



WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday October 3, 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, October 3, 2012.

The meeting was called to order at 6:55 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; Curt Hedger, Corporate Counsel; Greg Dill, Facilities; Kelly Belknap, Finance; 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. Turner seconded by Comm. Prater moved that the minutes of the September 19, 2012 meeting of the Board of Commissioners be approved. Motion carried.

Citizen Participation

Thomas Partridge, Washtenaw County resident, stated that he was in attendance on the night of the first presidential debate. He stated that he was hopeful that the president would more than hold his own that night. He said that the county should focus on turning foreclosed properties into affordable homes. He added that there needs to be a program to bring truly affordable transportation to Washtenaw County. He reported that more money should be given to programs supporting senior citizens.

Shawn Letwin, resident of Webster Township, said that his salary has increased 300%. He said last year he made \$10,000 and now it is \$30,000. He said that he could not afford additional taxes. He asked the board to use prudent judgment when spending his money.

Commissioner Follow-Up to Citizen Participation

None

Communications

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

R-0088 RECEIVED: September 14, 2012. A letter addressed to Conan Smith, Chair of the Washtenaw County Board of Commissioners from Kyle W. Ten Broeke, State Tax Commission re: Equalization Director Certification Requirements, dated September 4, 2012. Received and filed.

R-0089 RECEIVED: September 21, 2012. A letter addressed to Conan Smith, Chair of the Washtenaw County Board of Commissioners, from Kay Wilmoth, Regional Program Manager, Office of Head Start, re: Head Start, dated September 10, 2012. Received and filed.

R-0090 RECEIVED: September 21, 2012. A letter addressed to the Washtenaw County Clerk, from Hollis Thomas, Darcy Consulting, Geological Consulting Services, re: Drill Permit Application, dated September 14, 2012. Received and filed.

R-0091- 5 RECEIVED: September 25, 2012. A letter addressed to the Chair of the Washtenaw County Board of Commissioners, from Dianne Hill, Saline City Clerk, re: Notice of Receipt of Application for Industrial Facilities Exemption Certificate, dated September 20, 2012. Received and filed.

Not included in the packet:

R-0096 RECEIVED: September 19, 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

None

Report of the Chair of the Board of Commissioners

12-0137 Comm. Ping seconded by Comm. Rabhi moved that the resolution recognizing local businesses and non-profit organizations providing exceptional leadership in environmental protection with the Washtenaw County Environmental Excellence Award be approved. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

Special Order of Business

Public Hearing on the adoption of the proposed resolution for the increase of the Tax Millage of 0.050 of mill to 0.060 of mill pursuant to Public Act 88 of 1913 (MCLA 46.161) to promote the Agricultural, Industrial and Tourist Advantages of Washtenaw County

Thomas Partridge, recent candidate for more than one public office, said that the board should speak truth to the public on all issues. He said that he supported this tax millage. He stated that innovative thinking and proposals are needed. He asked the board to explain how much this current millage contributes to the agricultural and tourist businesses of the county. He said that the county needs a combined agricultural and scientific fair.

Matt Shane, District Coordinator MSU Extension, said that the 4-H program impacts 4,500 youth annually and one of the new programs, the entrepreneurship program is possible because of the Act 88 millage. He said that kids in this program form a business, create a product and then bring it to market in a 4-H fair. He said that in the area of local food systems those programs leverage around 7,000 master gardeners every year.

12-0138 Comm. Brabec seconded by Comm. Prater moved that the board approve the resolution setting a Public Hearing at 6:45 pm on October 17, 2012, at a regular Board of Commissioners meeting to receive comment on the Adoption of a Proposed Third Amendment to the Washtenaw County Accommodations Ordinance to clarify that the excise tax shall only be assessed for the cost of its room itself and that the County Finance Director shall now be responsible to administer and enforce the Ordinance. Roll call vote: YEAS 11 NAYS 0 ABSENT 0 Motion carried.

Reports of the Standing Committees

Comm. Brabec seconded by Comm. Prater moved that the following reports be received: Ways and Means Committee, dated September 19, 2012; Working Session, dated September 20, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Reports of Special Committees

Comm. Brabec seconded by Comm. Prater moved that the following reports be received: Road Commission, dated August 21, 2012, September 6, 2012; Weapons Licensing Board, dated August 21, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Other Reports

None

Report of the Treasurer

None

Appointments

None

Resolutions:

12-0139 Comm. Brabec seconded by Comm. Prater moved that the board approve the resolution approving a millage of 0.060 of a mill pursuant to Public Act 88 of 1913 (mcla 46.161) to promote the agricultural, industrial and tourist advantages of Washtenaw County to be levied in December, 2012, for use in calendar year 2013.

Comm. Dan Smith said that nowhere in the act is economic development mentioned. He said that the term economic development seemed to distort the act itself.

Comm. Prater asked if that was true. Curt Hedger said that the act as a whole did address economic development.

Comm. Ping said she was going to vote yes on this because she wants to be part of the discussion on where the money goes.

Comm. Sizemore said he would support this. He said that Comm. Ping is right. He said that the more people engaged on this the better. He agreed that it needs to be spread out more. He said that there are many places in the county that need help.

Comm. Bergman said that there is tremendous need for this across the county.

Comm. Bergman seconded by Comm. Gunn called the question on this item. Roll call vote on the item: YEAS 8 NAYS 3 (Comms. Peterson, Prater, D. Smith) ABSENT: 0 Motion carried.

Amendment to 12-0139 Comm. Conan Smith's amendment: to increase the Public Act 88 of 1913 (mcla 46.161) millage to promote the agricultural, industrial and tourist advantages of Washtenaw County from 0.050 of a mill to 0.060 of a mill pursuant to Public Act 88 of 1913 (mcla 46.161). Discussion on this item was postponed on September 19, 2012 until October 3, 2012. In accordance with board rules the amendment was discussed and voted on before the original agenda item was considered. The discussion on the amendment is as follows.

Curt Hedger said that the whole item was before the board this night. He noted that the first topic would be the proposed amendment before the original item could be voted on.

Comm. Dan Smith said that this is a 20% increase of the tax and he could not support it in light of declining property values.

Comm. Peterson said he wanted to know what the plan was for the 20% increase of new tax revenue. He said he had never seen a request for tax increase without a plan for the new revenue. He added that he represents the most economically hard hit portion of the county. He said that if the board is asking people for another dollar then they need to be clear with people what that money will go towards. He stated that the board should know what they're voting on. Comm. Conan Smith said that a memo had been issued on this on September 5. He stated that the purpose was to preserve funding levels in the face of declining revenues from property tax, be sure that adequate staffing is maintained for economic development programs. Comm. Peterson said the reason he asked is that he was one of the people who asked for this act to be created. He credited Bob Guenzel and Jeff Irwin for their work on creating Act 88. He said that the act was for economic development and it was to be used as a tool to promote business opportunities in this county. He said that CEED was an excellent example of the kind of work this millage supported. He stated that he believed that Act 88 was off page. He said that it was not to be used as an additional arm of county government. He stated that it was meant to be used to support partnerships but he felt it was now being used to subsidize county government. He said it was supposed to be a consortium to enhance economic development. He reported that it was used now as a county piggy bank. He said that it no longer benefited Ypsilanti. He stated that it was supposed to promote economic development. He asked how the new personnel could be brought on if the county was facing potential lay-offs. He asked if those personnel were protected from a county reorganization. Comm. Conan Smith said that the County Administrator would be unable to respond because the action tonight was to only create funding for additional positions. Comm. Peterson said that there is always an impact if you are reducing numbers. He said the board was asking for a tax increase, the hiring of new people and the board did not know what those new people would do. He noted that Act 88 was intended to promote collaboration among economic development efforts. He stated that the areas he represent are facing a school merger. He noted that there would need to be a tax increase in order to support that effort. He said that his constituents were also facing a potential AATA millage. He added that it was hard to support a tax increase without a plan. He reported being troubled by the lack of plan. He said that numbers are not a plan. He said he was worried about levying additional tax on the tax payers.

Comm. Turner said that he appreciated the words of Comm. Peterson. He stated that he was also concerned about increasing taxes. He reported that when property values increase it will be hard to lower the millage rate and it will be additional taxes.

Comm. Rabhi stated that he supported the increase. He conceded that it was troubling economic times. He said that the best way to help a struggling economy was to invest in it. He said that Act 88 was a good way to invest back into the community. He noted that the increase represented \$1 for every \$100,000 of home values. He added that the county was well below what the county is allowed to levy under Act 88. He said that everyone loves to cut taxes and it will be easy to do that in the future. He said the difficult action was investing in the community.

Comm. Gunn stated that she has seen this work. She added that she had been a member of the Eastern Leaders Group for a long time. She reported that the leaders of that group worked on infrastructure improvements, jobs, and schools. She said the very small increase was worth it even though most of the benefits would go to the eastern side of the county.

Comm. Ping asked when economic development in other parts of the county would be discussed. She noted that parts of the Western County are still using dial up internet. She said that no business will invest in a place where high speed internet could not be used. She stated that she would be in favor of supporting something that did not fund the same organizations and the same geographic areas.

Comm. Brabec said she agrees with Comm. Rabhi and Gunn. She stated she was encouraged that the staffing addition would allow for better strategic planning. She said that this increase would improve the strategic view of the county. She said she would be supporting the increase and looked forward to county-wide growth.

Comm. Peterson said he helped to create Act 88. He said that it was meant to be a pool of dollars to match grants. He stated that it was meant to secure grants from the State and Federal Governments. He reported that the intent was not to earmark this money for the county general fund. He said he was uncomfortable with this act being used as a piggy bank. He said that economic development was a serious endeavor on the eastern part of the county. He said his district had lost almost 500 homes. He said not one elected official had called him to support this item. He stated that not one of his constituents had asked him to strongly support this. He said that when Act 88 was created Jeff Irwin had been concerned that too many people would view the act as a piggy bank.

Comm. Bergman seconded by Comm. Gunn called the question on the amendment. Roll call vote: YEAS 5 NAYS 6 (Comms. Brabec, Peterson, Ping, Prater, D. Smith, Turner) ABSENT 0. The motion failed.

Comm. Prater said he was not even sure that Act 88 had not been repealed. He said that a plan should be formed and then the public should be able to vote on it. He noted that if they created a good plan then the people would vote yes on it.

Comm. Turner said he was supportive of Act 88. He noted that it maintained the funding for a lot of important programs. He stated that it also provides support for the Washtenaw County Office of Community and Economic Development. He said that his concern is that it is not easy to decrease taxes. He said that costs have a way of increasing. He said he is very supportive of the initial motion. He said that it would not be wise to increase taxes. Comm. Rabhi asked if this was the opportunity to make changes to the allocations of the millage. Comm. Conan Smith stated that those allocations could be changed at this time. Comm. Rabhi said that the board should consider that this item was about raising money but the list of allocations could be changed at any time. He urged the board not to throw out the millage because they were unhappy with the allocations. He said the point of taxes is that together you can do more than as individuals.

Comm. Sizemore said he would support this item. He said that one of his goals was to expand this county wide. He said that work was being done on a rec center in downtown Ypsilanti. He stated that Ypsilanti is a jewel that needs polishing. He added that it is a great place to live. He said that he agrees with some commissioners about SPARK and said that it was his belief that money needs to trickle up not down. He said he would support it because it is economic development that is needed.

Comm. Gunn commended Comm. Sizemore for his eloquent speech.

Comm. Prater said the Ann Arbor Library District was trying to build a \$65 million library, AATA was preparing to put a millage on the ballot. He stated that people are tired of paying taxes. He said that services have been reduced but taxes are still being increased.

Comm. Peterson said that Act 88 is fine at 0.050. He said that his problem is the way the funds are being used now. He said it was meant to be used for a purpose. He disagreed with Comm. Sizemore and said that it was doing fine. He said that as real estate continues to be challenged people will find programs to fit because of the cost factor. He

stated that Act 88 is a revenue stream to build an internal county department. He said that it has nothing to do with Ypsilanti. He reported that county government is facing a serious fiscal challenge in the coming years. He said he was opposed to the tax increase and added that he did not see any plan to support the increase. He said that people entrust elected officials to spend their money wisely. He said that if the county wants a revenue stream to pay for county departments then the county should go to the people and ask them. He said experts in economic development cost \$80,000-\$100,000 a year which would consume a huge portion of the revenue from the millage.

Comm. Bergman seconded by Comm. Ping called the question on the amendment. Roll call vote on the call to question: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

Roll call vote on the amendment: YEAS 6 NAYS 5 (Comms. Peterson, Ping, Prater, D. Smith, Turner) Motion carried.

12-0140 Comm. Brabec seconded by Comm. Prater moved that the board approve the resolution ratifying the signature of the Chair of the Board of Commissioners on the grant application to the State of Michigan, Office of the Highway Safety Planning, for the continuation of the Sheriff's Department Secondary Road Patrol Program, in the amount of \$184,464.00 for the period of October 1, 2012, through September 30, 2013. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

12-0141 Comm. Brabec seconded by Comm. Prater moved that the board approve the resolution authorizing the signature of the Chair of the Board on the 2012-2013 State Child Care Fund Budget Summary Form 2091 to the State of Michigan, Department of Human Services, Bureau of Juvenile Justice for the Child Care Fund for the Trial Court, Children's Services, and the Washtenaw County Department of Human Services in the amount of \$8,658,084 for the period of October 1, 2012, through September 30, 2013. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

12-0142 Comm. Brabec seconded by Comm. Prater moved that the resolution ratifying the signature of the County Administration on an application with the Michigan Department of Human Services for Cooperative Reimbursement funds for the office of the Prosecuting Attorney for the period October 1, 2012, through September 30, 2015 in the amount of \$1,671,019; \$568,147 in local match and \$1,102,872 in State and Federal funds be approved. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

12-0143 Comm. Brabec seconded by Comm. Prater moved that the resolution ratifying the signature of the Board of Commissioners Chair on the application for the FY 2013-15 Title IV-D Cooperative Reimbursement Agreement with the Michigan Department of Human Services, Office of Child Support, for the Friend of the Court in an amount not to exceed \$3,738,789 for the period of October 1, 2012, through September 30, 2013, and \$11,902,808 over the three year contract ending September 30, 2015 be approved. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

12-0144 Comm. Brabec seconded by Comm. Prater moved that the resolution approving the Sheriff's Office Economic Vitality Incentive Program (EVIP) Round 2 grant request with the Michigan Department of Treasury in the amount of \$196,000 for the period of October 1, 2011 through September 30, 2016 be approved. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

12-0145 Comm. Brabec seconded by Comm. Prater moved that the resolution authorizing payment of claims commencing with the last previously approved claim and continuing through the date of September 14, 2012 be approved. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried.

12-0146 Comm. Bergman seconded by Comm. Gunn moved that the resolution accepting the recommendations of the Washtenaw County Animal Control Policy Taskforce and to adopt the policies as a basis of a provision of services agreement. The addition to the agenda was deemed by Comms. Brabec and Gunn. Roll call vote: YEAS 11 NAYS 0 ABSENT 0. Motion carried. The discussion on this item is provided below.

Comm. Bergman said that the County Administrator needs to have some sort of directive.

Comm. Ping thanked the members of the Taskforce for their work. She noted that on page 5 of the report there was a small issue. Comm. Conan Smith clarified that it was a typo and the intent had been to lay out requirements for holding animals suspected of having rabies.

Comm. Bergman said that the motion on the floor was not about the report.

Comm. Conan Smith stated that Comm. Bergman recommends that a contract try to be secured using the report for informational purposes.

Comm. Dan Smith said that the per-day housing costs for animals are the same as some hotels. He noted that it would rent a nice apartment. He said that if the cost was used as the basis for a mortgage payment you could pay for a \$330,000 house.

Comm. Bergman asked if discussion on the report was germane to the resolution proposed. Curt Hedger said that the decision was the Chair's.

Comm. Turner said that the report came late and there were some corrections that need to be made but he agreed with Comm. Bergman that this was not the time for discussion on the report.

Comm. Rabhi asked if a vote was being held on filing the report. It was confirmed that there was no direction to the administrator concerning the report.

Comm. Gunn urged everyone to support the resolution.

Items for Current/Future Discussion

Comm. Ping asked the board if the gates to the parking lot could be closed an hour later on Wednesdays and Thursday. Verna McDaniel said that she was working with facilities to make changes to the parking lot.

Comm. Prater asked if there was any change in status of the MPOs in relation to WATS. Comm. Rabhi said there was no update at this time but he would be able to provide a report at the next board meeting.

Comm. Rabhi said there were three topics for discussion on the agenda of the Working Session scheduled for the next day.

Report of the County Administrator

None

Adjournment

Comm. Gunn seconded by Comm. Rabhi moved to adjourn until Wednesday, October 17th, 2012, at 6:45 p.m. in the Board Room, Washtenaw County Administration Building. Motion carried.

The meeting adjourned at 8:36 p.m.

Conan Smith, Chair

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

Board Approved: 10/17/12