**WASHTENAW COUNTY BOARD OF COMMISSIONERS**

**Wednesday November 7, 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, November 7, 2012.

The meeting was called to order at 9:30 p.m. by Conan Smith, Chair of the Board.

**MEMBERS PRESENT:** Comms. Bergman, Brabec, Gunn, Ping, Prater, Rabhi, Sizemore, Conan Smith, Dan Smith and Turner

**MEMBERS ABSENT:** Comm. Peterson

**OTHERS PRESENT**: County Administrator, Verna McDaniel; Curt Hedger, Corporate Counsel; Greg Dill, Facilities; 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. Prater seconded by Comm. Rabhi moved that the minutes of the October 17, 2012 meeting of the Board of Commissioners be approved. Motion carried.

**Citizen Participation**
Benjamin Muth introduced himself to the board as an applicant for a position on one of the county boards. He noted that he had attended the University of Vermont because it was the premier law school for environmental law. He added that he had studied there because he wanted to return to Michigan and work in environmentalism there.

Thomas Partridge, democrat, he stated that the re-election of President Barack Obama would bring about legislative changes that would be important for America's most disadvantaged. He called to task long-winded republicans.

Community member, said that she had been disturbed by the light hearted nature of the talk that had taken place after her colleagues had spoken at the last meeting. She said it was wonderful that the county has a Safe House and that the Shelter Association has the Delonis Center. She reported that it was atrocious that tonight people would be sleeping on church steps. She said there used to be a daytime drop in center at the Delonis Center but there is not one there today. She asked that the county open their doors to her organization.

**Commissioner Follow-Up to Citizen Participation**
Comm. Rabhi thanked those who had come to the board meeting. He said that it had not been his intention to make light of the situation but rather bring attention to the issue. He contended that Washtenaw County does more than any other community in the State. He said that the county is trying and he is thankful for citizen advocates.

Comm. Sizemore said that he appreciates the speakers coming in. He stated that it is a concern that there are so many buildings sitting empty in the county. He added that sometimes, commercial buildings can be used for just the cost of heating them.

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

**R-0088** RECEIVED: October 24, 2012. A letter addressed to the Washtenaw County Board of Commissioners from Wendy Rampson, Planning Manager, City of Ann Arbor re: Notice of Comment Period for Master Plan Amendment, dated October 16, 2012. Received and filed.

**R-0089** RECEIVED: October 25, 2012. A letter addressed to the Washtenaw County Clerk, from Becky A. Farmer, Landman, Paxton, re: Applications to drill exploratory oil and gas wells, dated October 22, 2012. Received and filed.

**Not included in the packet:**

**R-0090** RECEIVED: October 26, 2012. An issue of Women of China magazine addressed to the Washtenaw County Board of Commissioners. Received and filed. Not included in packet due to size.

**Liaison Reports**
Comm. Sizemore said that with the help of Mary Jo Callan and Melissa Milton Pung short videos had been made on youth services, weatherization and veteran services. He said that they were excellent and that they would be playing during the interims in board meetings.

Comm. Bergman said that the county has come a long way from Merri Lou Murray. She added that she was who she was and not always easy to get along with but that she had added a lot to the county.

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

Comm. Ping moved a proclamation of commendation for the Manchester Community Resource Center's 25 years of excellent community service.

Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

Comm. Ping moved a proclamation recognizing Ronald E. Mann for his outstanding service to Manchester Township, Washtenaw County and the State of Michigan and wishing him happiness in his retirement.

Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**Special Order of Business**

**Public Hearing at 6:45 pm on November 7, 2012, at a regular Board of Commissioners meeting to receive comment on the adoption of a Municipal Civil Infractions Ordinance.**

Thomas Partridge stated that he was opposed to the civil infractions ordinance which he called an attack on the civil rights of the citizens of the county. He reported being beside himself at the last meeting when Judge Tabbey had spoken on the issue. He called on the commission to vote down the whole thing.

**12-0155** Comm. Brabec seconded by Comm. Turner moved that the resolution setting a Public Hearing for 6:45 pm on December 5, 2012 to receive comment on the Adoption of the 2013 Budget Reaffirmation be approved. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**Reports of the Standing Committees**
Comm. Brabec seconded by Comm. Turner moved that the following reports be received: Ways and Means Committee, dated October 17, 2012; Working Session, dated October 18, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

**Reports of Special Committees**
Comm. Brabec seconded by Comm. Turner moved that the following reports be received: Animal Control Policy Taskforce, dated May 23, June 13, June 29, July 25, August 9, August 22, September 13, 2012; Food Policy Council, dated September 18, 2012; Road Commission, dated October 2, 2012; Weapons Licensing Board, dated September 18, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

**Other Reports**
None

**Report of the Treasurer**
None

**Appointments**

**12-0156** Comm. Brabec seconded by Comm. Turner moved that the board designate the County Sheriff as their permanent liaison on the 800 MHz Consortium. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0157** Comm. Brabec seconded by Comm. Turner moved that the board appoint two members to the 800 MHz Project Oversight Committee. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0158** Comm. Brabec seconded by Comm. Turner moved that the board appoint two members to the Agricultural Lands Preservation Advisory. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0159** Comm. Brabec seconded by Comm. Turner moved that the board appoint two members to the Washtenaw County Accommodations Ordinance Commission. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0160** Comm. Brabec seconded by Comm. Turner moved that the board appoint seven members to the Building Code/Construction Board of Appeals. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0161** Comm. Brabec seconded by Comm. Turner moved that the board appoint four members to the Brownfield Redevelopment Authority. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0162** Comm. Brabec seconded by Comm. Turner moved that the board appoint two members to the Washtenaw County Community Action Board. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0163** Comm. Brabec seconded by Comm. Turner moved that the board appoint one member to the Concealed Weapons Licensing Board. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0164** Comm. Brabec seconded by Comm. Turner moved that the board appoint one member to the Citizens Advisory Council for the Juvenile Drug Court. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0165** Comm. Brabec seconded by Comm. Turner moved that the board appoint one member to the Department of Human Services Board. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0166** Comm. Brabec seconded by Comm. Turner moved that the board appoint one member to the Emergency Telephone District Board. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0167** Comm. Brabec seconded by Comm. Turner moved that the board appoint representatives to the Washtenaw County Emergency Medical Services Commission. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0168** Comm. Brabec seconded by Comm. Turner moved that the board appoint one member to the Health Code Appeals Board/Public Health Advisory Committee. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0169** Comm. Brabec seconded by Comm. Turner moved that the board appoint five members to the Washtenaw County Historic District Commission. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0170** Comm. Brabec seconded by Comm. Turner moved that the board appoint two members and two alternates to the Huron River Watershed Council. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0171** Comm. Brabec seconded by Comm. Turner moved that the board appoint members to the Washtenaw County Local Emergency Planning Commission. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0172** Comm. Brabec seconded by Comm. Turner moved that the board appoint five members to the Natural Areas Technical Advisory Committee. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0173** Comm. Brabec seconded by Comm. Turner moved that the board appoint two members to the Washtenaw County Public Works Board. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0174** Comm. Brabec seconded by Comm. Turner moved that the board appoint members to the Washtenaw County Workforce Development Board. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**Resolutions:**

**12-0175** Comm. Brabec seconded by Comm. Turner moved that the board ratify the County Administrator's signature on the electronic submission of the grant application to the Michigan State Housing Development Authority (MSHDA) for the 2012-13 Emergency Solutions Grant (ESG) program in the amount of $302,170; authorize the County Administrator to sign the Notice of Grant Award; approve the budgets; and authorizing the County Administrator to sign delegate contracts. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0176** Comm. Brabec seconded by Comm. Turner moved that the board ratify the electronic submission of the grant application and agreement for the Safe Communities Grant, in the amount of $150,000, with the State of Michigan, Office of Highway Safety Planning, for the period October 1, 2012, to September 30, 2013. Authorizing the County Administrator to sign the Notice of Grant Award; amending the budget; and authorizing the Administrator to sign delegate contracts. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0177** Comm. Brabec seconded by Comm. Turner moved that the board adopt the Merchant/Vendor Issued Credit Policy. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0178** Comm. Brabec seconded by Comm. Turner moved that the board adopt the Revised Policy for Procurement. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0179** Comm. Brabec seconded by Comm. Turner moved that the board authorize the County Administrator to execute a contract for up to four years with the Humane Society of Huron Valley to provide certain animal control services within Washtenaw County and to authorize the County Administrator to execute contracts for up to four years with those local governmental entities, which maintain their own animal control ordinances, to help off-set the cost to the County of the HSHV contract. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0180** Comm. Brabec seconded by Comm. Turner moved that the board ratify the County Administrator's signature on the application to the Michigan Department of Human Services, for the FY 2013 Community Services Block Grant in the amount of $571,353 for the period October 1, 2012, through September 30, 2013, for OCED; authorizing the Administrator to sign the Notice of Grant Award; amending the budget; authorizing the Administrator to sign delegate contracts. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0181** Comm. Brabec seconded by Comm. Turner moved that the board ratify the signature of the Chair of the Board of Commissioners on the Emergency Management Work Agreement; ratify the signature of the County Administrator on the Emergency Management Performance Grant Local Budget and on the State of Michigan Emergency Management Performance Grant Agreement with the Michigan State Police Emergency Management and Homeland Security Division for the period October 1, 2012, to September 30, 2013, in the amount of $78,984; and authorizing the Administrator to sign the delegate contracts. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0182** Comm. Brabec seconded by Comm. Turner moved that the board approve an extension to the Coordinated Funding Pilot through 2014 and authorize the County Administrator's signature on the Memorandum of Understanding with the four other Washtenaw Coordinated Funding Partners. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0183** Comm. Brabec seconded by Comm. Turner moved that the board ratify the County Administrator's signature on the OCED grant application to the Area Agency on Aging 1-B for the Nutrition Program for the Elderly for the period of October 1, 2012, through September 30, 2013; authorizing the Administrator to sign the Notice of Grant Award' amending the budget; and authorizing the County Administrator to sign delegate and lease contracts. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0184** Comm. Brabec seconded by Comm. Turner moved that the board approve a Washtenaw County Municipal Civil Infractions Ordinance; establish a Municipal Civil Infractions Violations Bureau; provide for sanctions for violations of Municipal Civil Infractions; adopt a savings clause; and provide an effective date. Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**12-0185** Comm. Brabec seconded by Comm. Turner moved that the board authorize the payment of claims commencing with the last previously approved claim and continuing through the date of October 19, 2012 Roll call vote: YEAS 9 NAYS 0 ABSENT 2 (Comm. Peterson, Sizemore) Motion carried.

**Items for Current/Future Discussion**

**12-0186** Comm. Dan Smith seconded by Comm. Bergman moved that the board clarify Washtenaw County's position on a Regional Transportation Authority.

Comm. Rabhi thanked Comm. Dan Smith for his work on this. He said that he is a little uncomfortable with the resolution and that he appreciates Comm. Dan Smith's position. He noted that the sense he got from R-PATH was that it was a great plan that moves the region forward though there are some concerns that need to be worked through. He said that one of the biggest shortcomings of the region is that there is no regional transit system. He said that he hoped that the community could be connected to Detroit. He added that it was important to him and the people that he represents. He said that he was not sure he could vote for the resolution but he appreciated the changes that have been made.

Comm. Conan Smith thanked Comm. Dan Smith for his changes. He said that the effort to advance a regional transit system in the Detroit area has been one that garnered a lot of attention. He said that the education systems of Washtenaw County mean that the county offers a lot to the Detroit Metro Area. He said that the talent attracted to Washtenaw County Education systems are the future of Michigan. He reported that when AATA was first approached about the Regional Transit Authority they were worried about the federal dollars that they receive. He said that Comm. Dan Smith was correct in his worry that federal dollars flow unimpeded to AATA. He noted that a RTA was not meant to be a replacement to the AATA. He said that it was supposed to be a way to move people more efficiently through the inter-county corridors. He noted that John Hieftje has been a proponent of a commuter rail connecting Ann Arbor to Detroit and points north. He reported that AATA was protective of allowing riders to determine their own schedules. He said that one of the final concerns in funding. He said that the question is; are we one as Southeastern Michigan or are we separate entities. He said the issues presented in the resolution that night represent the concerns of the county. He stated that he is going to reluctantly vote against the resolution but he said that the values reflected in the resolution are strong and good.

Comm. Sizemore said he was not happy that the chair had been to Lansing and Mackinac Island without updating the board. He said that he was not sure how he would vote on this issue.

Comm. Prater said that in order to support a regional transit system it has to be the board taking that action not the chair. He said that it bothers him when a commissioner steps out and speaks on behalf of the board. He added that it is the board that speaks. He stated that he was fearful that things may have been said about which the board was unaware. He said that it appeared to him that there would be very little service provided to Washtenaw County. He said that it was a difficult situation but if it is going to work the board has to be a part of it. He said that the board should have learned from what happened with AATA. He said that out of 28 communities there are 23 communities that are out. He added that there is a need for transportation.

Comm. Conan Smith apologized to Comm. Prater if he felt disrespected. He said that if it was a bigger issue that required more board level discussion than it was his fault but it was not done out of disrespect.

Comm. Turner seconded by Comm. Bergman called the question on the RTA resolution.

Roll call vote on the call to question: YEAS 8 NAYS 2 (Comms. Brabec and Conan Smith) ABSENT 1 (Comm. Peterson) Motion carried.

Roll call vote: YEAS 6 NAYS 4 (Comms. Brabec, Rabhi, Sizemore and Conan Smith) ABSENT 1 (Comm. Peterson) Motion carried.

**Report of the County Administrator**
None

**Adjournment**
Comm. Prater seconded by Comm. Rabhi moved to adjourn. Motion carried.

The meeting adjourned at 10:30 p.m.

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Conan Smith, Chair

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

Board Approved: 12/5/12