

# RESOLUTION

No. 2013-392

By Commissioner Killeen

WHEREAS, the Wayne County Commission desires to provide the most effective mental health services available to the residents of the County of Wayne;

WHEREAS, pursuant to the Michigan Mental Health Code, Public Act 258 of 1974, as amended, (hereinafter referred to as the "Code"), the Wayne County Commission established a county community mental health program, currently operating as the Detroit-Wayne County Community Mental Health Agency; and

WHEREAS, Public Act 258 was amended by Public Acts 375 and 376 of 2012, to require that in order to qualify for state support, a county that has situated totally within it a city having a population of at least 500,000 must establish or administer a community mental health services program as a community mental health authority; and

WHEREAS, pursuant to the Code, the Wayne County Commission has held three public hearings in accordance with the Open Meetings Act, Public Act 267 of 1976, as amended; and

WHEREAS, consistent with the Code, under the Authority form of organization the consumers will continue to have the same rights, privileges, and benefits with respect to services, board membership and due process they currently possess;

Now therefore be it

RESOLVED, by the Wayne County Commission this 6th day of June, 2013 that pursuant to the Michigan Mental Health Code, Public Act 258 of 1974, as amended, (hereinafter referred to as the "Code"), there is hereby created a Detroit-Wayne County Community Mental Health Authority (hereinafter referred to as the "Authority") on the following terms and conditions:

- (1) Dissolution of the Detroit-Wayne County Community Mental Health Agency ("Agency"). The existing Agency is dissolved effective 11:59 p.m. on September 30, 2013.

- (2) Purpose and Power. The purpose and power to be exercised by the Authority shall be to comply with and carry out the provisions of the Code.
- (3) Duration and Termination. The duration of the existence of the Authority shall be perpetual unless terminated as hereinafter defined.

Upon recommendation from the County Executive and a resolution adopted by a majority of the Wayne County Commission, after the Commission has held at least one (1) public hearing on the proposed termination prior to its vote, and has notified the Michigan Department of Community Health, the Secretary of State and the Wayne County Clerk of its intent to terminate. The date of termination shall be one (1) year following receipt of notification by the Michigan Department of Community Health, unless the director of the department consents to an earlier termination date. During the interim between notification and official termination, Wayne County's participation in the Authority shall be maintained in good faith.

(4) Board Composition.

(a) The Authority Board shall consist of twelve (12) members. Six (6) board members shall be appointed by a majority vote of the Wayne County Commission from a list of nominees submitted by the Wayne County Executive. Six (6) board members shall be appointed by a majority vote of the Wayne County Commission from a list of nominees submitted by the Mayor of the City of Detroit.

(b) Two (2) board members nominated by the Wayne County Executive and two (2) board members nominated by the Mayor of the City of Detroit must be primary consumers or family members of primary consumers.

(c) At least one (1) board member nominated by the Wayne County Executive and at least one (1) board member nominated by the Mayor of the City of Detroit shall be a representative of substance use disorder services.

(d) Upon notification that the initial list provided does not meet with the Wayne County Commission's approval, the Wayne County Executive and/or the Mayor of the City of Detroit shall submit another list of six (6) different nominees. The lists of initial board member nominees shall be submitted to the Wayne County Commission no later than June 7, 2013. Once appointed by the Wayne County Commission, these board members shall serve as Agency board members until the Authority becomes

effective on October 1, 2013, at which time they shall serve as Authority board members.

(e) A board member shall not be an employee or contractor of any of the following:

- (i) the City of Detroit;
- (ii) the County of Wayne, except that a County Commissioner may serve as a member of the board pursuant to Section 330.1222;
- (iii) the State of Michigan;
- (iv) the federal government; or
- (v) a community mental health authority.

(f) Board members shall be residents of the County of Wayne.

(g) Board members shall be at least eighteen (18) years of age.

(5) Board Member Terms, Vacancy, Removal, Compensation, Expenses. The term of office of a board member shall be three (3) years from April 1 of the year of appointment, except that of the members first appointed, four (4) shall be appointed for a term expiring March 31, 2014 - two (2) from the County and two (2) from the City; four (4) for a term expiring March 31, 2015 - two (2) from the County and two (2) from the City; and four (4) for a term expiring March 31, 2016 - two (2) from the County and two (2) from the City. A vacancy shall occur upon the expiration of a term. A vacancy shall be filled for an unexpired term in the same manner as the original appointment. A board member may be removed from office by the Wayne County Commission for neglect of official duty or misconduct from office after being given a written statement of reasons and an opportunity to be heard on the removal. A board member shall be paid a per diem no larger than the highest per diem for members of other county advisory boards set by the Wayne County Commission and be reimbursed for necessary travel expenses for each meeting attended. The mileage expense fixed by the Wayne County Commission shall not exceed the mileage reimbursement as determined by the State Officers Compensation Commission. A board member shall not receive more than one (1) per diem payment per day regardless of the number of meetings scheduled by the board for that day.

(6) Powers and Duties of Authority Board. The powers and duties of the Authority Board shall be as provided for in Section 330.1226 of the Code including, but not limited to:

(a) Submit to the Wayne County Commission for its approval an annual request for county funds to support the program.

- (b) Annually approve the operating budget for the year.
  - (c) Approve and authorize all contracts for the provision of services.
  - (d) Appoint an executive director who meets the standards of training and experience established by the Michigan Department of Community Health.
  - (e) Establish general policy guidelines within which the executive director shall execute the community mental health services program.
- (7) Agency/Authority Executive Director. The Agency Board, which will also serve as the initial Authority board, shall immediately take the necessary actions to appoint an Executive Director no later than October 1, 2013.
- (8) Policies and Procedures. The Authority Board shall have the power to adopt policies and procedures, including bylaws, which shall be applicable to the Authority provided that said policies and procedures shall be consistent with the Code, the Administrative Rules and this Resolution. If any policy or procedure conflicts with the Code, the Administrative Rules or this Resolution, then the Code, the Administrative Rules or this Resolution shall supersede the conflicting policy or procedure. The order of priority for resolving conflicts shall be the Code, the Administrative Rules, this Resolution and the Authority's Policies and Procedures.
- Until such time as the Authority adopts its own purchasing policy, the Authority shall adopt and comply with the Wayne County Procurement Ordinance, which ordinance shall be interpreted in a manner that is appropriate for Authority operations.
- (9) Powers of the Authority. The Authority shall have all of the powers set forth in the Code, including but not limited to:
- (a) To fix and collect charges, rates, rents, fees, or other charges and to collect interest.
  - (b) To make purchases and contracts.
  - (c) To transfer, divide, or distribute assets, liabilities, or contingent liabilities.

- (d) To accept gifts, grants, or bequests and determine the manner in which those gifts, grants, or bequests may be used consistent with the donor's request.
- (e) To acquire, own, operate, maintain, lease, or sell real or personal property. Before taking official action to sell residential property, however, the Authority shall comply with applicable requirements in the Code.
- (f) To do the following in the Authority's own name:
  - (i) Enter into contracts and agreements.
  - (ii) Employ staff.
  - (iii) Acquire, construct, manage, maintain, or operate buildings or improvements.
  - (iv) Subject to subdivision (e), acquire, own, operate, maintain, lease, or dispose of real or personal property.
  - (v) Incur debts, liabilities, or obligations that do not constitute the debts, liabilities, of the creating county.
  - (vi) Commence litigation and defend itself in litigation.
- (g) To invest funds in accordance with statutes regarding investments.
- (h) To set up reserve accounts, utilizing state funds in the same proportion that state funds relate to all revenue sources, to cover vested employee benefits including, but not limited to, accrued vacation, health benefits, the employee payout portion of accrued sick leave, if any, and worker's compensation. In addition, an authority may set up reserve accounts for depreciation of capital assets and for expected future expenditures for an organizational retirement plan.
- (i) To develop a charge schedule for services provided to the public and utilize the charge schedule for first and third-party payers. The charge schedule may include charges that are higher than costs for some service units by spreading non-revenue service unit costs to revenue producing service unit costs with total charges not exceeding total costs. All revenue over cost generated in this manner shall be utilized to provide services to priority populations.
- (j) The Authority may borrow money to finance or refinance the purchase of real property or tangible personal property.
- (k) The Authority may enter into an installment purchase agreement for the purchase or refinancing of tangible personal property for public purposes.

- (1) The Authority may borrow money and issue notes by resolution of a majority vote of the Authority Board.
- (10) Duties and Responsibilities of the Authority. In addition to the other duties and responsibilities set forth in the Code, the Authority shall:
- (a) Annually provide Wayne County and the Michigan Department of Community Health with an independent audit performed by a Certified Public Accountant in accordance with Governmental Accounting Standards issued by the Comptroller of the United States.
  - (b) Be responsible for all executive administration, personnel administration, finance, accounting, and management information systems functions. The Authority may discharge the responsibility through direct staff or by contracting for services.
  - (c) The Authority shall not levy any type of tax or, except as provided for in Section 330.1205 of the Code, issue any type of bond in its own name or financially obligate any unit of government other than itself.
- (11) Employees of the Authority.
- (a) Authority Employees. An employee of the Authority is not a Wayne County employee. The Authority is the employer with regard to all laws pertaining to employee and employer rights, benefits and responsibilities. Employees of the Authority are public employees subject to all applicable laws including the Public Employees Relations Act, MCL 423.201 et seq. The Authority, and not Wayne County, shall be responsible for paying the employer's share of benefit costs for the Authority's employees; provided, however, pension and retiree health care are addressed in Section 12. As of the effective date of this Resolution, employees of the Agency shall be transferred to, and appointed as employees of, the Authority subject to all rights and benefits in Subsection 11(b) and 11(c) for one (1) year.
  - (b) Employee Rights. In addition to any other rights provided by this Resolution or law, Agency employees transferred to the Authority shall not be placed in a worse position by reason of the transfer during said one (1) year period with respect to Workers Compensation, pension, seniority, wages, sick leave, vacation, health and welfare insurance, or any other benefit that the employee enjoyed as an employee of the County. Employees who are transferred shall not by reason of the transfer have their accrued pension benefits or credits diminished.

(c) Collective Bargaining Agreements. As of the effective date of this resolution, the Authority shall be the employer for purposes of its employees' collective bargaining agreements. The Authority shall assume and be bound by all existing collective bargaining agreements between the County of Wayne and all unions representing its employees for the duration of the existing collective bargaining agreement. Formation of the Authority shall not adversely affect any existing rights and obligations contained in such existing collective bargaining agreements. The Authority shall recognize the existing employee organizations representing employees of the former Agency, as the exclusive bargaining agents for all Authority classifications and any organizations in Wayne County. The Authority shall continue to negotiate with these organizations in good faith.

(12) Pension and Retiree Health Care.

(a) Definition of "Eligible Employee." For purposes of this section 12, an "Eligible Employee" means a Wayne County employee who: (1) as of September 30, 2013, is enrolled in a Wayne County retirement and/or retiree health plan, and (2) (i) works at or for the Agency, and is transferred to the employment of the Authority on October 1, 2013, thereby becoming an Authority employee as of October 1, 2013, or (ii) is continuously employed by Wayne County from September 30, 2013 and is hired as an employee of the Authority, before September 30, 2014; and (3) complies with the requirements of section 12(b).

(b) Requirements to become an "Eligible Employee." For purposes of this section 12, the Wayne County retirement plan in which an Eligible Employee is enrolled at the time she or he is hired by the Authority is referred to as the Eligible Employee's "Wayne County Retirement Plan." Each Eligible Employee shall be entitled to continue in her or his Wayne County Retirement Plan until September 30, 2014, under the terms and conditions of this section 12. To continue in his or her Wayne County Retirement Plan, the Eligible Employee must, upon being hired by the Authority, execute an agreement to: (i) allow the Authority to withhold and timely remit any employee contributions required for continuing participation in her or his Wayne County Retirement Plan; and (ii) timely meet all requirements and be subject to all conditions which, from time to time, apply to employees of Wayne County who are members of the respective Wayne County Retirement Plan. An Eligible Employee, upon being hired by the Authority, who elects to continue in his or her Wayne County Retirement Plan, shall not have the right to vote or be elected to the Wayne County Retirement System governing board.

(c) Eligible Employees' service with the Authority between 10/1/13 and 9/30/14. For the period October 1, 2013 to September 30, 2014, each

Eligible Employee's post-hiring service with the Authority (until 9/30/2014), and her or his post-hiring compensation from the Authority (until 9/30/2014), shall be counted in determining both eligibility for, and, if applicable, the amount of benefits that the Eligible Employee will be eligible to receive from her or his respective Wayne County Retirement Plan.

(d) Authority's rights as employer: Except as otherwise limited in this Enabling Resolution, the Authority shall employ and compensate its employees consistent with policies, procedures and collective bargaining agreements established, adopted or negotiated by the Authority. Without limitation, the Authority, pursuant to Michigan law, may establish its own retirement plan(s), (collectively, "Authority Sponsored Plan(s)"): (i) for employees hired by the Authority on or after October 1, 2013 who are not Wayne County employees at the time of hire and/or (ii) for all Authority employees on and after October 1, 2014, including employees covered by a Collective Bargaining Agreement (CBA) following good faith bargaining with the representatives for employees covered by such CBAs as to the terms and conditions of such plan(s).

An Authority employee enrolling in an Authority Sponsored Plan shall only accrue benefits pursuant to the provisions contained in the Authority Sponsored Plan. Pension benefits accrued under a Wayne County pension plan shall be frozen as of September 30, 2014. An Eligible Employee who, as of September 30, 2014, has not vested in his or her Wayne County pension plan, or post-retirement health care trust, shall have the opportunity to vest under the provisions of the two paragraphs below (however, to qualify under either of the two paragraphs below, the Eligible Employee must also comply with all other applicable provisions of the Wayne County pension plan or post-retirement health care trust as such provisions may be amended by the applicable CBA):

• If an Eligible Employee, as of September 30, 2014, has not vested in his or her Wayne County defined benefit pension plan, future service at the Authority shall be counted towards the vesting of benefits he or she has accrued as of September 30, 2014, under the respective defined benefit pension plan; however, no additional pension credits or benefits shall accrue under the plan. The prior sentence is referred to as "grow in" vesting rights and can be explained by the following example: Assume an employee in Wayne County Plan 5 has accrued 5 years of credited service as of September 30, 2014, and needs 8 years of credited service to vest. If that employee works for the Authority for at least 3 years after September 30, 2014 (and thereby obtains at least 3 years of credited service), the employee will receive credit for 3 years of service for purposes



of vesting in the Plan 5 benefit – but the vested benefit will be calculated to reflect only the employee's 5 years of service as of September 30, 2014. It is anticipated that the employee will also be enrolled in an Authority Sponsored retirement plan on October 1, 2014, and the employee shall also accrue benefits under the Authority Sponsored Plan for service on and after October 1, 2014.

• Eligible Employees' service at the Authority shall count towards vesting requirements applicable to employer contributions made prior to September 30, 2014 to a Wayne County defined contribution retirement plan or employer contributions made prior to September 30, 2014 to the Wayne County Post-Retirement Health Care Trust. With respect to Wayne County Plan 5, the preceding sentence applies only to the defined contribution provisions therein.

The Authority shall succeed to all rights of Wayne County to modify, amend, replace, suspend, or discontinue the retiree health coverage being provided to persons who retire from Authority employment.

(e) Authority funding of Wayne County retiree health care benefits for Agency and Authority retirees. Effective October 1, 2013, the Authority shall assume all liability for retiree health care benefits provided to Agency retirees who are receiving benefits under a Wayne County sponsored retiree health care plan as well as Authority employees who qualify for benefits under such a plan and who retire from the Authority on or before September 30, 2014. The Authority shall remit to Wayne County the employer's share, as actuarially determined, of amounts due with respect to Agency retirees for retiree health care plan benefits paid or payable by Wayne County. The Authority shall also fund retiree health care benefits to those Authority retirees who (i) retire from the Authority on or after October 1, 2013 and prior to October 1, 2014 and qualify for retiree health benefits under a Wayne County retiree health plan, and (ii) who retire from the Authority on or after October 1, 2014 and qualify for benefits under an Authority sponsored retiree health plan, if any.

(f) Authority funding of Wayne County pension liabilities for Agency retirees, Authority employees, and Authority retirees. Effective October 1, 2013, the Authority shall assume all liability for the employer's share of pension benefits for (i) Agency retirees, and (ii) Authority employees and future Authority retirees who are enrolled in Wayne County sponsored pension plans as of October 1, 2013 and who qualify for benefits under such a plan at the time of their retirement ("Participants"). Wayne County sponsored pension plans are administered by the Wayne County Employees' Retirement System (WCERS). The Authority

shall not remove from WCERS the administration of pension funds and benefits for Agency retirees, and Authority employees and retirees, under Wayne County sponsored pension plans; provided, however, the Authority shall be free to select either WCERS or a different administrator for Authority Sponsored Plans implemented after September 30, 2013. The Authority shall timely remit to Wayne County and/or WCERS (collectively "Wayne County") the Authority's actuarially sound share of the amounts due. These amounts represent annual contributions to cover costs allocated to the current year, as well as contributions for unfunded liabilities associated with benefits accrued by the Participants prior to October 1, 2014, all calculated by the Wayne County Retirement System's actuarial firm ("Actuary").

(g) Provisions applicable to sections 12(e) and 12(f). Amounts due under sections 12(e) and 12(f) from the Authority to Wayne County shall be determined in an actuarially sound manner. The initial determination shall be made by the actuarial firm engaged by Wayne County. The Authority may, at its expense, engage its own actuarial firm to review and comment on the calculations and, in the event of a dispute concerning such calculations, either party can proceed with dispute resolution under section 12(h) below. The Authority shall also be responsible for its actuarially determined pro-rata share of Wayne County's reasonable actuary fees and administrative expenses, to the extent such costs are not paid for by system contributions and earnings thereon. In the event Wayne County elects to pre-fund pension or health care retiree liabilities in a fashion different than its historical practice, then the Authority shall not be obligated to pre-fund its share of such liabilities, but may do so upon mutual agreement between the Authority and Wayne County.

(h) Dispute resolution. In the event of a dispute relating to any of the provisions of this section 12, the parties shall use good faith efforts to resolve the dispute without litigation. If the dispute cannot be so resolved, either party may pursue whatever remedies are available to them by law.

- (13) Transfer of Assets. Effective October 1, 2013 all assets, debts, and obligations of the Agency, including but not limited to equipment, furnishings, supplies and personal property, shall be transferred to the Authority. The Authority shall be liable for all costs associated with personal property purchased or leased by the County for use by the Agency, to the extent necessary to discharge the financial liability to the County. Equipment, furnishings, supplies and other personal property which was not procured with mental health funds [Fund 222] and is the property of Wayne County and is being used by the Agency, if any,

shall be transferred to the Authority, and Wayne County shall receive credit for the fair market value of such property, such credit to be applied against Wayne County "match" required under the Mental Health Code, MCL 330.1302 and 1308.

- (14) Distribution of Assets Upon Dissolution. Net financial assets originally made available to the Authority by the County shall be returned to the County if the Authority is dissolved or terminated. All other assets, net of liabilities shall be transferred to the community mental health services program that replaces the Authority, if any.
- (15) Wayne County Local Match. For so long as State law requires an annual match of local funds to support a County Community Mental Health Services Program or unless such time as the County is granted relief under Section 330.1308 of the Code due to financial hardship, Wayne County shall appropriate in its annual budget an allocation to the Authority in an amount which shall not exceed the amount of funds statutorily required to be provided by Wayne County to the Detroit-Wayne Community Mental Health Authority.
- (16) Assignment of Agreements, Grants and Leases. The County and the Agency hereby assign to the Authority all agreements, contracts or leases relating to the Agency's mental health program. The Authority, upon its effective date, accepts such agreements, contracts and leases, with the understanding that the Authority shall be responsible for, and shall hold the County harmless with respect to, any future liabilities or obligations related thereto.
- (17) Privileges and Immunities from Liability. All privileges and immunities from liability as set forth in the Code, or as otherwise provided by the law, shall apply to the fullest extent to the Authority, its Board members, officers, agents and employees. As prescribed by the Code, Wayne County shall not be liable for any unintentional, intentional, negligent or grossly negligent act or omission, for any financial affairs, or for any obligation of the Authority, its Board, employees, representatives or agents.
- (18) Applicability of Open Meetings Act, Public Act 267 of 1976, as amended and Freedom of Information Act, Public Act 442 of 1976, as amended. The Authority, as a public governmental body, shall be subject to the Open Meetings Act and the Freedom of Information act; provided, however, the Authority shall not be required to disclose peer review or other documents exempt by law from disclosure.

(19) Insurance. The Authority shall procure and maintain insurance in an amount sufficient to cover the duties and responsibilities set forth by the Code, this Resolution and otherwise provided by law.

(20) Transitional Items:

(a) Authority Investment and Bank Account: The Authority shall retain the following percentages of its cash and investments, excluding the Medicaid risk financing cash, within the County's General Pooled cash account for a period of three (3) years: 75% as of October 1, 2013, 50% as of October 1, 2014, and 25% as of October 1, 2015 . On October 1, 2013 and thereafter, the Wayne County Treasurer, on behalf of the Authority, shall retain in a separate account, the remaining funds based on the prescribed schedule.

The Authority shall adopt and continue to adhere to the Public Act 20 of 1943, the cash and investment policy adopted by the County which is in accordance with state statute. Interest and investment earnings on all accounts shall be distributed to the Authority's general ledger and/or cash account based on its average investment balance. The County shall maintain books and records that separately account for the Authority's cash and investments, and interest and investment earnings thereon, that are held by the County in the County's General Pooled cash account and any other accounts. The County shall at all times maintain, in its General Pooled Cash Account, a minimum amount of funds at least equal to the amount of the Authority's cash and investments, and interest and investment earnings thereon.

On October 1, 2013 or upon maturity of the investment, whichever is sooner, the Medicaid risk financing cash shall be retained by the Wayne County Treasurer in a separate account on behalf of the Authority.

The Authority shall have immediate access, at the Authority's discretion, to all of the Authority's cash and investments being held by the County, either in the County's General Pooled cash account or in separate accounts. Further, with respect to the Authority's cash and investments being held by the County in separate accounts, i.e., not as part of the County's General Pooled cash account, the Authority, upon providing evidence that the Authority has adopted an investment policy, may direct the County to release the funds for deposit in an institution selected by the Authority.

(b) For one (1) year following October 1, 2013, the Authority shall continue to purchase the following programmatic services from Wayne County:

- (i) Jail Mental Health;

- (ii) Juvenile Detention Facility;
- (iii) Children and Family Services;
- (iv) Library for the Blind;
- (v) Early on;
- (vi) Senior Citizens;
- (vii) Prosecutor's Office; and
- (viii) 3<sup>rd</sup> Circuit Court.

Provided, however, if Michigan Department of Community Health funding (other than Medicaid) to the Authority is reduced during FY 2013/2014 as compared with the amount of such funding provided in FY 2012/2013, the Authority may reduce the funding for the above-programs by an amount not to exceed the total amount spent on each such program in FY 2012/2013, multiplied by the percentage decline of such non-Medicaid funds from FY 2012/2013 to FY 2013/2014.

(c) For one (1) year following October 1, 2013, the Authority shall continue to purchase the following chargeback services from Wayne County as follows:

- (i) Corporation Counsel, unless the Authority Board determines otherwise, at its discretion;
- (ii) Personnel and Human Resources, excluding Labor Relations;
- (iii) Information Technology; and
- (iv) Management and Budget: Mental Health Finance, Accounting, Payroll and Purchasing; however, the Authority Board, at its discretion, may transition no more than two Mental Health Finance positions and associated funding to the Authority.

(d) For one (1) year following October 1, 2013, the Authority shall continue to lease space for its operations at the Agency's current location at 640 Temple, Detroit, MI on terms and conditions currently applicable to the Agency.

(e) Upon mutual agreement, the parties may extend Subsections b-d of this Section 20.

(21) Reporting.

(a) The Authority Board shall respond in a timely manner to any requests for information on specific operating/program topics from the Wayne County Commission. The Authority Board shall inform and keep the County updated on any irregularity or impropriety which arises outside of the annual audit.

(b) The Authority Board shall provide the Wayne County Commission an annual report by December 1<sup>st</sup> of each year describing its programs and performances, its goals as well as long-range plans and strategies, and a fiscal overview for the previous fiscal year.

(c) The Authority Board shall annually submit its operating budget to the Wayne County Commission for receipt and filing; and be it further

RESOLVED, that this Resolution is effective upon filing with the Secretary of State and the Wayne County Clerk; and be it further

RESOLVED, that the effective date of the Authority is October 1, 2013; and be it further

RESOLVED, that this Resolution shall remain in full force and effect until modified or terminated by a Resolution of the Wayne County Commission.

(2013-66-020)

CERTIFICATION

STATE OF MICHIGAN        )  
                                  )  
CHARTER COUNTY OF WAYNE )

I, John Pfeiffer, Acting Clerk of the County Commission for the Charter County of Wayne, State of Michigan, do hereby certify that the attached Resolution No. 2013-392, *creating the Detroit-Wayne County Mental Health Authority, pursuant to the Michigan Mental Health Code, Public Act 258 of 1974*, was duly adopted by the Wayne County Commission at the FOURTH DAY EQUALIZATION MEETING on the SIXTH DAY of June, 2013 by the following:

YEAS: Commissioners Basham, Clark-Coleman, Cox, Killeen, LeBlanc, Leland, Palamara, Price, Scott, Varga, Webb, Chairman Woronchak, Vice-Chair Bell - 13

NAYS: Vice-Chair Pro Tempore Ware --01

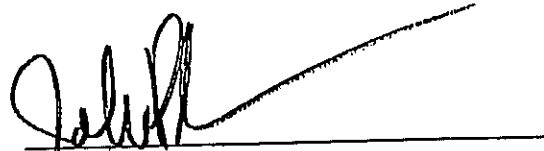
NOT VOTING: None

ABSTAIN: None

EXCUSED: McNamara --01

I further certify that the attached Resolution is a true, correct, and complete transcript of the original of said Resolution appearing on file and of record in my office and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Wayne this 6th day of June, 2013 A.D.



JOHN PFEIFFER  
ACTING CLERK OF THE COMMISSION  
CHARTER COUNTY OF WAYNE, MI