds for the 2022 Winter Blast Royal Oak Festival Matching Grant

WHEREAS in January 2005, the festival known as Motown Winter Blast, kicked off as the official countdown to Super Bowl XL in Detroit. The festival attracted more than one million people to Detroit during the Super Bowl in 2006; and

WHEREAS for the past 15 years, Winter Blast has continued to attract Metro-Detroit residents to the exciting revitalized Downtown Detroit area; and

WHEREAS Organizers of the Southeast Michigan winter mainstay festival – Winter Blast – announced that the festival will return in 2022 with a new home in downtown Royal Oak, and with it comes a (snowy) mountain of seasonal activities and so much is free, including admission; and

WHEREAS the inaugural Winter Blast Royal Oak will include winter-themed experiences, family activities, a local music showcase with much more; and

WHEREAS the Winter Blast Festival supports local economic activity at a historic time of year that has low economic activity, supporting local businesses as they emerge beyond the pandemic; and

WHEREAS the 2022 Winter Blast Royal Oak is scheduled for Friday, February 18, 2022 to Sunday, February 20, 2022 in downtown Royal Oak; and

WHEREAS the sponsorship expenditure of up to \$50,000 for the 2022 Winter Blast Royal Oak Festival promises to provide a strong return on investment in attracting economic and cultural activity in Oakland County as well as contributing measurably to improving the quality of life of our residents; and

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners authorizes the one-time expenditure of up to \$50,000 in American Rescue Plan Act (ARPA) Local Fiscal Recovery Funds for sponsorship of the 2022 Winter Blast Festival in the City of Royal Oak.

BE IT FURTHER RESOLVED the Oakland County Board of Commissioners authorizes the appropriation of \$50,000 of ARPA Local Fiscal Recovery Funds for the purpose of sponsoring the 2022 Winter Blast Festival in the City of Royal Oak.

BE IT FURTHER RESOLVED approval of appropriations of ARPA for programs and services by Oakland County shall not obligate a commitment of the General Fund, unless authorized by the Board Commissioners.

BE IT FURTHER RESOLVED that the Board of Commissioners shall act as the contract administrator for the distribution of the matching funds. The Board authorizes the Chairperson to execute an interlocal agreement with the City of Royal Oak for the release of matching funds in an amount equal to the contribution by the City of Royal Oak, but not to exceed \$50,000.

BE IT FURTHER RESOLVED a FY 2022 budget amendment is detailed in the attached Schedule A.

Chairperson, the following Commissioners are sponsoring the foregoing Resolution: Michael Gingell.

The Chairperson referred the resolution to the Economic Development and Infrastructure Committee. There were no objections.

Attachment:

1. BOC_Winter Blast Festival_Schedule A

e. **Board of Commissioners - Resolution Appropriating Funding to Commemorate Elizabeth Denison Forth as the First African American Landowner in Oakland County**

MISCELLANEOUS RESOLUTION #22-019

Sponsored By: Angela Powell, Gwen Markham, Marcia Gershenson, Charles Cavell, Penny Luebs, Michael Spisz, Kristen Nelson, Janet Jackson

IN RE: Appropriating Funding to Commemorate Elizabeth Denison Forth as the First African American Landowner in Oakland County

WHEREAS in 1825, Elizabeth Denison Forth purchased 48.5 acres of land in Pontiac from the Pontiac Company; and

WHEREAS one hundred and sixty-seven years later, a Michigan Historical Marker honoring Ms. Forth was placed at the site of her former property, now part of Pontiac's Oak Hill Cemetery; and

WHEREAS Ms. Forth was inducted into the Michigan Women's Hall of Fame in 2017; and

WHEREAS enslaved in the Michigan Territory, Ms. Forth's story is one of freedom and triumph of an African American woman in the late eighteenth century; and

WHEREAS her history—shared in Oakland, Macomb, and Wayne counties—marks the importance, and rare narrative, of how an enslaved Black woman challenged the Territory's legal system, self-emancipated to Canada, and returned years later as a free woman of color; and

WHEREAS while slavery persisted in the Michigan Territory, Ms. Forth was able to build personal wealth from a combination of financial investments, including the land she purchased in Oakland County; and

WHEREAS one-time funding of \$5,000 is available in the Board of Commissioners FY 2022 Budget Professional Services Account (#731458) to create two memorial historical signs and one memorial street sign in the City of Pontiac.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners authorizes one-time funding of up to \$5,000 from General Fund (#10100) Board of Commissioners Professional Service Account (#731458) to Commemorate Elizabeth Denison Forth as the first African American landowner in Oakland County.

BE IT FURTHER RESOLVED that the Board of Commissioners recognizes that by commemorating Ms. Forth, we provide an opportunity for all residents in Oakland County to understand the legacy of slavery in our County, and to appreciate how Ms. Forth's efforts opened opportunities for future African American landowners.

BE IT FURTHER RESOLVED that a FY 2022 budget amendment is not required at this time.

Chairperson, the following Commissioners are sponsoring the foregoing Resolution: Angela Powell.

The Chairperson referred the resolution to the Legislative Affairs and Government Operations Committee. There were no objections.

22. Announcements

23. Public Comment

The following people addressed the Board during Public Comment #2: Bob Hoffman, Adam Capps, Denise Capps, Gerald Riley, Michelle Zonca, Michelle Williams, Tasha Shurgin, Laura Galuardi, Ross Baranco, Sandra Carolan, Prince Miles El and Sidney Ross.

24. Adjournment to February 3, 2022 or the Call of the Chair

The meeting adjourned at 08:35 PM.