



# Administrator/Controller Report January 2014

## Strategic Goals

1. Maintain financial strength and stability
2. Strengthen and expand the County's use of technology
3. Address infrastructure needs
4. Continue community engagement and access to information
5. Ensure that County is viewed as a fair and equitable employer
6. Expand the capabilities of the Board of Commissioners
7. Advance the health and quality of life of the region
8. Protect and preserve County's water resources, forests, natural areas and scenic beauty

## Boardman River Dams (8)

- The County was granted summary disposition on January 6 on the issues of riparian rights and the takings claim with respect to the lowering of the Boardman Pond. The court let stand the issues regarding the ownership of the exposed bottomlands and the issue of whether the exposure of potentially contaminated soils constitute a taking of the Alpers property by diminishing its value. Mediation took place on January 9, and a proposed settlement will be presented to the Board in closed session on January 15.
- The Administrator/Controller has approved revisions to the proposed Detailed Project Report (DPR) and Environmental Assessment (EA) based upon review comments from the Regional Division Office of the US Army Corps of Engineers (USACE). In a meeting with USACE on December 17<sup>th</sup>, the Corp's Project Manager outlined the need for changes to the DPR/EA to satisfy the concerns of the regional reviewers, which were subsequently authorized by the Administrator/Controller:
  1. Grand Traverse County will serve as the lone official "non-Federal sponsor".
  2. The DPR/EA will be updated to reflect the "non-residential" criteria for arsenic that was recently established by the State of Michigan.
  3. Construction of the new bridge and other work associated with Cass Road will be separately performed by the Grand Traverse County Road Commission per financial grant from the State of Michigan. Costs for such will not be included as part of the USACE project.
  4. It is expected that the revised scope of the project will result in Federal costs that fall within the \$10M cap for GLFER projects, thereby allowing for Regional approval of the feasibility study.

The Project Manager indicated on Jan 10 that he will be revising and resubmitting the DPR/EA to the Regional Division for review and approval at the earliest possible time.

## Commission on Aging (7)

- **NORTHERN HEALTH CARE MANAGEMENT WAIVER CONTRACT**

At the December 2013 PH&S Committee meeting, GTCOA staff presented a request to sign an agreement with Northern Health Care Management (NHCM) to provide services to seniors that are Medicaid waiver eligible. The request was not approved because the revenue generated does not cover the full cost of providing the services. Staff would like to re-present with some clarifying information. Currently, revenue generated is either \$2 or \$5 per hour because the seniors are already GTCOA clients. Most clients do not pay the full unit cost for services as fees are based on income. The revenue generated from NHCM would be \$16 - \$18 per hour. The number of clients using this program is minimal at this time; three from the Area Agency on Aging, and a current need from NHCM to serve two-three clients. This arrangement allows for cooperation among our agencies, as we often serve many of the same clients.

➤ **BAY AREA SENIOR ADVOCATES FUNDING**

Bay Area Senior Advocates (BASA) has used the Commission on Aging as the fiduciary for distribution of their funding for emergency senior needs (heating, home repairs, dental, etc.) for the last four years. Up until this fiscal year, funds totaled \$5,000 annually. Due to the good financial position of BASA, they have approved giving the GTCOA an additional \$11,000 (total of \$16,000 for fiscal year 2013/2014) to distribute to needy senior citizens. These funds benefit all Grand Traverse County residents 60 years of age and older. However, if we have a concern with a GTCOA client, we can arrange for them to tap in to these funds very easily. Staff will be asking the BOC for approval to accept \$16,000 from BASA for Senior Support services for fiscal year 2013/2014.

**Construction Code (7)**

- The issuance of permits has slowed, which is not uncommon for this time of year. The Construction Code office issued over 5,000 permits for 2013, with an average of three inspections per permit. Those permits included Building, Electrical, Plumbing and Mechanical. Overall, it has been a very good year for the Code Office; the best it's been in seven years. Soil Erosion permits increased 56% over 2012.

**Equalization (1, 4)**

- Tentative equalization assessment levels have been set for all property classes in each local unit. The overall assessment increase is 2.2% in all classes. The largest projected increases are in the agricultural and residential classes. Commercial and industrial class properties have remained flat or slightly declined in value. It will not be known what effect the assessed value will have on taxable value until the assessment rolls are received from the local assessors in March.
- Equalization hosted a personal property webinar on December 17<sup>th</sup> in the 2<sup>nd</sup> floor Training Room. All local assessors were invited, and the State Tax Commission provided guidance on implementing the new personal property legislation.
- New legislation in general is consuming a large amount of staff time and is diverting attention and resources from property value studies.
- The Personal Property Auditor has completed all reviews of sampled personal property accounts in each jurisdiction. It has been determined that the local assessors are

generally doing well in properly administering the personal property component of the property tax system.

- East Bay appraisers are working on the assessment levels for each class in the township, and are near completion in establishing proper adjustments. The splits and new construction database management are up to date. Personal property and exemption statements are in the process of being sent to the property owners.

### **Facilities (3)**

- The Hall of Justice experienced two flooding incidents during the recent sub-zero weather, one in Judge Phillips area and another two days later in Judge Stepka's area. Servpro was commissioned to clean up and restore the damaged areas, and the Facilities Dept and Administration are working to get all costs submitted to MMRMA for reimbursement.

### **Finance (1)**

- 2014 Budget figures were entered into the system following the Board's final approval of the budget on December 11. The office is currently involved in year-end closing activity and continues to produce information for the Board's ongoing budget discussions.

### **Health Department & Emergency Management (7)**

#### **ADMINISTRATION AND FINANCE DIVISION**

- After a complete overhaul and redesign, the 2012 annual report is complete and published on our website. To save on printing costs, we have it available in an electronic format for viewing or personal printing.

#### **ENVIRONMENTAL HEALTH & ANIMAL CONTROL DIVISION**

- Environmental health staff is now working 40 hours a week.
- Recently held their first board of appeals hearing since 2003 for a citizen who challenged the issuance of a septic permit. The board of appeals ruled in favor of environmental health.
- Beach monitoring stakeholders group met to review recent loss of funding and submitted a 2% grant through the Grand Traverse Band for 2014 monitoring.

#### **EMERGENCY MANAGEMENT & PREPAREDNESS DIVISION**

- The Health Department's Strategic National Stockpile plan was revised and a hands-on training/exercise was conducted on December 17 for all staff. We practiced requesting, delivering and dispensing prophylactic drugs for a large exposure to Tularemia.
- Working with the Local Planning Team in a total overhaul and re-write of our Emergency Operations Plan to better address hazards specific to Grand Traverse County.
- Held planning meetings and assembling a strategic planning team for the federally mandated five-year revision of the Hazard Mitigation Plan
- Lock Down drills for the fall semester have been completed. We did a total of 41. Every public and private school in Grand Traverse County conducted at least one drill this fall.

- Working with National Cherry Festival staff to conduct a Table Top Exercise for them to better prepare their staff in the event of an emergency.
- Hosting Public Information Officer Class scheduled for January 15 at the EOC.
- Agro-terrorism classes for public safety officials are scheduled for January 29 and 30 in preparation for a large, Full Scale Exercise involving the National Guard in May. Traverse City is the only location outside of California to get awarded these classes in 2014. There is already a waiting list.
- Thank you to the County Commissioners for supporting our proposal to bring an Emergency Mass Notification System to Grand Traverse County. This is new technology for us and will enable us to do the following and MORE! Emergency Management will be working closely with 9-1-1 and CodeRED representatives to build our lists and databases. We are hopeful to begin training and testing right after January 1!

#### **COMMUNITY HEALTH DIVISION**

##### *DISEASE CONTROL AND PREVENTION PROGRAMS:*

- Communicable Disease Program- Influenza season is here. Public health nurses continue to monitor absenteeism in schools during influenza season. No outbreaks to report.
- Reproductive Health – working on a grant proposal for next year’s funding from Title X.
- Adolescent Clinics
  - GTCHD Adolescent Health Clinics (K-Town Youth Care and Youth Health and Wellness Center) were invited by the Child Adolescent Health Center of Michigan to participate in a CQI initiative "Engaging young men." We are looking at ways to improve delivery of health services to young men in our target population. Information gained through this CQI project will not only benefit the young men in our community, but communities throughout the state. We are eager to get this project underway.
  - Recently, K-Town Youth Care staff presented a session on "The true spirit of giving" at The Rock in Kingsley. Over 36 students participated in this month's event. Wonderful clinic/community outreach and relationship building! K-Town staff offers health education topics at The Rock on a monthly basis. Topics range from mental health and well-being to nutrition and fitness. The Rock is a youth center which is open each week day before and after school, offering a safe and fun place for students to "hang."

##### *MATERNAL AND CHILD HEALTH PROGRAMS:*

- MIHP: Maternal screening conversion rate remains high at 91%, as well clinician average productivity continues to climb at 3.11.
- WIC: Annual Nutrition Services Plan approved by the State with comments from the WIC Director, Stan Bien, "I am very impressed with your analysis and your progress in 2013. We are continuing to explore fluoride varnish applications for our WIC children. Beginning in January, we will be running our late Wednesday clinics twice a month with appointments from 10am-6:30pm. As continued outreach, we anticipate two CMU Dietician Interns to work with WIC in March and April each for three weeks. WIC caseload has been trending up this past year, currently 2,452, reaching a 5% increase from last year’s caseload. Client participation has remained above the required 97% for the past three months, with an average 98.91% regularly participating in the WIC

program. In November, the WIC team achieved the monthly goal for Nutrition Education with 401 clients attending the classes.

- Children's Special Health Care Services: Approximately 300 active caseload; letters have gone out to clients who are now required to apply for Medicaid if they do not have private insurance. If they don't qualify for Medicaid, they are required to apply for ACA insurance through the marketplace by March 31, 2013.
- Healthy Futures: Current caseload is 643 clients, which is up 4% from last month.
- Immunizations: We attended the December IAP meeting in Lansing, receiving important updates. Beginning in January, the MDCH website will include quarterly scorecards by county publically reported allowing agencies to benchmark with State averages and other agency averages. In 2014, school immunization reporting will change from 6<sup>th</sup> grade to 7<sup>th</sup> grade because of age recommendations for specific vaccinations being 11; some students are not 11 until 7<sup>th</sup> grade. The changing stats will not show until the first group of 7<sup>th</sup> graders November 2014. The IMMs team is preparing and training to go live with a fully functioning Electronic Health Record January 31, 2014. The IMMs team also will be training for new State Quality Improvement/Record Review Process called AFIX January 15.

## Human Resources (5)

- General Fund positions approved in December by the Administrator/Controller:
  - Emergency Telecommunicator, Central Dispatch - 3 FTE
  - Office Clerk, Probate Court - .64 FTE
  - Legal Secretary, PAO -1 FTE
- Other positions in process:
  - Captain
  - Lieutenant
- Collective Bargaining Agreements were ratified by Teamsters General, AFSCME, and Teamsters Command.
- The County successfully transitioned all employees from Blue Cross/Blue Shield to Priority Health and Delta Dental coverage.
- MLK Day Training information was sent out to Departments and Elected Officials on December 13.
- Employee Recognition and Suggestion Award Team yearly wrap up:

### Employee Recognition Team

*"To recognize and encourage employees and volunteers for their dedication to quality service and submission of constructive ideas."*

- **Suggestion Award Program** – Suggestions submitted in 2013: none implemented; however, a Suggestion from 2012 was implemented this year. The Suggestion for paperless payroll came as a result of a suggestion!

- **Making a Difference** – Since implemented in April, we’ve had 50 employees nominated for great work in their respective areas.
- **Devoted Service** – Two employees retired this year; one that had 26 years of service and the other with 28 years of service.
- **Milestones -**
  - 25 Years of Service 6
  - 20 Years of Service 5
  - 15 Years of Service 12
  - 10 Years of Service 15
  - 5 Years of Service 26

❖ Thank you to the Holiday Potluck planning team (Midge Werner, Don Sheehan, Cheri Tuller, Sarah Adams and Joanne Tuck) for organizing a wonderful gathering to allow employees time to dine, enjoy music and visit. They also held a food drive to donate to a food pantry and a coat drive for the jail impoverished. Thank you to Sheila Mosley and her “Praise and Worship” group for playing at our Holiday Potluck and to Ernie Cacciaglia for playing guitar and singing!

### **MSU Extension**

Initiatives that advance the health and quality of life of the region (Goal 7) and continue community engagement and access to information (Goal 4):

- The MSU Extension Grand Traverse County 2012-2013 Annual Report has been completed and posted on our website, [www.msue.msu.edu/GrandTraverse](http://www.msue.msu.edu/GrandTraverse), with a direct link [here](#).
- On December 10, 2013, Michelle Smith, Program Instructor for MSU Extension, presented “Nutrition on a Budget” at the L.I.F.E. Transition Conference. This conference took place at the Grand Traverse Resort for 280 Special Education High School students from five area counties including Grand Traverse County. These students were present to gain knowledge and experience to help them gain independence after high school. This conference was provided by a collaborative grant between MRS, TBAISD, and the Disability Network. During Ms. Smith’s presentation, students learned ways to plan, purchase, and prepare meals on a budget while also taking into account healthier meal options. One student stated that planning out the meals for a week and using a grocery list was not something she had ever done before, but now has a better idea of how to better manage a monthly food budget.
- The annual Northwest Michigan Orchard & Vineyard Show will be held on January 14 and 15, 2014 at the Grand Traverse Resort in Acme. This is the largest event of the year for area fruit growers, featuring educational sessions on tree fruits, grapes and, new for this year, Saskatoon berries. There is also a large exhibit hall for agricultural product and service providers to show their offerings. Typically, almost 300 people attend this show including growers from Wisconsin, Pennsylvania and New York.
- A Wine Grape Vineyard Establishment Conference will be held at the Northwest Michigan Horticultural Research Center in Leelanau County on January 21-22, 2014. This program will be presented simultaneously in Benton Harbor and Novi with video-conferencing technologies.

## **Parks and Recreation (7)**

### ➤ **2012-2015 Strategic Plan Update**

- A. Develop program plans for adults, youth, day camp, and special events
  - The Grand Traverse County Parks and Recreation recreational needs/wants survey has been distributed through TCAPS, GTACS, Forest Area Schools, and is available on the Kingsley Schools website.
  - The Traverse City Senior Center has permitted the survey to be made available to the users of the Senior Center and will e-mail it to seniors. TART Trails has agreed to distribute the survey to its stakeholders.
  
- B. Develop business plans for Power Island and Twin Lakes
  - The Business Development Team met just prior to the December 19, 2013 Parks and Recreation Commission meeting to approve the project planning worksheets to be included in the draft business plan for Power Island.

### ➤ **Water Safety for Freshman Program**

- The department continues to host freshmen water safety training for Traverse City Central High School. Nearly 300 students have taken the training so far this school year. We were able to have the County Medical Examiner, Dr. Houghton, join our classroom instruction, and have made some minor adjustments to the program to make the material more engaging.

### ➤ **Michigan Natural Resources Trust Fund (MNRTF) Update**

- During its December 4, 2013 meeting, the MNRTF awarded several million dollars in both acquisition and development grants; however, the Maple Bay Park project did not receive funding. The focus this year was on developing projects in urban areas, and on trail projects. As it was proposed, the Maple Bay project did not have enough emphasis on trails. Since the grant was submitted, the DEQ introduced the water trail that begins in Lake Skegemog and ends at Keith J. Charters State Park, with a point of refuge at Maple Bay. The water trail and the U.S. 35 bike corridor should increase the competitiveness of a 2014 grant submission.

## **Planning/Brownfield/Economic Development/Housing (1, 3, 4, 7, 8)**

- The Planning and Development Department has been working with the Traverse City Downtown Development Authority on a contractual arrangement to provide economic development and community development services for the downtown area and the adjoining corridors within Traverse City. The Department is currently assessing its operations to ensure capacity to meet current and planned program needs and effective delivery of services utilizing the County's array of economic development tools. A three-party Interlocal Agreement between the DDA, the City, and the County will be drafted for consideration.
  
- Utilizing a marketing grant from the Michigan Economic Development Corporation, the Grand Traverse Region Next Michigan Development Corporation has contracted with Flight Path Creative, LLC of Traverse City to develop a new strategy, new name/brand for the Corporation, and a new website and marketing tools.

## **Prosecutor's Office**

➤ **PROSECUTION**

As the County's Chief Law Enforcement Officer, the Prosecuting Attorney is responsible for the prosecution of crimes including juvenile, misdemeanor and felony offenses, protection of abused and neglected children, and establishment of child support for needy children. For the month of December, we engaged in the following:

- Authorized 196 misdemeanor warrants
- Authorized 41 felony warrants
- Authorized 18 juvenile warrants
- Initiated 5 neglect/abuse cases (Our office has 52 open neglect/abuse cases involving 77 children)
- Reviewed 22 referrals from the office of child support
- Handled the following matters in Family Court:
  - 5 paternity cases
  - 14 child support cases
  - Obtained 5 judgments of child support

➤ **CIVIL COUNSEL**

***Contract Drafting and Review***

As the County's civil counsel, we assist various County departments in reviewing and drafting contracts and other agreements. Our involvement ranges from reviewing a contract and approving it "as to form," to negotiating the terms and conditions of the contract with the other party. For the month of December, we reviewed **seven** contracts for the following departments:

- Health: 2
- Administration: 2
- Parks and Recreation: 2
- Traverse Area District Library 1

***FOIA Coordination***

In 1997, the County Board of Commissioners designated the Prosecuting Attorney as the FOIA coordinator for Grand Traverse County. As the coordinator, we ensure that the various county departments are complying with Michigan's FOIA law including determining whether the requested information should be exempt from disclosure. For the month of December, we reviewed **eight** FOIA requests, and provided advice and consultation to the following departments:

- Central Dispatch
- Soil Erosion
- Human Resources
- Board of Commissioners

***Board of Commissioners/ Staff Questions***

Part of our duties as Civil Counsel involves answering questions and preparing opinion memoranda for the Board of Commissioners and County staff related to a wide variety of issues, ranging from compliance with state and federal statutes to advising on exposure to



liability. For the month of December, we prepared **four** memoranda for the Board of Commissioners and various departments including:

- Administration
- Equalization
- Health
- Storm Water Ordinance

### ***Litigation***

We represent the County in civil actions filed in the Grand Traverse County District and Circuit Courts as well as the Federal District Courts. For the month of December, we represented the County in the following cases:

- *Parcel 80 BIA Appeal.* We have filed this appeal challenging the decision of the Michigan Agency of the Bureau of Indian Affairs placing 12 acres of property into trust owned by the Grand Traverse Band of Ottawa and Chippewa Indians. In November of 2012, the Grand Traverse Band filed an application with the Michigan Agency requesting 12 acres of property located in Acme Township near the Turtle Creek Casino and Hotel be placed into trust pursuant to the Indian Reorganization Act of 1934. This federal act allows recognized Native American Tribes to place land into trust, which has the affect of making property exempt from taxation. On February 28, 2013, the Superintendent for the Michigan Agency issued a decision to place the 12 acres into trust. On April 2, 2013, we filed a notice of appeal challenging the decision of the Superintendent. Citing to the United States Supreme Court decision *Carcieri v. Salazar*, we have argued that the Superintendent was without authority to place the property into trust because the Grand Traverse Band was not recognized by the Federal government in 1934 when the Indian Reorganization Act was adopted. The appeal is pending with the Regional Director of the Bureau of Indian Affairs. It will take the Regional Director at least 60 days to decide the appeal. On May 2, 2013, we filed a statement of reasons with the Bureau of Indian Affairs, which is similar to an appellate brief. In the statement we again argued that the *Carcieri* decision mandates reversal of the Superintendent's decision placing Parcel 80 into trust. **We continue to await a decision from the Regional Director.**
- *Parcel 82 BIA Appeal.* On August 1, we filed an appeal challenging the decision of the Bureau of Indian Affairs Midwest Regional Director placing 158 acres of property into trust owned by the Grand Traverse Band of Ottawa and Chippewa Indians. In November of 2011, the Grand Traverse Band filed an application with the Regional Director requesting 158 acres of property located in Acme Township near the Turtle Creek Casino and Hotel be placed into trust pursuant to the Indian Reorganization Act of 1934. On July 2, 2013, the Regional Director issued a decision to place the property into trust. We filed a notice of appeal challenging the decision of the Director. As we did in the Parcel 80 appeal, citing to the United States Supreme Court decision *Carcieri v. Salazar*, we have argued that the Director was without authority to place the property into trust because the Grand Traverse Band was not recognized by the Federal government in 1934 when the Indian Reorganization Act was adopted. **The appeal is still pending with the Bureau of Indian Affairs Appeals Board. On December 30, we filed our appellate brief with the Appeals Board. The Tribe, Secretary of Interior, and other interested parties will have**

**the opportunity to file responsive briefs within the next 30 days. We expect the Appeals Board to take at least six months to decide the appeal.**

### ***Board of Commissioners Meetings***

We attend every Board meeting, committee meeting and any special meetings. For the month of December, Bob Cooney attended the Resource Management and Administration meeting. Chris Forsyth also attended the Public Health and Safety and the Ways and Means meeting.

### ***Miscellaneous***

In addition to the items discussed above, we assist the Board of Commissioners and County Departments in other ways. Some items to note include:

- We continue to assist Administration in various issues related to the ongoing dams removal project.
- We provided guidance to the Environmental Health Department for a property owner's appeal of the issuance of a septic system permit.

### **Resource Recovery (8)**

- The Keystone Brush Site closed for the season on Saturday, November 23. During the 2013 season, 2,457 customers utilized the site, dropping off 2,785 cubic yards and 6,060 bags of leaves and brush and 364 wooden pallets. Gross revenues for the year totaled \$20,693. The site is scheduled to reopen for the 2014 season on Saturday, April 5<sup>th</sup>.
- The Traverse City Parks and Recreation Department is again accepting Christmas trees from city residents for recycling. Trees can be dropped from December 26 to January 19, from 8 am to 5 pm, at Hull Park, where they will be chipped and used as mulch on nature trails.
- The Resource Recovery Council welcomed two new members at its January 9, 2014 meeting: Garret Coggon of the Grand Traverse Conservation District to represent conservation and environmental groups, and Rob Manigold as a representative of the general public. Mr. Manigold, as a long-time supervisor of Peninsula Township, has previously been a township association representative on the Resource Recovery Council, including holding the position of chair. Mark Bevelhymer of American Waste was also reappointed to the Council as a representative of the solid waste industry.
- The department is in the process of mailing 2014 hauler license applications out to all local area waste and recycling haulers. In order to be in compliance with Grand Traverse County Ordinance #17, anyone collecting, transporting, delivering, or disposing of solid waste, yard waste, or recyclable materials generated by another person within Grand Traverse County must obtain a hauler license.

### **Legislative Report**

- Representative Wayne Schmidt introduced HB 5215 to hold local taxing units harmless for the veterans property tax exemption enacted in late 2013. An email to Rep. Schmidt thanking him for introducing this important legislation was sent on January 8th.