

WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday December 5, 2012

RECORD OF PROCEEDINGS

A session of the Washtenaw County Board of Commissioners was held at the Administration Building, in the City of Ann Arbor, Michigan, on Wednesday, December 5, 2012.

The meeting was called to order at 7:45 p.m. by Conan Smith, Chair of the Board.

MEMBERS PRESENT: Comms. Bergman, Brabec, Gunn, Peterson, Ping, Prater, Rabhi, Sizemore, Conan

Smith, Dan Smith and Turner

MEMBERS ABSENT: None

OTHERS PRESENT: County Administrator, Verna McDaniel; Brian Mackie, Prosecutor; Catherine McClary,

Treasurer; Raman Patel, Equalization Director; Curt Hedger, Corporate Counsel; Greg Dill, Facilities; Andy Brush, ITS; Kelly Belknap, Finance; Mary Jo Callan, OCED; Bob Tetens, Parks & Recreation; Tina Gavalier, Finance; Ken Schrader, ITS; Elaine Holleran, County Administration; Lisa Moutinho, County Administration; Peter Simms,

Clerk's Office; various citizens; and members of the press.

Roll Call

Pledge of Allegiance

Approval of the Minutes of the Previous Meeting

Comm. Gunn seconded by Comm. Prater moved that the minutes of the November 7, 2012 meeting of the Board of Commissioners be approved. Motion carried.

Citizen Participation

Thomas Partridge, resident of Ann Arbor, said that he was a veteran as he had served as an ROTC cadet during his student days at the University of Michigan. He called on veterans to serve the community by remembering all of the vulnerable members of the community. He said that we are all veterans, Michiganders and Detroiters. He said that the agenda of progress was one that served those most needing of service. He said that he was there speaking on behalf of a woman named Jenny who raises money for the homeless by selling newspapers.

Nancy Hein, president of Supervisor's Local, thanked the commissioners for authorizing and approving the one time compensation adjustment. She said that the give back would reduce some of the stress and strain of her members. She said that unions are under attack in Lansing. She said that it was her hope that the county would offer some sort of financial relief at the appropriate time.

John Kinzinger said that there are three people he knows who received recommendation for the three positions. He said those people represent 80% of the veterans in the county. He reported that David Martinez flew out of Kay San? With wounded soldiers. He said that David Martinez has been caring for veterans for the last fifty years. He said that Mr. Martinez was a prime candidate for the committee. He thanked the board for their time.

Elmer White said that five years ago the county had a dysfunctional Sheriff's Department. He added that he had been asked to serve on a Sheriff Oversight committee and had found that there was a dysfunctional sheriff. He said that he did not pursue reappointment after Jerry Clayton had been elected. He said that he had served for six years on the Historic District Commission and resigned when he felt that it was his time. He characterized the department of veterans affairs as being dysfunctional. He said that the department was having a meeting on December 18 and the commissioners should attend.

Marvin Rivers strongly encouraged the board to consider Elmer White, John Kinzinger and David Martin for the three vacant seats on the veterans affairs committee.

Bob Logan said that he was a former marine who had served with David Martinez and had worked with Ronnie Peterson. He said that he supported Mr. White, Kinzinger and Martin. He said that appointees on the board should be swapped out.

Caryette Fenner said that she hated to see some of the commissioners go. She thanked the board for keeping the employees in mind.

Commissioner Follow-Up to Citizen Participation

Comm. Bergman responded to Mr. Partridge by saying that Groundcover was extremely valuable in that helped the homeless. She noted that the coupon inside for a coffee was a great deal. She thanked Thomas Partridge for mentioning.

Comm. Rabhi thanked the veterans who had come before the board to speak. He thanked Caryette Fenner and the other union leaders for their work.

Comm. Peterson asked if the Veterans Affairs Committee would be separated out for further discussion. He stated that he appreciated the veterans and their work. He asked if there was a limitation on the appointees and how many people can serve on that board. He said that it was rare to have so many highly qualified citizens who are interested in serving on a board.

Comm. Ping thanked Caryette and Nancy for their work. She thanked the veterans for their service.

Comm. Prater said he thought that each and every board member should drive out to Hogback road and try to find the veterans affairs department. He said that in addition to only being open four days a week, walk ins were not accepted in the afternoon.

Communications

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

R-0091 RECEIVED: November 8, 2012. A resolution from the Bay County Board of Commissioners, re: St. Clair River Remediation, dated October 30, 2012. Received and filed.

R-0092 RECEIVED: November 16, 2012. A letter addressed to the Washtenaw County Sheriff, from Thomas A. Vogel, Environmental Health, Fire Safety, and County Jail Services Manager, State of Michigan Department of Corrections, re: Inspection report for Washtenaw County Jail, dated November 13, 2012. Received and filed.

R-0093 RECEIVED: November 26, 2012. A letter addressed to Conan Smith, Chair of the Washtenaw County Board of Commissioners, from Steven Gauthier, Government Finance Officers Association, re: Certificate of Achievement for Excellence in Financial Reporting for 2011, dated November 13, 2012. Received and filed.

R-0094 RECEIVED: November 28, 2012. A letter addressed to the Washtenaw County Board of Commissioners, from Joan Alexander, York Township Planning Commission, re: Charter Township of York Master Plan, dated November 26, 2012. Received and filed. The master plan is on file at the Clerk's Office. It was not included in the packet due to size.

Not included in the packet:

R-0095 RECEIVED: November 13, 2012. An issue of Pipeline magazine. Received and filed. Not included in packet due to size.

Liaison Reports

Comm. Turner stated that he had attended the last meeting of the month for the Road Commission. He noted that they were looking at the possibility of a small increase to the general fund. He said that it was a good thing that this year had turned out the way it had. He noted that the road commission staffing levels were back up to where they had been in the sixties.

Report of the Chair of the Board of Commissioners

Resolutions 12-0187 through 12-0191 were presented during the Ways and Means session. A moment of silence for Patrick Barrie was also held then.

12-0187 Comm. Turner seconded by Comm. Gunn moved that the resolution of appreciation to Janis Bobrin for her dedicated service to the citizens of Washtenaw County be approved. This motion was approved by voice vote of the board.

Comm. Gunn called Janis Bobrin to the podium and read aloud a resolution of appreciation for Janis Bobrin's service to the county as a Water Resource Commissioner. Janis Bobrin thanked the board for their resolution and said she was honored. She said that the only reason she had been able to accomplish the things she had is that she worked at such a good county. She thanked the board for the support they have given her.

12-0188 Comm. Turner seconded by Comm. Gunn moved that the resolution of appreciation to Barbara Levin Bergman for her dedicated service to the citizens of Washtenaw County be approved. This motion was approved by voice vote of the board.

Comm. Conan Smith yielded his time to the former County Administrator Bob Guenzel. Bob Guenzel read aloud the resolution of appreciation for Comm. Barbara Bergman. Comm. Barbara Bergman said that she and Comm. Gunn had agreed that they would leave the board before they were no longer able to serve. She said that it had been a wonderful job.

12-0189 Comm. Turner seconded by Comm. Gunn moved that the resolution of appreciation to Leah Gunn for her dedicated service to the citizens of Washtenaw County be approved. This motion was approved by voice vote of the board.

Comm. Yousef Rabhi said that he wanted to start by saying how much Comm. Bergman meant to him. He added that he had the pleasure that night of reading a resolution of appreciation for his good friend Leah Gunn. He read aloud the resolution of appreciation. Comm. Gunn thanked the board for being fabulous colleagues. She said that her advice was to listen to each other and to trust Verna McDaniel, the County Administrator.

12-0190 Comm. Turner seconded by Comm. Gunn moved that the resolution of appreciation to Wesley Prater for his dedicated service to the citizens of Washtenaw County be approved. This motion was approved by voice vote of the board.

Comm. Sizemore said that he wanted to tell a little story about Comm. Prater. He said that he remembered when Comm. Prater was running for Ypsilanti Township trustee. He read aloud a resolution of appreciation for Comm. Prater. Comm. Prater said he's been kicked around a lot but it has been a lot of fun. He added that he had met a lot of nice people during his years of service. He said that he had really enjoyed working with this board. He noted that he had received two farewell plaques over the years but he was not starting a collection.

12-0191 Comm. Turner seconded by Comm. Gunn moved that the resolution of appreciation to Robert Turner for his dedicated service to the citizens of Washtenaw County be approved. This motion was approved by voice vote of the board.

Comm. Conan Smith said he first met Comm. Turner at a reception when Comm. Turner was first elected. He said that over the course of serving together in the last two years he had realized that Rob Turner is a big guy because he has such a huge heart. He read aloud the resolution of appreciation to Comm. Turner. Comm. Turner said he would love to take the time and thank the board members individually. He said that the board has been an extended family to him. He added that he loved serving alongside the commissioners. He reported that he loved explaining to people all of the work that this county does. He said it had been a pleasure to serve with County Administrator, Verna McDaniel. He said that even during disagreements the commissioners always had the same thing in mind; what's best for the county. He echoed Comm. Gunn's statements about communicating and working with Verna McDaniel.

Comm. Bergman, Brabec and Verna McDaniel gathered at the front to consider the accomplishments of Patrick Barrie. Comm. Bergman said that the consumers of mental health services had lost a champion. Verna McDaniel invited Hazelette Robinson to the podium and the board had a moment of silence.

Special Order of Business

Public Hearing at 6:45 pm on December 5, 2012, at a regular Board of Commissioners meeting to receive comment on the Adoption of the 2013 Budget Reaffirmation.

Thomas Partridge, advocate for veterans in need, said that the budget is not commensurate with the needs and abilities with this very capable county commission. He said that the budget should make this county the most progress oriented county in the state as well as the nation. He said that we are one community and we most go beyond the needs of anyone group. He called for greater service and reforms to bring about more revenue for the County of Washtenaw.

Reports of the Standing Committees

Comm. Brabec seconded by Comm. Gunn moved that the following reports be received: Ways and Means Committee, dated November 7, 2012; Working Session, dated November 8, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Reports of Special Committees

Comm. Brabec seconded by Comm. Gunn moved that the following reports be received: 800 MHz Project Oversight Committee, dated August 13, 2012; Social Services Board, dated September 25, 2012; Weapons Licensing Board, dated October 16, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Other Reports

None

Report of the Treasurer

None

Appointments

12-0192 Comm. Brabec seconded by Comm. Gunn moved that the board appoint two members to the Brownfield Redevelopment Authority for Washtenaw County. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0193 Comm. Brabec seconded by Comm. Gunn moved that the board appoint members to the Emergency Medical Services Commission for Washtenaw County. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0194 Comm. Brabec seconded by Comm. Gunn moved that the board amend the term of a Natural Areas Technical Advisory Committee member. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0195 Comm. Brabec seconded by Comm. Gunn moved that the board appoint one member to the Road Commission. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0196 Comm. Brabec seconded by Comm. Gunn moved that the board appoint three members to the Veteran Affairs Commission. Discussion was held and then the question was called on this item. The discussion is provided below. The results of the call to question vote are as follows: Roll call vote: YEAS 10 NAYS 1 (Comm. Prater) ABSENT 0 Motion carried. The results of the vote on the item are as follows: Roll call vote: YEAS 9 NAYS 2 (Comms. Prater and Dan Smith) ABSENT 0 Motion carried.

Comm. Sizemore asked why there had been no women who had applied for this board.

Comm. Dan Smith thanked the veterans in attendance for attending the meeting. He noted that Friday, December 7 is Pearl Harbor Day. He said that he was disappointed by the recommendations for the committee. He said the situation had been nine posts recommending the same three people and not one of the three had been appointed.

Comm. Gunn said that she supported the appointments because the two re-appointees had performed admirably and the new appointee was an Iraqi war veteran. She said it was time to recognize the newest generation's sacrifices.

Comm. Bergman said that it was important when talking about gender in issues like this to use the term woman.

Comm. Peterson said that one of his concerns was the process. He said that the posts should have some input for how the criteria for assessing candidates are created. He reported that the posts rely on the board to make good appointments to the veterans affairs committee. He said that he knows all three veterans who have been recommended. He said that the three who were in attendance are fine individuals. He said that he wants to revisit this so that the posts' recommendations are respected. He added that he did not want the posts' to feel their time was wasted in writing letters to this board. He said there needs to be a methodology for evaluating candidates. He noted

that the three who had been recommended are outstanding candidates and if it was up to him he would appoint them all.

Comm. Brabec thanked the veterans who had taken the time to attend the meeting that night. She said that she appreciated them and their families for their sacrifices. She added that she was keenly aware that those who are serving now and are coming home need representation.

Comm. Prater said he was somewhat disappointed in the appointments made that night because he felt that the statute had not been met. He said that he felt that this was not the first time that the county had failed to follow procedure. He noted that the Clerk's Office had followed procedure. He added that the notices had been published and then mailed to each of the posts in the county. He said that on November the 16th at 4:57 the Clerk's Office had this packet to every board of commissioner on the board. He said that an application was three items, a letter of recommendation from the post, a resume and a letter of interest. He said that what had happened that night was not following the law and was not following board policy. He added that he was disappointed and he felt it was wrong. He said there are three qualified people who followed the requirements but were not considered. He said he would be voting against it.

Comm. Ping asked Corporate Counsel to address the concerns that had been raised by Comm. Prater.

Curt Hedger said that when the notice when out it says nothing about a letter of recommendation. He says that the statute itself likewise does not have any restriction on date. He said that any post could make their recommendation up until the moment of appointment. He said that the county policy does not trump the statute. He added that he did not believe that any law had been violated. He said that any of these posts were within their posts to make their recommendations even tonight. He noted that the law had changed but it says that the key word within the language specifying experience requirements was "or". He said that a soldier overseas met the public service requirement. Comm. Prater read aloud the public notice. Curt Hedger said that no deadline was given for the posts only the applicants. He said that because they were a separate legal entity they were not bound by that deadline.

Comm. Ping thanked Corporate Counsel. She said that it would be great to have someone from a younger generation serving on this board.

Comm. Conan Smith said that he was sorry Comm. Prater felt that the process had been abused. He said that the appointments made were the appointments of the board. He noted that they acted as representatives of the board. He said that Comm. Peterson was right that the process could use improvement. He said that it was important to remember that the recommendations of the posts were recommendations.

12-0197 Comm. Brabec seconded by Comm. Gunn moved that the board appoint one member to the Parks and Recreation Commission. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0198 Comm. Brabec seconded by Comm. Gunn moved that the board rescind the appointment of a member appointed to the Natural Areas Technical Advisory Committee in error. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0199 Comm. Brabec seconded by Comm. Gunn moved that the board clarify the terms of the Historic District Commission members appointed on November 7, 2012. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

Resolutions:

12-0200 Comm. Brabec seconded by Comm. Gunn moved that the board approve the Final 2012 Apportionment Report. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0201 Comm. Brabec seconded by Comm. Gunn moved that the board authorize a one-time compensation adjustment, in the amount of 1.5%, payable to eligible Washtenaw County Employees on the 12/21/12 paycheck that were subject to Banked Leave Days in 2012. Roll call vote: YEAS 10 NAYS 1 (Comm. Dan Smith) ABSENT 0 Motion carried.

12-0202 Comm. Brabec seconded by Comm. Gunn moved that the board ratify the signature of the County Administrator on the contract submission to the Michigan Department of Agriculture Clean Sweep Project in the total amount of \$15,000 for the period of October 1, 2012, through September 30, 2013, for the Solid Waste Department; authorizing the Administrator to sign the Notice of Award; amending the budget; authorizing the Administrator to sign Delegate Contracts. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0203 Comm. Brabec seconded by Comm. Gunn moved that the board authorize the application to the Michigan Department of Labor and Economic Growth for the 2013 Remonumentation Program in the amount of \$109,166; appointing a County Grant Administrator and County Representative; authorizing the Grant Administrator to sign the Notice of Grant of Award; amending the budget and authorizing the Administrator to sign the Delegate Contracts. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0204 Comm. Brabec seconded by Comm. Gunn moved that the board affirm the second year of the 2012/2013 Biennial County Budget. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

12-0205 Comm. Brabec seconded by Comm. Gunn moved that the board establish the compensation and per diem for the Washtenaw County Board of Commissioners effective January 1, 2013. Roll call vote: YEAS 10 NAYS 1 (Comm. Dan Smith) ABSENT 0 Motion carried.

Comm. Rabhi seconded by Comm. Bergman moved that the Vice-Chair of the Board receive a \$1,000 of additional salary. His proposal was accepted as friendly.

Comm. Prater asked how attendance would be monitored now that per diems were paid as stipend. He said that commissioners need to be accountable for attendance. Comm. Gunn said that it should be added to the board rules in the new year. Comm. Conan Smith said it might complete sense to include that as part of the board rules.

Comm. Peterson said that the board has reduced in size and the compensation for the overall budget of commissioner compensation is being reduced. He said that he wants to be sure that this is clear to the public. He said that he wished it had been reflected in the resolution. He said that he would never support an increase for public officials when employees were asked to sacrifice.

Comm. Gunn said there were two fewer commissioners, which meant approximately \$30,000 less. She noted that the new board would be very busy.

12-0206 Comm. Brabec seconded by Comm. Gunn moved that the board adopt the 2013 annual calendar for the Washtenaw County Board of Commissioners. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

Comm. Peterson expressed concern about administrative briefings being held in a room that was not public. He said he was not in support of that though he would be voting for the calendar in respect to leadership. He said that county business needs to be done in the public eye.

Comm. Rabhi said that the way that things had been done had been working pretty well. He said that administrative briefings had been part of the working session in which he thought worked well. Comm. Rabhi seconded by Comm. Ping proposed that the admin briefing be rolled into working session meetings. This amendment was accepted as friendly.

12-0207 Comm. Brabec seconded by Comm. Gunn moved that the board authorize the payment of claims commencing with the last previously approved claim and continuing through the date of November 16, 2012 Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

Items for Current/Future Discussion

Comm. Peterson said he hoped that there would be a movement toward getting a better way to handle the veteran's appointment process. He thanked Comm. Bobrin for her professionalism. He said that she had always been excellent at responding to his concerns.

He said that he has never questioned the hard work of Comm. Bergman. He said that Barbara has always been there. He added that she has never waivered for the most vulnerable members of the community.

He said that one of the first supporters of his political career had been Wes Prater. He said that he was very sincere and focused on budget matters. He noted that he had always been a budget authority.

He said that he could not have served next to a finer human being than Rob Turner. He added that he was the best seat partner he'd ever had. He noted that Rob had always been fair and just. He said that he would miss Rob Turner. He noted that he lived out his words in his life.

He said that you cannot find a stronger more committed advocate than Leah Gunn. He said that she believes in what she fights for.

He said Bob Guenzel always did great work and so did Leah Gunn. He noted that Leah Gunn had done incredible work on the Eastern Leaders Group. He thanked her for her work on that. He said that there was a challenge for addressing the needs of those in the community who are illiterate. He said Leah Gunn had been part of that literacy effort in Washtenaw County. He said that she had always been generous when it came to donating to causes. He said that their approach and style may be different but he appreciated that she made a commitment and stuck to her vote. He said that he appreciated everyone at this table.

Comm. Prater said that regarding the veterans affairs something has been started that hasn't been finished. He said that he the law and the county policies need to be clarified. He said three veterans had been slapped in the face that night.

Conan Smith, Chair

Report of the County Administrator

None

<u>Adjournment</u>

Comm. Gunn seconded by Comm. Rabhi moved to adjourn. Motion carried.

The meeting adjourned at 9:03 p.m.

Lawrence Kestenbaum, Clerk/Register
By: Peter Simms, Deputy Clerk

Board Approved: 1/2/13