

MUSKEGON COUNTY BOARD OF COMMISSIONERS  
MUSKEGON COUNTY, MICHIGAN

AGENDA

FULL BOARD

Hall of Justice

990 Terrace, Muskegon, MI

August 27, 2013 - 4:00 PM

Kenneth Mahoney, Chair  
Rillastine Wilkins, Vice-Chair

- 
1. Call to Order
  2. Invocation
  3. Pledge of Allegiance
  4. Roll Call
  5. Approval of Agenda
  6. Approval of the Minutes of August 13, 2013
  7. Public Comment (on an agenda item)
  8. Communication
    - A. Alger County Board of Commissioners: Resolution No. 2013-11 in Opposition of HB 4785
    - B. Chippewa County Board of Commissioners: Resolution No. 13-14 Requesting Full Funding of Revenue Sharing
    - C. County of Cheboygan Board of Commissioners: Resolution No. 13-16 Requesting Full Funding of Revenue Sharing
    - D. Huron County Board of Commissioners: Resolution in Support of SB 395
    - E. Oceana County Board of Commissioners: Resolution Urging the State of Michigan to Participate in the Passage of the Healthy Michigan Plan (Medicaid Expansion)

Public Comment

Persons may address the Commission during the time set aside for Public Comment or at any time by suspension of the rules. All persons must address the commission and state their name for the record. Comments shall be limited to **two (2) minutes** for each participant, unless time is extended prior to the public comment period by a vote of a majority of the commission.

Full Board Agenda  
August 27, 2013  
Page 2 of 2

9. Committee/Board Reports
  - A. Community Development/Strategic Planning Committee (Page 17)
  - B. Transportation Committee (Page 18)
  - C. Ways & Means Committee (Pages 19 & 20)
  
10. Chairman's Report/Committee Liaison Reports
  - A. Muskegon Public Defender System – Letters of Support
  - B. Alloy Resources Corp., Open House  
Tuesday, August 27<sup>th</sup> – 3:00 p.m. - 5:30 p.m., 2281 Port City Boulevard
  - C. Hilts Landing Groundbreaking  
Wednesday, August 28<sup>th</sup> – 4:00 p.m. - 6 p.m.
  - D. Rotary Park Groundbreaking  
Thursday, October 3<sup>rd</sup> – 1:45 p.m.
  
11. Administrator's Report
  
12. Old Business
  
13. New Business
  
14. Public Comment
  
15. Adjournment

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES**

The County of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting upon 24-hours notice to the County of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the County of Muskegon by writing or calling: Administration, 990 Terrace Street, Muskegon, MI 49442 (231) 724-6520

ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk  
101 COURT STREET, MUNISING, MI 49862

**RESOLUTION #2013-11**

**IN OPPOSITION OF HB 4785**

**WHEREAS**, HB 4785 would amend the Public Health Code regarding Emergency Medical Services; and

**WHEREAS**, these proposed amendments would inhibit local ambulance services in rural communities by increasing fees and imposing new (additional) fines; and

**WHEREAS**, these proposed amendments will be the decline, or possible elimination, of volunteer EMS services; and

**WHEREAS**, volunteer EMS services are crucial to Alger County and other rural communities; now

**THEREFORE, BE IT RESOLVED** That the Alger County Board of Commissioners opposes HB 4785 due to the adverse effects it will have on volunteer EMS services in Alger County and other rural communities; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to all Michigan counties, Representative John Kivela, Senator Tom Casperson, and Michigan Association of Counties.

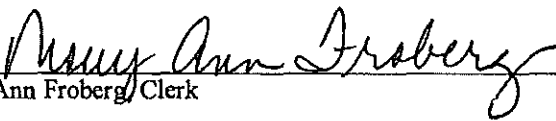
Adopted this 19th day of August, 2013.

  
Jerry Doucette, Chair  
Alger County Board of Commissioners

STATE OF MICHIGAN)  
County of Alger )

I, Mary Ann Froberg, Clerk of the County of Alger and of the County Board of Commissioners, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Board at a regular meeting on August 19, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County of Alger, this August 22, 2013 at Munising, Michigan.

  
\_\_\_\_\_  
Mary Ann Froberg, Clerk

# Legislative Analysis



## EMERGENCY MEDICAL SERVICES OPERATIONS, VEHICLES, AND PERSONNEL LICENSURE FEES

Mary Ann Cleary, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

House Bill 4785 as Introduced  
Sponsor: Rep. Matt Lori  
Committee: Appropriations

Complete to 6-11-13

### SUMMARY OF HOUSE BILL 4785 as Introduced

The bill would amend the Public Health Code, Part 209 regarding Emergency Medical Services. The bill:

- Increases existing fees for licensure of emergency medical services operations, vehicles, and personnel
- Establishes new fees for emergency medical services education providers and programs
- Establishes new administrative fines for non-compliance violations
- Strikes reporting language regarding a report required in July 2000

A schedule of the fees proposed by HB 4785 follows on page 2, including current law.

Current fee rates were established in 1991 for EMS services operations, vehicles, and personnel. Fees currently range from \$25 to \$175 for licensure. The bill proposes changes to establish fees at \$20 to \$500 for licensure, including new licensure.

### FISCAL IMPACT:

House Bill 4785 provides statutory changes upon which the FY 2013-14 budget for the Department of Community Health (DCH) is based in Enrolled HB 4328, Article IV. The FY 2013-14 DCH budget includes a \$1,006,100 increase in state restricted funding from increased and expanded licensure fees to maintain the current licensing and regulatory program for emergency medical services. Total revenue from fees will increase from \$410,000 to about \$1.4 million annually. Current fee levels are inadequate to support the program and available fund balances have been depleted. The program includes 23.0 FTEs to support licensure and regulation of emergency medical services, including over 800 medical first responder and life support agencies, 3,300 vehicles, and 30,400 personnel. Total appropriations of EMS fees included in the FY 2013-14 budget are \$1,387,800.

Fiscal Analyst: Susan Frey

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

<b>HB 4785 Emergency Medical Services Fees</b>	<b>Current Law Fee Amount</b>	<b>Proposed Fee Amount</b>
Initial education program sponsor triennial fee	\$0	\$500
Satellite education location fee, per location	\$0	\$250
Ongoing education program sponsor triennial fee	\$0	\$250
Ongoing education program sponsor fee per topic (1-100+ topics)	\$0	\$20-\$150
Ongoing education applications from instructor coordinators (1-100+ topics)	\$0	\$20-\$150
Ambulance operation license, ambulance operation upgrade license	\$100	\$150
Ambulance license, renewal	\$25	\$50
Nontransport prehospital life support operation license, renewal	\$100	\$150
Nontransport prehospital life support vehicle license, renewal	\$25	\$50
Aircraft transport operation license, renewal	\$100	\$150
Aircraft transport vehicle license, renewal	\$100	\$150
Late fee for above vehicle or transport operation renewal	\$100	\$150
Medical first response service license, renewal	\$0	\$150
Medical first response vehicle license, renewal	\$0	\$50
Nonrenewable conditional life support agency license	\$0	\$150
Medical first responder initial license, triennial	\$0	\$100
Medical first responder license - triennial renewal	\$0	\$75
Emergency medical technician initial license, triennial	\$40	\$100
Emergency medical technician license - triennial renewal	\$25	\$75
Emergency medical technician specialist initial license, triennial	\$60	\$100
Emergency medical technician specialist license - triennial renewal	\$25	\$75
Paramedic initial license, triennial	\$80	\$100
Paramedic license - triennial renewal	\$25	\$75
Emergency medical services instructor-coordinator initial license, triennial	\$100	\$150
Emergency medical services instructor-coordinator license - triennial renewal	\$25	\$75
Reciprocity/national registry licensure applicant initial fee	\$175	\$225
Criminal background check for individuals as required	\$0	\$100
Late fee for above individual license renewal	\$50	\$100
Administrative fine for life support vehicle out of compliance with law/rules	\$0	up to \$1,000
Administrative fine for violation of requirement to submit data and records	\$0	up to \$500
Administrative fine for violation by medical control authority	\$0	up to \$1,000
Administrative fine for violation by individual licensee	\$0	up to \$500

Minutes of a regular meeting of the Chippewa County Board of Commissioners, held at the Chippewa County Courthouse, 319 Court St., Sault Ste. Marie, Michigan on the 12th day of August, 2013 at 2:00 p.m.

**PRESENT:** Scott Shackleton, George Kinsella, Don Cooper, Ted Postula and Don McLean

**ABSENT:** None

The following preamble and resolution was offered by Commissioner McLean and seconded by Commissioner Postula.

**RESOLUTION NO. 13-14**

**RESOLUTION REQUESTING FULL FUNDING OF REVENUE SHARING**

**WHEREAS**, in the Governor's recommendation for the FY 2014 budget, counties are scheduled to receive a 22.9% cut from what they were projected to receive based on the deal struck in 2004/2005, a deal that was advocated by the Michigan Association of Counties; and,

**WHEREAS**, the Governor is recommending an appropriation of \$140.6 million, \$41.7 million less than statutorily required, and counties will be required to "earn" 20 percent of their funding by fulfilling the County Incentive Program (CIP) requirements; and,

**WHEREAS**, with the proposed budget for FY 2014, counties would receive a cut of about \$42 million, and at first glance, it appears that the administration has recommended an additional \$10 million for county revenue sharing and CIP payment, but in reality, these additional funds result in less money to each county this year; and,

**WHEREAS**, counties have worked diligently for the past decade by leading the effort to reform, consolidate, and right size government in an effort to increase efficiency and adjust to declining revenues, but a one-size-fits-all approach to the CIP Employee Compensation Category is not acceptable; and,

**WHEREAS**, each local unit of government is in a different financial place, some growing, some declining, some healthy, and some struggling with their long-term liabilities. To say that all counties need to comply with a prescriptive formula on employee compensation would be a step backward for some and unattainable for others; and,

**WHEREAS**, compliance with the third category for this fiscal year is attainable because all counties are following the 80/20 healthcare law enacted last session, and the category should remain the same with the state stopping all attempts to move the bar; and,

**WHEREAS**, in 2004/2005, counties agreed to forego revenue sharing for a period of time in order to assist Michigan in balancing the budget and were promised a return of that funding once reserves were depleted; and,

**WHEREAS**, revenue sharing is more than just a pot of money to be allocated in whole or in part to counties; it is a statutory promise made to counties in exchange for giving up local taxing authority and for a more recent change in local taxing administration; and,

**WHEREAS**, the concept of earning what has already been earned is unfair and unacceptable; and,

**WHEREAS**, revenue sharing is used by counties to pay for a fractional share of the multitude of state-mandated services, including the courts, the jails, the constitutional officers, elections, and the public health system; and coupled with the recent reductions in property values and increased mandated state service delivery, counties are stretched to the financial limit; and,

WHEREAS, the County of Chippewa is without the economic resources to fund any new or additional state-mandated services, and, as a result thereof, the County of Chippewa will be unable to assume and/or provide any additional mandated responsibilities or duties without being provided the economic resources; and,

WHEREAS, any new mandates will not be assumed or done without the necessary state funding needed to assume or perform the same; and,

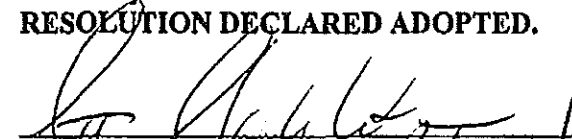
WHEREAS, it is projected that the Governor's recommended FY 2014 revenue sharing cut to Chippewa County is \$54,167.


NOW, THEREFORE, BE IT RESOLVED, that the Chippewa County Board of Commissioners calls upon the Governor and the state legislature to live up to their promise by fully funding revenue sharing payments to counties in FY 2014 so that what is promised in Lansing can actually be accomplished and performed by counties at the local level.

A VOTE WAS TAKEN AS FOLLOWS

AYES: Shackleton, Kinsella, Cooper, Postula, McLean  
NAYS: None

RESOLUTION DECLARED ADOPTED.

  
\_\_\_\_\_  
Scott Shackleton, Chairman, Chippewa County Board of Commissioners

  
\_\_\_\_\_  
Catherine Maleport, County Clerk

STATE OF MICHIGAN )

) ss.

COUNTY OF CHIPPEWA )

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the County Board of Commissioners of Chippewa County at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

  
\_\_\_\_\_  
Catherine Maleport, County Clerk



County  
of  
Cheboygan

BOARD OF COMMISSIONERS

County Building  
P.O. Box 70, Room 131  
Cheboygan, Michigan 49721

Tel ~ (231) 627-8855  
Fax ~ (231) 627-8881  
E-mail ~ ccao@cheboygancounty.net

RESOLUTION 13-16  
REQUESTING FULL FUNDING  
OF REVENUE SHARING

WHEREAS, in the Governor's recommendation for the FY 2014 budget, counties are scheduled to receive a 22.9% cut from what they were projected to receive based on the deal struck in 2004/2005; and

WHEREAS, the Governor is recommending an appropriation of \$140.6 million, \$41.7 million less than statutorily required and counties will be required to "earn" twenty-percent of their funding by fulfilling the County Incentive Program (CIP) requirements; and

WHEREAS, with the proposed budget for Fiscal Year 2014, counties would receive a cut of about \$42 million and, at first glance, it appears that the administration has recommended an additional \$10 million for county revenue sharing and CIP payment, but in reality, these additional funds result in less money to each county this year; and

WHEREAS, counties have worked diligently for the past decade by leading the effort to reform, consolidate, and right size government in an effort to increase efficiency and adjust to declining revenues, but a "one-size-fits-all" approach to the CIP Employee Compensation Category is not acceptable; and

WHEREAS, each local unit of government is in a different financial place – some growing, some declining, some healthy, and some struggling with their long term liabilities – and to say that all counties need to comply with a prescriptive formula on employee compensation would be a step backward for some and unattainable for others; and

WHEREAS, in 2004/2005, counties agreed to forego revenue sharing for a period of time in order to assist Michigan in balancing the budget and were promised a return of that funding once reserves were depleted; and

WHEREAS, revenue sharing is more than just a pot of money to be allocated in whole or in part to counties, but is a statutory promise made to counties in exchange for giving up local taxing authority and for a more recent change in local taxing administration; and.

WHEREAS, the concept of earning what has already been earned is unacceptable; and

District 1  
Linda Socha  
Chair

District 2  
Bruce Gauthier

District 3  
Pete Redmond  
Vice-Chair

District 4  
Cal Gouine

District 5  
Tony Matelski

District 6  
John B. Wallace

District 7  
Sue Allor

WHEREAS, according to the Glenn Steil State Revenue Sharing Act, 21.3% to 4% of State sales tax is supposed to go to statutory revenue sharing which amounts to over \$1 billion; however, the Governor's proposal only allocates 35% of this collection to revenue sharing while the balance is being used to bolster the State's General Fund budget; and

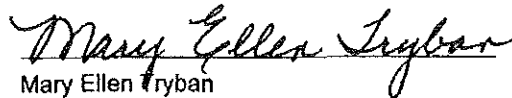
WHEREAS, revenue sharing is used by counties to pay for the multitude of state mandated services including the courts, the jails, the constitutional officers, elections and the public health system and, coupled with the recent reductions in property values and increased mandated state service delivery, counties are stretched to the financial limit; and

THEREFORE, BE IT RESOLVED that the Cheboygan County Board of Commissioners calls upon the Governor and the State Legislature to live up to their promise by fully funding revenue sharing payments to counties in fiscal year 2014.

BE IT FURTHER RESOLVED that this resolution be distributed to Governor Snyder, State Representative Foster, State Representative Pettalia and State Senator Walker for their consideration and action.

I, the undersigned, of the Cheboygan County Clerk and Clerk of the Cheboygan County Board of Commissioners do hereby certify this to be a true and exact copy from the minutes of the regular meeting of the Cheboygan County Board of Commissioners held on August 13<sup>th</sup>, 2013.

I, Mary Ellen Tryban, Cheboygan County Clerk do hereby set my hand and seal this 13<sup>th</sup> day of July, 2013.

  
Mary Ellen Tryban  
Cheboygan County Clerk

**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, SB 395 would amend the Publicly Funded Health Insurance Contribution Act by clarifying certain requirements of PA 152 of 2011; and

WHEREAS, some of these proposed amendments would:

- Clarify that payments in lieu of insurance benefits are excluded from the dollar and percentage limits on a public employer's total contributions,
- Clarify that contributions into a fund solely for health care benefits are also excluded, and
- Set realistic hard caps for individual-and-spouse coverage; and

WHEREAS, this Board supports these proposed changes; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners supports SB 395 as it strives to clarify certain requirements of PA 152 of 2011 for which this Board is appreciative; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan counties, Representative Terry Brown, Senator Mike Green, and Michigan Association of Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE

*Absent*

\_\_\_\_\_  
David G. Peruski, Chairman

*Stephen Vaughan*  
\_\_\_\_\_  
Steve Vaughan, Vice Chairman

*John L. Bodis*  
\_\_\_\_\_  
John L. Bodis, Member

Dated: August 13, 2013

Roll Call Vote:

Tietz	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Peruski	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Elftman	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vaughan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Bodis	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Wruble	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nugent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 395 (as introduced 5-28-13)  
Sponsor: Senator Bruce Caswell  
Committee: Reforms, Restructuring and Reinventing

Date Completed: 5-28-13

### CONTENT

The bill would amend the Publicly Funded Health Insurance Contribution Act (which limits the amount State and local employers may contribute toward employees' medical benefit plans) to do the following:

- Exclude payments to an employee in lieu of medical coverage, and amounts paid for health insurance claims assessments, from the dollar and percentage limits on a public employer's total contributions.
- Specify that "medical benefit plan" would not include a public employer's contributions to a fund used solely for health care benefits available to public employees or elected officials only upon retirement or separation.
- For purposes of the dollar-amount limit based on the number of employees receiving coverage, include individual-plus-1-nonspouse-dependent coverage in family coverage, and increase the multiplier for individual-and-spouse coverage from \$11,000 to \$13,455.
- Require an annual election before the start of a medical benefit plan coverage year, for a public employer to choose an 80% limit on its contributions, rather than the dollar-amount limit.
- Require a local unit's vote on opting out of the Act to be held before the beginning of the medical benefit plan coverage year.

The bill states, "The changes in this amendatory act to sections 3 and 4 clarify the original intent of the legislature that payments to employees in lieu of medical benefit plan coverage are not included in the costs of a public employer's medical benefit plan, and those changes shall be applied retroactively."

#### Dollar Limit on Contributions

Under Section 3, except as otherwise provided by the Act, if a public employer offers or contributes to a medical benefit plan for its employees or elected public officials, the public employer is subject to a limit on the total dollar amount it may pay toward the annual costs or illustrative rate and any payments for reimbursement of co-pays, deductibles, or payments into health savings accounts, flexible spending accounts, or similar accounts used for health care costs.

For a medical benefit plan coverage year beginning on or after January 1, 2012, the limit is the sum of the following (subject to annual adjustments based on the medical care component of the U.S. consumer price Index):

- \$5,500 times the number of employees with single-person coverage.

- \$11,000 times the number of employees with individual-and-spouse coverage.
- \$15,000 times the number of employees with family coverage.

The bill states that the family coverage would include individual-plus-1-nonspouse-dependent coverage.

For a medical benefit plan coverage year beginning on or after the bill's effective date, the multiplier would be \$13,455 for employees with individual-and-spouse coverage.

For purposes of calculating the limit on a public employer's total annual expenditures, the bill provides that "employee" would not include a public employee who declined the medical benefit plan offered or contributed to by the public employer.

#### Optional 80/20 Limit

Section 4 allows a public employer to elect to comply with a percentage limit on its medical benefit plan contributions, instead of complying with the requirements in Section 3, for a medical benefit plan coverage year. (Although this applies to a public employer other than the State, the designated State official for employees of the judicial branch, Senate, House, Legislative Council, State classified service, or executive branch, may elect to comply with Section 4 instead of Section 3 as to medical benefit plans for State employees and officers.) Under Section 4, a public employer may not pay more than 80% of the total annual costs of all of the medical benefit plans it offers or contributes to for its employees and elected public officials.

The Act requires a vote of the public employer's governing body for this election. The bill would require a vote each year before the beginning of the medical benefit plan coverage year.

#### Exclusions from the Total

In Section 3, the bill provides that a public employer's total annual costs of its medical benefit plan would not include either of the following:

- A payment of the public employer to an employee in lieu of medical benefit plan coverage.
- Any amount that the public employer paid directly or indirectly for the assessment levied under the Health Insurance Claims Assessment Act.

For the purposes of Section 4, the total annual costs of all of the medical benefit plans a public employer offered or contributed to for its employees and public officials and the employer's share of those costs would not include the payment or amount described above.

#### Medical Benefit Plan Exclusion

Currently, the term "medical benefit plan" does not include benefits provided to individuals retired from a public employer. The bill also would exclude a public employer's contributions to a fund used for the sole purpose of funding health care benefits available to public employees or elected public officials only upon retirement or separation from service.

#### Local Unit Exemption

The Act allows a local unit of government, by a two-thirds vote of its governing body each year, to exempt itself from the requirements of the Act for the next year. The bill would refer to the next medical benefit plan coverage year, and would require the vote before the beginning of that year.

A two-thirds vote of a local unit's governing body also is required to extend this exemption to a new year. The bill would require a two-thirds vote before the beginning of each succeeding medical benefit plan coverage year.

#### Collective Bargaining Agreement

Under the Act, if a collective bargaining agreement or other contract that was inconsistent with Sections 3 and 4 was in effect for a group of employees of a public employer on the Act's effective date, the requirements of those sections do not apply to that group of employees until the contract expires.

The bill would refer to one or more employees, and an employee covered by the contract, rather than a group of employees.

MCL 15.562

Legislative Analyst: Suzanne Lowe

#### **FISCAL IMPACT**

Based on 2011 data, there are an estimated 49,500 employees enrolled in a State health plan. Of that number, an estimated 7,900 employees are enrolled in an individual-and-spouse health care plan. The bill would increase the cap on the State's portion for those individuals enrolled in an individual-and-spouse plan from the current \$11,000 annually to \$13,455 annually. Although the State's currently negotiated contracts require the State to pay up to a maximum of 20% of an employee's health care costs instead of the capped dollar amount, if the State and employee unions negotiate to pay the capped dollar amount in the future, the State would incur higher costs.

Using the estimated figure of 7,900 employees currently enrolled in an individual-and-spouse plan, the proposed change would increase the State's contribution by \$2,455 per employee or a total of \$19.4 million annually. For the State, the GF/GP cost is estimated at 53% of the gross cost, or \$10.3 million annually.

Comprehensive data do not exist to accurately calculate the potential cost to local government, school districts, and public higher education employers from this bill. However, for a unit of government that has chosen to pay the capped dollar amount instead of the 80% of premium cap, the bill would increase the costs for the public employer by \$2,455 per employee enrolled in an individual-and-spouse plan.

Additionally, the proposed change to exclude payments to an employee in lieu of medical coverage from the dollar and percentage limits on a public employer's total contributions could result in a higher amount paid by the employer. The exclusion of these payments from the employer's dollar and percentage limits could result in the employer having to pay a higher amount for health care coverage for its employees. The amount of these higher payments is indeterminate and dependent on the number of affected employees and the amount of the payments in lieu of medical benefits.

Fiscal Analyst: Joe Carrasco

S1314/s395sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.



Oceana County  
BOARD OF COMMISSIONERS  
County Building  
100 S. State Street, Suite M-4  
Hart, Michigan 49420



RESOLUTION URGING THE STATE OF MICHIGAN TO PARTICIPATE  
IN THE PASSAGE OF THE HEALTHY MICHIGAN PLAN (Medicaid Expansion)

Moved by Mr. Dykema and seconded by Mrs. Kolbe to adopt the following Resolution:

WHEREAS, under the provisions of the Patient Protection Affordable Care Act, a State can expand its Medicaid program to cover individuals and families earning up to 133% of the Federal Poverty Line. It is estimated that an additional 500,000 adults in Michigan will be covered under such expansion.

WHEREAS, Oceana County has approximately 17.6% of its population between 18-64 not covered by health insurance based upon MDCH, Behavioral Risk Factor Surveillance System data from 2006-2011.

WHEREAS, approximately 2,041 adults between 18-64 in Oceana County have an annual income under 133% of the poverty level and could be covered by the Healthy Michigan Plan if approved by Michigan's Legislature.

WHEREAS, without the expansion, approximately 2,132 Tencon Health Plan members in the District Health Department #10 service area will have no coverage options at all because their income is below 100% of poverty, thus, by law, these individuals cannot buy subsidized coverage through the insurance exchange; and

WHEREAS, individuals who have access to healthcare coverage miss fewer days of work, develop healthier lifestyles, and cost less when they get sick.

WHEREAS, opting out of the Medicaid Program expansion will continue to place an economic burden on hospitals and other health care providers who will not be reimbursed for services they may provide.

THEREFORE, BE IT RESOLVED: that in order to protect the health of all its citizens, especially those most in need, and to strive to improve the health outcomes of residents, the Oceana County Board of Commissioners strongly urges the State of Michigan to participate in the passage of the Healthy Michigan Plan.

Roll call vote: Dykema, yes; Kolbe, yes; Brown, yes; Byl, yes; Walker, yes; Powers, yes; and, Van Sickle, yes. Motion carried.

CERTIFICATION:

The undersigned, being the Clerk of Oceana County, does hereby certify that on the 8th day of August, 2013, the Oceana County Board of Commissioners did adopt the above Resolution at its Regular Meeting.

Rebecca J. Griffin, Clerk  
Oceana County  
Board of Commissioners



The Community Development/Strategic Planning Committee met on August 15, 2013, it was recommended and I move:

CD/SP13/08 - 11 To authorize Board Chair to sign the Amendment to the Ground Lease for Camping Between the County of Muskegon and American Bikers Aiming Toward Education, Region V of the State of Michigan.

CD/SP13/08 – 12 To approve the extension of contract with Lunar Cow Design for 2014 and 2015 Visitors Guides.

The Transportation Committee met on August 15, 2013; it was recommended, and I move:

TR13/08-26 To approve a Michigan Air Service Program Grant Contract, providing \$80,000 of State funds to rehabilitate and modify the Airport's de-ice truck and design/build a restroom beyond the security screening checkpoint, with the local match of \$8,889 identified in the Airport's FY2013 revised budget submittal.

The Ways & Means Committee met on August 20, 2013, it was recommended and I move:

- WM13/08 – 83 To approve payment of the accounts payable of \$15,895,042.52 covering the period of July 25, 2013 through August 12 , 2013 as presented by the County Clerk.
- WM13/08 – 84 To appoint Mr. Fred Johnson to the Public Defender Department Director position effective September 9, 2013, with the starting annual salary at Step 1, \$85,550.
- WM13/08 – 85 To authorize the Chairman of the County Board of Commissioners to sign the Notice of Intent to enter into the Sub-Recipient Agreement and participate in a regional model for the use of the revolving loan funds; to adopt the Resolution of the County Board of Commissioners authorizing the Chairman of the County Board to execute several agreements, act as the certifying officer for the environmental review for County of Muskegon projects and sit as member of the Regional Revolving Loan Fund Advisory Committee and to authorize the Chairman of the County Board of Commissioners to sign the Sub-Recipient Agreement between the County of Muskegon and the Capital Fund Services, Inc.
- WM13/08 – 86 To authorize staff to apply for CDBG funds in the amount of \$300,000 with no match and hold a public hearing on September 10, 2013; further authorize the Chairman of the County Board of Commissioners to sign the Fair Housing Resolution and act as the Certifying Officer for the County of Muskegon.
- WM13/08 – 87 To authorize staff to seek Requests for Proposals for treatment services for Sobriety Court.
- WM13/08 – 88 To approve the Sheriff's Office to apply for the fiscal year 2014 Secondary Road Patrol grant from the Office of Highway Safety Planning.
- WM13/08 – 89 To approve a contract with the City of Muskegon for the Muskegon County Human Resources Department to provide the Human Resources function for the City of Muskegon in the amount of \$75,000 for a period of one (1) year and authorize the Board Chair and County Clerk to sign the contract.

- WM13/08 – 90 To appoint Deborah Groeneveld as employer delegate and Kristen Wade as employer alternate to the 2013 Municipal Employees Retirement System (MERS) annual meeting and the cost of attending for the employer and employee delegates and alternates be paid from the Risk Management Fund.
- WM13/08 – 91 To authorize the Chairman of the County Board of Commissioners to sign a contract extension with Detect P.I. Recovery, LLC at a flat fee of \$30.00 for review of discovery and an hourly rate of \$45.00 per hour and mileage reimbursement at \$.55.5 per mile and pre-approved overnight or out of state costs for the period of October 1, 2013 through December 31, 2013 pending monthly review of expenditures.
- WM13/08 – 92 To authorize the Chairman of the County Board of Commissioners to sign the Second Amendment to the Memorandum of Understanding with the Lakeshore Coordinating Council.
- WM13/08 – 93 To authorize the Circuit Court to enter into contracts with the following attorneys: Chris Wilson assigned full time to Judge Marietti - \$32,500; Fred Lesica assigned full time to Judge Hicks - \$32,500; Joseph Fisher half time to Judge Marietti and Judge Hicks - \$16,250; Joseph Fisher part time to handle preliminary hearings - \$11,250; Frederic F. Balgooyen to handle conflicts - \$11,814; Gary Veurink part time Family Division - \$11,875; Edna Cass part time Family Division - \$11,875; Chad Catalino part time Family Division - \$11,875; Michael Walsh part time Family Division - \$11,875; David Kortering part time Family Division - \$11,875; Stephen Corwin part time Family Division - \$11,875; David Williams part time Family Division - \$11,875; Manda Mitteer part time Family Division - \$11,875; Brenda Sprader part time Family Division conflicts - \$8,000; the contracts shall be effective October 1, 2013 through December 31, 2013.
- WM13/08 – 94 To authorize the District Court, through its Chief Judge, Honorable Maria Ladas Hoopes, to enter into a three month contract with the five attorneys to be designated as public defenders effective October 1, 2013 through December 31, 2013 as follows: James Marek - \$11,875; Brian Hosticka - \$11,875; Mary Farrell - \$11,875; Angella Doremire - \$11,875 and Joseph Fisher - \$5,375.

# McLellan Law Offices, PLLC

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August 14, 2013

Honorable Kenneth Mahoney

Chairman, Muskegon County Board of Commissioners

And the County Board of Commissioners

Michael E. Kobza Hall of Justice

990 Terrace Street

Muskegon, MI 49442

Dear Chairman Mahoney and Commissioners:

I have been asked to urge the Muskegon County Board of Commissioners to approve the proposed internal Public Defender Office to be located within the County structure to serve the indigent residents of Muskegon County who are in need of public defender services.

In 2007, I was retained to assist in developing state level support for a constitutionally sufficient indigent defense system for Michigan. At the time I was not involved in the criminal justice system and frankly thought this might just be another boondoggle to get more money to a group of lawyers. This effort led to the appointment of the Michigan Indigent Advisory Commission and ultimately to the state legislation that is now being implemented.

Based on my involvement over several years, I came to these conclusions:

- The Sixth Amendment and the comparable Michigan provision for publicly funded indigent criminal defense are entitled to the same respect as the Second Amendment or the First Amendment.
- Most professional prosecutors recognize and respect the requirement that indigents be provided adequate counsel, but are concerned that funds will be diverted from their essential role.
- While the constitutional standards are the same for all, there needs to be the ability of each county to craft the structure that is appropriate for their needs. But each county does need to make improvements; most county indigent defense systems will probably not meet constitutional standards.
- Having served briefly as chairman of the Michigan Corrections Commission while the federal courts ran significant aspects of our prison system, I strongly believe that the public is much better served by elected officials making the tough decisions rather than have judicial interference.

I have reviewed the report entitled "The Muskegon County Public Defender System" which outlines the proposed changes to your existing system and wish to indicate my support for your efforts. If adopted, this initiative to address the needs of the indigent residents of Muskegon County who need public defender services and will benefit all the citizens of the County.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard D. McLellan".

Richard D. McLellan



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August 14, 2013

Kenneth Mahoney, Chairman  
Muskegon County Board of Commissioners  
Hall of Justice  
990 Terrace, 4th Floor  
Muskegon, MI 49442

Re: Muskegon Public Defender System – Indigent Defense Delivery System

Dear Chairman Mahoney:


We are writing to offer our congratulations and support for the Muskegon County Board of Commissioners' adoption of an indigent defense delivery system that is consistent with the constitutional standards recommended by the Governor's Michigan Indigent Defense Advisory Commission. As you know, those recommendations culminated in the groundbreaking enactment of Public Act 93, establishing a permanent indigent defense commission that will oversee the protection of one of our most important civil liberties – the right to counsel.


The ACLU has been a leader in spearheading indigent defense reform nationwide. In February 2007, the ACLU filed a class action against the state on behalf of all indigent criminal defendants in Berrien, Muskegon and Genesee Counties (*Duncan v. Michigan*). This lawsuit called on the court to declare the current public defense systems of the three counties unconstitutional and compel the state to assure representation consistent with national standards and constitutional norms. We also played a vital role in the legislative reform and anticipate continuing that role as the Michigan Indigent Defense Advisory Commission adopts its standards to ensure that all Michigan citizens facing criminal charges have adequate representation, as promised by our Constitution.

With the enactment of Public Act 93, we have dropped our class action lawsuit. We recognize that your Board adopted the Muskegon County Public Defender System in advance of the legislation being signed into law by Governor Snyder. Through your actions, you have recognized the importance of a criminal justice system that works for everyone regardless of their wealth, therefore becoming a leader that other counties can look to as they adopt their own systems.

The ACLU of Michigan looks forward to working with you and monitoring the success of your indigent defense system.

Very truly yours,

  
Michael J. Steinberg  
Legal Director  
[msteinberg@aclumich.org](mailto:msteinberg@aclumich.org)

  
Shelli Weisberg  
Legislative Director  
[sweisberg@aclumich.org](mailto:sweisberg@aclumich.org)



August 14, 2014

Kenneth Mahoney, Chair  
Muskegon County Board of Commissioners  
Hall of Justice  
990 Terrace, 4<sup>th</sup> Floor  
Muskegon MI 49442

Dear Chair Mahoney:

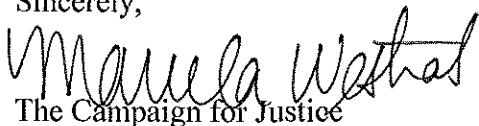
Since 2008, the Michigan Campaign for Justice has worked diligently to garner support to improve Michigan's indigent defense system and has worked with a variety of organizations to advocate for change.

This year brought extremely exciting developments in Michigan's reforms. The timing could not have been better since 2013 is the 50<sup>th</sup> anniversary of the United States Supreme Court decision *Gideon v. Wainwright*, which required attorneys to be appointed to people who could not afford legal representation. As you know, legislation passed overwhelmingly in both the Michigan House of Representatives and the Michigan Senate and Governor Snyder signed the new public acts on July 1.

Muskegon County should be congratulated for its decision to create a public defender system that will meet the constitutional standards to be established by the new Michigan Indigent Defense Commission. An effective public defense system saves taxpayer dollars in a number of ways including corrections costs. A poor public defense system can lead to more incarcerations, longer sentences and, at worst, wrongful convictions; all of which ultimately cost the taxpayers.

I understand the innumerable pressures that are currently on county governments like Muskegon's, and applaud and support Muskegon's recent deliberations and adoption of a county public defender system. The Campaign for Justice is looking forward to following Muskegon's success and expects Muskegon to become a model for other communities looking to create the same type of system.

Sincerely,

  
The Campaign for Justice

Marcela Westrate, Executive Director