

A RESOLUTION APPROVING A CONTRACT WITH THE MICHIGAN SUBURBS ALLIANCE TO PROVIDE WASHTENAW COUNTY WITH MEMBERSHIP IN THE SOUTHEAST MICHIGAN REGIONAL ENERGY OFFICE

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 17, 2010

WHEREAS, on December 2, 2009, the Washtenaw County Board of Commissioners approved Resolution #09-0231 ratifying the electronic submission of an application to the United States Department of Energy for a \$766,900 Energy Efficiency and Conservation Block Grant; and

WHEREAS, the proposed Block Grant would fund a number of important energy initiatives throughout the County, including a payment by the County of \$76,690 to the Michigan Suburbs Alliance to enable the County to become a member of the Southeast Michigan Regional Energy Office; and

WHEREAS, as Commissioner Conan Smith is the Executive Director of the Michigan Suburbs Alliance, a question was raised concerning a potential conflict of interest in entering into the Contract; and

WHEREAS, Michigan law (P.A. 317 of 1968; MCLA 15.321 et seq) provides a specific process to follow to approve contracts involving public servants and the public entities where they work; and

WHEREAS, under this process, a contract between a public body and an entity where a member of that public body works may be approved by the public body if the public servant involved discloses any direct or indirect benefit, if any, arising from the proposed contract in a public meeting more than 7 days prior to the meeting where the public body will vote on the contract; the public servant abstains from the vote; and the remaining members of the public body approve the contract by a 2/3rds vote; and

WHEREAS, during the March 3, 2010 Board of Commissioners meeting, Commissioner Conan Smith publicly disclosed his position as the Executive Director of the Michigan Suburbs Alliance, indicated he would receive no direct or indirect benefits from the proposed Contract between the County and the Suburbs Alliance and stated that he would abstain from any vote on the proposed contract.

NOW THEREFORE, BE IT RESOLVED that the Washtenaw County Board of Commissioners approves the participation agreement between the County and the Michigan Suburbs Alliance for \$76,690 which will provide the County with membership in the Southeast Michigan Regional Energy Office.

BE IT FURTHER RESOLVED that the County Administrator shall designate the Washtenaw County Representative and Alternate to the Board of Directors.