



## WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday October 1, 2008

### RECORD OF PROCEEDINGS

An adjourned session of the Washtenaw County Board of Commissioners was held at the Administration Building, in the City of Ann Arbor, Michigan, on Wednesday, October 1, 2008.

The meeting was called to order at 9:18 p.m. by Jeff Irwin, Chair of the Board.

**MEMBERS PRESENT:** Comms. Gunn, Irwin, Ouimet, Peterson, Ping, Lovejoy Roe, Schwartz, Sizemore, and Smith.

**MEMBERS ABSENT:** Comms. Bergman and Grewal

**OTHERS PRESENT:** County Administrator Bob Guenzel; Deputy County Administrators, Verna McDaniel and David Behen; Corporation Counsel Curt Hedger; Dale Vanderford, Jennifer Watson, James McFarlane, Support Services; Peter Ballios, Roberta Allen, Finance; Kari Dorr, Prosecuting Attorney's office; Mark Lindke, Veteran Services; Tony VanDerworp, Planning and Environment; Ellen Clement, Public Health; Denise Dalrymple, Children's Services; Jenny Bivens, ETCS; Bob Tetens, Parks and Recreation; Diane Heidt, Barb Finch, Human Resources; Caryette Fenner, CSTS; Ken Schrader, ITS; Scott Patton, Joanna Bidlack Administration; Jason Brooks, Clerk's Office; various citizens; and members of the press.

#### **Roll Call**

#### **Pledge of Allegiance**

#### **Approval of the Minutes of the Previous Meeting**

Comm. Smith seconded by Comm. Sizemore moved that the minutes of the September 17, 2008, meeting of the Board of Commissioners be approved. Motion carried.

#### **Citizen Participation**

Clare Nathan stated that she asks that the Board close their eyes and try to imagine what is in their notes or on their computer before transferring operations of the Library for the Blind and Physically Disabled to the AADL.

Tom Partridge stated that elected officials that pass rights on to the judiciary should be removed from office and subject to civil lawsuits.

#### **Commissioner Follow-Up to Citizen Participation**

None

#### **Communications**

Comm. Lovejoy Roe seconded by Comm. Gunn moved that the communications be received and dealt with as recommended. Motion carried.

**R-0195** RECEIVED: September 10, 2008. A resolution to the Washtenaw County Board of Commissioners, from the Marcee Purcell, Mecosta County Clerk, re: Resolution of strong opposition to HB 6112, Corrections Officers Compulsory Arbitration Act, dated September 4, 2008. Received and filed.

**R-0196** RECEIVED: September 11, 2008. An e-mail to the Washtenaw County Board of Commissioners, from The Ann Arbor Area Convention and Visitors Bureau ([mkerr@annarbor](mailto:mkerr@annarbor)), re: Increase in Accommodations Tax, dated September 11, 2008. Received and filed.

**R-0197** RECEIVED: September 11, 2008. A resolution to the Washtenaw County Board of Commissioners, from the Bay County Board of Commissioners, re: Right to Work Legislation, dated September 11, 2008. Received and filed.

**R-0198** RECEIVED: September 12, 2008. A Public Notice to the Washtenaw County Board of Commissioners, from Kimberly A. Venne, Property Analyst, Department of Natural Resources, re: Public Notice of Proposed October 27 and 28, 2008, Oil and Gas Lease Auction, dated September 8, 2008. Received and filed..

**R-0199** RECEIVED: September 12, 2008. A newsletter from the Michigan Association of Counties, re: MAC Legislative Update, dated August 29, 2008. Received and filed.

**R-0200** RECEIVED: September 14, 2008. An e-mail to the Washtenaw County Board of Commissioners, from Bob Krzewinski, Legislative Chairman, Washtenaw Bicycling and Walking Coalition ([wolverbob@yahoo.com](mailto:wolverbob@yahoo.com)), re: Selection of candidate to fill Road Commission vacancy, dated September 14, 2008. Received and filed.

**R-0201** RECEIVED: September 15, 2008. A letter to David Nacht, Ann Arbor Transportation Authority, from John Hieftje, Mayor, Ann Arbor City, re: Meeting on WALLY Project, dated September 8, 2008. Received and filed.

**R-0202** RECEIVED: September 15, 2008. A newsletter from the Michigan Association of Counties, re: MAC Legislative Update, dated September 12, 2008. Received and filed.

**R-0203** RECEIVED: September 15, 2008. A press release from the Washtenaw County Support and Treatment Services, re: Ready Washtenaw Kicks Off during National Preparedness Month, dated September 12, 2008. Received and filed.

**R-0204** RECEIVED: September 15, 2008. A press release from Washtenaw County Community Public Health Department, re: Health Department Encourages Safer Sleep Practices for Infants, dated September 12, 2008. Received and filed.

**R-0205** RECEIVED: September 16, 2008. A letter to the Washtenaw County Board of Commissioners, from and unknown sender re: Ameriquest Mortgage (1960 N. Territorial Rd. Whitmore Lake, MI). Received and filed.

**R-0206** RECEIVED: September 17, 2008. A letter to the Chairperson, Washtenaw County Board of Commissioners, from Jeanette Harris, Director, Community Planning and Development, Detroit Field office, U.S. Department of Housing and Urban Development, re: Scheduled Monitoring Visit – CDBG and HOME programs, dated September 11, 2008. Received and filed, copied to Community Development.

**R-0207** RECEIVED: September 18, 2008. A letter to the Washtenaw County Board of Commissioners, from Patrick J. Cogley, Regional Inspector General for Audit Services, Department of Health & Human Services, re: Initial Review of the audit report on the County, dated September 12, 2008. Received and filed, copied to each Commissioner.

**R-0208** RECEIVED: September 18, 2008. An e-mail to the Washtenaw County Board of Commissioners, from Robert Jones ([ibjonesy7@yahoo.com](mailto:ibjonesy7@yahoo.com)), re: Afraid and very concerned about my safety as well as other residents, dated September 18, 2008. Received and filed.

**R-0209** RECEIVED: September 19, 2008. An e-mail to the Washtenaw County Board of Commissioners, from Susan Murphy ([samurphy@umich.edu](mailto:samurphy@umich.edu)), re: Deep shoulders on County roads, dated September 19, 2008. Received and filed.

**R-0210** RECEIVED: September 23, 2008. A memo to Cynthia D. Travis, Director, Washtenaw County DHS, from Denise Binger, Program Specialist, Michigan Department of Human Services, re: Child Care Fund Review, dated September 4, 2008. Received and filed.

**R-0211** RECEIVED: September 24, 2008. A letter to Mr. Rickey Banks, from Dr. Doris Hope-Jackson, Superintendent, Willow Run Community Schools, re: Appreciation to Washtenaw County employees for donation of school supplies, dated September 11, 2008. Received and filed.

### **Liaison Reports**

Comm. Ouimet stated that work is still being done to combine the WCERS and MPPP boards. He added that HR has done a good job in getting information out to plan participants.

### **Report of the Chair of the Board of Commissioners**

Comm. Irwin reported on the Accommodations Ordinance Tax. He stated that calls would be coming from the Ann Arbor Visitors Bureau and the Ypsilanti Visitors Bureau regarding the tax.

### **Special Order of Business:**

**08-0161** Comm. Ping seconded by Comm. Gunn moved that the resolution of appreciation to Denise Dalrymple for her years of service to Washtenaw County Children's Services be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

### **Public hearing to receive comments on the proposed Indigent Veterans Relief Millage of 1/50<sup>th</sup> of a mill**

No Comments

### **Public hearing on the amended budget**

Tom Partridge stated that he opposes most of the cutbacks proposed in the budget. He added that these cuts are not justified.

### **Public hearing on the proposed regulation for the onsite management, disposal, and treatment of wastewater**

Jim Kovalak, 5453 Talladay Rd., Milan, stated that this regulation would drive costs up for the homeowner. He discussed various parts of the regulation.

Katherine Jackson, 11757 Whittaker Rd., Augusta Township, stated that she would like this document examined more closely. She stated that there are some glaring deficiencies including the fact that permits will be denied when municipal water is available. She added that she does not see the scientific support for making these changes. Jackson stated that she also has a problem with the penalty described in the regulation.

Tereau Kovalak, 20260 Willis Rd., Augusta Township, stated that contractors are strongly opposed to this. She discussed the current standing of the ordinance as well as the regulation.

Paul Lubienski, 3610 Daleview, Scio Township, stated that he is a realtor and added that he has worked with the Health Department. He stated that he supports the general idea of this proposed regulation.

Shawn Murray, 179 Little Lake Dr., Ann Arbor, stated that he thanks Dick Fleece for his attention but reported that things have not changed. He discussed problems that he sees in the regulation. He stated that this is not the time for this regulation and reported that the added costs of this regulation will get passed to the homeowner.

Terry Petrowski, 26 Locust Dr., Belleville stated that these regulations will cost every new septic system \$2,000 to \$5,000.

### **Reports of the Standing Committees**

Comm. Ping seconded by Comm. Gunn moved that the following reports be received and approved: Administrative Briefing, dated September 10, 2008; Ways & Means, dated September 17, 2008. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

### **Reports of Special Committees**

Comm. Ping seconded by Comm. Gunn moved that the following reports be received: Concealed Weapon Licensing Board, dated September 15, 2008 and August 19, 2008; Brownfield Redevelopment Authority, dated July 10, 2008; Historic District Commission, dated August 14, 2008; Library Board of Trustees, dated September 8, 2008; Local Emergency Planning Commission, dated June 12, 2008; Planning Advisory Board, dated August 25, 2008 be adopted. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

### **Other Reports**

None

### **Report of the Treasurer**

None

### **Report of the County Administrator:**

None

### **Resolutions:**

### **Ways and Means – September 17, 2008**

**08-0162** Comm. Ping seconded by Comm. Gunn moved that the resolution ratifying the signature of the Chair of the Board of Commissioners on the grant application to the State of Michigan, Office of highway safety Planning, for the continuation of the Sheriff's Department Secondary Road Patrol Program be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

**08-0163** Comm. Ping seconded by Comm. Gunn moved that the resolution approving a contract with the Michigan Crime Victim Services Commission for the Office of the Prosecuting Attorney for the period October 1, 2007 through September 30, 2008 be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

**08-0164** Comm. Ping seconded by Comm. Gunn moved that the resolution to ratify the submission of a grant application to the National CASA Association Jewelers for Children Grant Program to continue to expand the Washtenaw County CASA Program be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

**08-0165** Comm. Ping seconded by Comm. Gunn moved that the resolution ratifying the signature of the Chair of the Board on the ETCS Program Year (PY) Workforce Investment Act (WIA) 2008 Disability Program Navigator (DPN) Initiative Plan application to the Michigan Department of Labor and Economic Growth (DLEG) in the amount of \$10,000 for the period of July 1, 2008 through June 30, 2009; authorizing the Administrator to sign the Notice of Grant Award, amending the budget, and authorizing the County Administrator to sign the delegate contracts be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

Comm. Peterson separated out the resolution approving the transfer of the Library for the Blind and Physically Disabled to the Ann Arbor District Library for the purposes of voting.

Comm. Peterson stated that he feels that people depend on the County for Library services. He added that this does not reflect work of the AADL. He stated that he strongly encourages the AADL to work toward an inclusive process. He stated that he hopes this is not a trend of cutting out front line services offered by the County.

Comm. Lovejoy Roe stated that she feels that the people that were impacted the most were not a part of the decision making process. She stated that there are parking and traffic issues downtown.

Comm. Lovejoy Roe seconded by Comm. Peterson moved to table this item until the first regular November meeting of the Washtenaw County Board of Commissioners. Roll call vote: YEAS: 2 NAYS: 7 (Comms. Gunn, Irwin, Ouimet, Ping, Schwartz, Sizemore, and Smith) ABSENT: 2 (Comms. Bergman and Grewal). Motion failed.

Comm. Sizemore stated that he would like to see residents input on the front end. Bob Guenzel discussed projected use of the LLRC. Comm. Sizemore stated that there are rooms that can be used in places other than the LLRC.

Comm. Gunn stated that this is a difficult issue but added that programs will continue for the Library for the Blind and Physically Disabled. She added that she feels that the program will be more accessible in the long run.

Comm. Ping stated that other organizations should be charged to use the LLRC when holding meetings.

Comm. Sizemore stated that he would like to revisit this issue in a few months to get feedback from the people using the Library.

Comm. Ouimet stated that Comm. Gunn has a clear understanding of this library. He added that he feels this Library will be going to a terrific system. Comm. Ouimet stated that this is a good solution.

**08-0166** Comm. Ping seconded by Comm. Gunn moved that the resolution approving the transfer of the Library for the Blind and Physically Disabled to the Ann Arbor District Library be adopted. Roll call vote: YEAS: 7 NAYS: 2 (Comms. Lovejoy Roe and Peterson) ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

### **Ways and Means – October 1, 2008**

**08-0167** Comm. Ping seconded by Comm. Gunn moved that the resolution approving the hire of Patrick Barrie as a WCHO Deputy Administrator for the Washtenaw Community Health Organization at a salary of \$120,000 be adopted. Roll call vote: YEAS: 8 NAYS: 1 (Comm. Sizemore) ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

**Approval of Claims**

**08-0168** Comm. Ping seconded by Comm. Gunn moved that the resolution authorizing payment of claims commencing with the last previously approved claim and continuing through the date of September 19, 2008 be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

FUND	DESCRIPTION	SYSTEM CHECKS	UTILITIES CREDIT CARD	EXCEPTION & PRE-CLAIMS	TOTAL
1010	GENERAL FUND	\$ -	\$ -	\$ 55.92	\$ 55.92
	<b>TOTALS</b>	\$ -	\$ -	\$ 55.92	\$ 55.92

**New Business**

**08-0169** Comm. Ping seconded by Comm. Gunn moved that the resolution to accept comments from Washtenaw County Department of Planning and Environment staff on the Ann Arbor Township Master Plan Amendment and direct the County Clerk to send comments to Ann Arbor Township and the contiguous local units of government be adopted. Roll call vote: YEAS: 9 NAYS: 0 ABSENT: 2 (Comms. Bergman and Grewal). Motion carried.

**Items for Current/Future Discussion**

None

**Citizen Participation**

Tom Partridge stated that he feels that the County Administrator should be an elected position.

Clare Nathan stated that she wishes that the Board would have reconsidered the decision to transfer the Library for the Blind and Physically Disabled to the Ann Arbor District Library.

**Commissioners Follow-up to Citizen Participation**

Comm. Smith stated that there are only three elected County Executives in Michigan.

**Adjournment**

Comm. Lovejoy Roe seconded by Comm. Gunn moved to adjourn until Wednesday, October 15<sup>th</sup>, 2008, at 6:45 p.m. in the Board Room, Washtenaw County Administration Building. Motion carried.

The meeting adjourned at 10:28 p.m.

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Jeff Irwin, Chair

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Lawrence Kestenbaum, Clerk/Register

By: Jason Brooks, Deputy Clerk

Board Approved: