

### **WASHTENAW COUNTY BOARD OF COMMISSIONERS**

## Wednesday, January 2, 2013

### 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, January 2, 2013.

The meeting was called to order at 6:30 p.m. by Lawrence Kestenbaum, Washtenaw County Clerk.

MEMBERS PRESENT: Comms. Brabec, LaBarre, Martinez-Kratz, Peterson, Ping, Rabhi, Sizemore, Conan

Smith and Dan Smith

MEMBERS ABSENT: None

OTHERS PRESENT: County Administrator, Verna McDaniel; Lawrence Kestenbaum, Clerk; Curt Hedger,

Corporate Counsel; Greg Dill, Facilities; Kelly Belknap, Finance; Mary Jo Callan, OCED; Bob Tetens, Parks & Recreation; 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. Rabhi seconded by Comm. Sizemore moved that the minutes of the December 5, 2012 meeting of the Board of Commissioners be approved. Motion carried.

### **Citizen Participation**

None

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

None

## **Communications**

Comm. Conan Smith seconded by Comm. Ping moved that the communications be received and dealt with as recommended. Motion carried.

**R-0001** RECEIVED: November 29, 2012. A Notice of Receipt of Application for Industrial Facilities Exemption Certificate from the City of Saline Clerk, Dianne Hill, dated November 21, 2012. Received and filed.

**R-0002** RECEIVED: November 30, 2012. A letter addressed to the Washtenaw County Clerk, from Becky A. Farmer, Landman, Paxton, re: Application for exploratory oil and gas well, dated November 26, 2012. Received and filed.

## **Liaison Reports**

None

# **Special Order of Business**

**13-0001** Comm. Conan Smith seconded by Comm. Sizemore nominated Comm. Rabhi for the position of Board Chair. Roll Call Vote: YEAS 8 NAYS 1 (Comm. Dan Smith) ABSENT 0. Motion carried.

Comm. Rabhi thanked the board for their support and stated that he looked forward to working with them in the new year.

**13-0002** Comm. Peterson seconded by Comm. Sizemore moved that the resolution adopting the Rules & Regulations of the Washtenaw County Board of Commissioners be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0. Motion carried. The discussion on the rules is provided below.

Comm. Peterson stated that he appreciated the clarity that was brought by changes to the board rules. He asked about the section "Statutory Committees and Boards", and what had changed. Curt Hedger said that this was language he had recommended because there had not been language previously. Comm. Peterson said he thought it meant that the board was compelled to confirm the chair's appointment. He added that he appreciated the effort of the chair and corporate counsel in clarifying the process. Curt Hedger said that the language "the board shall by majority vote" could be added. Comm. Peterson seconded by Comm. Sizemore moved that the rules be approved with the following change: "The Chair of the Board shall appoint and the Board shall confirm by majority vote all individuals appointed to statutory committees and boards, except as otherwise directed by the laws of the State of Michigan."

Comm. Dan Smith noted that the changes to X. Commissioner Optional Remonumentation eliminate a cap on commissioner reimbursement.

Comm. Conan Smith suggested that clause three of VI. Resolutions reading "Commissioners may abstain from voting on resolutions that express support or opposition and otherwise take no action." be removed. Comm. Sizemore asked for an explanation of the effect of such an action. Comm. Conan Smith said that it would be better for the board if you had to vote. This motion was seconded by Comm. Sizemore.

Comm. Dan Smith said that it was a rule change that has been in effect for 8-9 months. He noted that he abstained a total of 3 times. He documented each of the three times that he had abstained from voting. He noted that it was for the Clean Air Act, Personal Property Tax and a direction to the City of Ann Arbor on how to use proceeds from the sale of public land. He said that he was not supportive of removing this rule.

Comm. Sizemore said that he felt that commissioners had been voted in to office to make a stand one way or the other.

Comm. Conan Smith said that Comm. Dan Smith is right because some of the resolutions that come before the board are not germane to county issues. He said that a yes or no vote did not capture the nuance of public policy. He stated that it was important for commissioners to make their stances known on issues that would affect the county. He cited Domestic Partner Benefits as an example of an issue which is not decided at the county level but which certainly impacts the county.

Roll Call Vote on Abstaining from votes: YEAS 5 NAYS 4 (Comms. LaBarre, Peterson, Ping and Dan Smith) ABSENT 0. Motion carried. Commissioners may no longer abstain from a vote.

## Report of the Chair of the Board of Commissioners

**13-0003** Comm. Sizemore seconded by Comm. Conan Smith nominated Comm. Brabec for the role of Chair of the Ways and Means Committee. Roll Call Vote: YEAS 8 NAYS 1 (Comm. Dan Smith) ABSENT 0 Motion carried.

**13-0004** Comm. Rabhi seconded by Comm. Conan Smith nominated Comm. Ping for the role of Vice-Chair of the Board. This motion was approved by unanimous ballot and a voice vote of the board.

**13-0005** Comm. Brabec seconded by Comm. Conan Sizemore nominated Comm. LaBarre for the role of Chair of the Working Session Committee. This motion was approved by voice vote of the board.

**13-0006** Comm. Ping seconded by Comm. Sizemore moved that the resolution of appreciation for Gretchen Driskell and her service to the citizens of Saline be approved. This motion was passed by voice vote of the board.

**13-0007** Comm. Ping seconded by Comm. Sizemore moved that the resolution of appreciation for Alan Grossman and his service to the citizens of Saline be approved. This motion was passed by voice vote of the board.

## **Reports of the Standing Committees**

Comm. Conan Smith seconded by Comm. Brabec moved that the following reports be received: Ways and Means Committee, dated December 5, 2012. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

# **Reports of Special Committees**

Comm. Conan Smith seconded by Comm. Brabec moved that the following reports be received: Food Policy Council, dated November 26, 2012; Social Services Board, dated October 23, 2012. 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**

Verna McDaniel wished the board a happy new year. She welcomed the new commissioners and welcomed back the returning commissioners.

Comm. Conan Smith asked Verna for an update on the HSHV contract.

Verna McDaniel said that an agreement had been reached. She said that the elements of the agreement meant \$550,000 as a total and the county would pay \$460,000. She said that the City of Ann Arbor, Ypsilanti Township, Ypsilanti City and Superior Township would be helping to share that burden. Curt Hedger said the current contract has been extended until a new contract is drafted. He added that there would not be a gap in services.

Comm. Conan Smith said that in the past year several methods of raising revenues to cover the costs of animal control had been discussed. He added that he hoped they could have a working session on that in the next month to continue that work.

Comm. Brabec asked what happens if one of the municipalities pays more. Verna McDaniel stated that any additional money would go to the HSHV.

Comm. Sizemore asked if it was a four-year contract. Verna McDaniel said that a four-year contract is what is intended. She noted that the county would never be on the hook for more than \$550,000. Comm. Sizemore said he was concerned about the HSHV getting a four-year contract when the voard has to go re-negotiate with unions and employees. Curt Hedger noted that the county could back out of the agreement after one year if necessary. Comm. Peterson said that he hoped nothing was set in stone until it came back to the Board of Commissioners. He added that he thought that the four-year contract was a win-win.

Comm. Rabhi thanked Verna and her team for their work on the contract.

#### **Resolutions:**

**13-0008** Comm. Conan Smith seconded by Comm. moved that the board authorize the payment of claims commencing with the last previously approved claim and continuing through the date of December 7, 2012. Roll call vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

**13-0009** Comm. LaBarre seconded by Comm. Sizemore moved that a Working Session meeting be scheduled for the next day, January 3, 2013. Roll call vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

# **Items for Current/Future Discussion**

Comm. Dan Smith said that one of the board traditions that benefitted everyone was hard work and alternating chairmanship between Ann Arbor and the rest of the county. He said that it was difficult to see how the more rural areas would benefit from an Ann Arbor chair. He noted that four chairs could meet at any time to discuss county business. He noted that in the past year the six chairs had been unable to meet all together because of laws restricting a quorum of commissioners meeting. He said that it was disappointing that the new year and new board was starting with a break from tradition.

Comm. Conan Smith said he never liked the tradition of de facto altering leadership. He said the best method was to evaluate the board leadership and the times that the county faced and then choose the best leader. He added that in previous years the limits on having a quorum of leaders meeting had limited leadership. He said that in order to provide the best leadership you sometimes have to meet away from the board room.

Comm. Rabhi stated that despite Comm. Dan Smith's objections to his chairmanship he fully intended to work with everyone on the board to accomplish their goals.

#### Adjournment

Comm. Ping seconded by Comm. Peterson moved to adjourn. Motion carried.

The meeting adjourned at 7:28 p.m.		
	Yousef Rabhi, Chair	
Lawrence Kestenbaum, Clerk/Register By: Peter Simms, Deputy Clerk		

Board Approved: 1/16/13