



## WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday, November 20, 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, November 20, 2013.

Yousef Rabhi, Board Chair, called the meeting to order at 6:45 p.m.

**MEMBERS PRESENT:** Comm. Brabec, LaBarre, Martinez-Kratz, Peterson, Ping, Rabhi, Conan Smith, Dan Smith

**MEMBERS ABSENT:** Comm. Sizemore

**OTHERS PRESENT:** County Administrator, Verna McDaniel; Curt Hedger, Corporate Counsel; Kelly Belknap, Finance; Tina Gavalier, Finance; Bob Tetens, Parks and Recreation; Ben Toole, ITS; 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. Conan Smith seconded by Comm. Ping moved that the minutes of the November 6, 2013 meeting of the Board of Commissioners be approved. Motion carried.

#### Citizen Participation

Christina Lirones asked the Board to opt out of the State Street TIF. She said that there was not the first TIF to come before the board. She stated that this county like every taxing authority was struggling with low amounts of tax revenue.

#### Commissioner Follow-Up to Citizen Participation

Comm. Peterson said that there had been discussion about creating a policy for evaluating TIF proposals. He asked about the progress on that policy. Comm. Rabhi said that he was working with staff to develop that policy. He stated that Equalization, OCED and the Brownfield Redevelopment Authority were collaborating to draft a policy.

#### Communications

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

**R-0087** RECEIVED: November 13, 2013. An email forwarded to the Washtenaw County Board of Commissioners from Michael Moran, Ann Arbor Township Supervisor, re: Dissolution of the Washtenaw County Road Commission, dated November 11<sup>th</sup>, 2013. Received and filed.

**R-0088** RECEIVED: November 14, 2013. A letter addressed to Comm. Ping from Mandy Grewal, Pittsfield Township Supervisor, re: Committee to examine operations of the Washtenaw County Road Commission, dated November 12<sup>th</sup>, 2013. Received and filed.

#### Liaison Reports

Comm. Rabhi said that the Citizen Advisory Committee for the Platt Road Site had a very productive first meeting. He said that the citizens at the table expressed gratitude that they were a part of the conversation. He added that he felt the committee would produce great work.

Comm. Ping noted that the Washtenaw County Road Commission exploratory committee had their first meeting which had gone very well.

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

None

### **Special Order of Business**

1. A second public hearing for the Board of Commissioners' on the Proposed 2014/2017 Budget in compliance with Section 2 of ACT 43, P.A. 1963, 2<sup>nd</sup> Ex. Session (M.C.L.A. 141.412), Section 24E of Act 206, P.A. 1893 (M.C.L.A. 211.24E)

No citizens spoke at this public hearing.

### **Reports of the Standing Committees**

Comm. Brabec seconded by Comm. LaBarre moved that the following report be received: Ways and Means, dated November 6, 2013; Working Session, dated November 7, 2013. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

### **Reports of Special Committees**

Comm. Brabec seconded by Comm. LaBarre moved that the following reports be received: 800 MHz Project Oversight Committee, dated September 9; Road Commission, dated October 15, 2013. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

### **Other Reports**

Comm. Brabec seconded by Comm. LaBarre moved that the following report be received: Report on contracts in the amount of \$25,000 and under from October 1, 2013, to October 31, 2013. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

### **Report of the Treasurer**

None

### **Appointments**

**13-0196** Comm. Brabec seconded by Comm. LaBarre moved that the Board appoint John Stanowski to the Washtenaw County Board of Commissioners/Washtenaw County Road Commission exploratory subcommittee. Roll call vote: YEAS 8 NAYS 0 ABSENT 1 (Comm. Sizemore) Motion carried.

### **Report of the County Administrator**

Verna McDaniel noted that the Ellen Rabinowitz appointment had received final approval.

### **Resolutions:**

**13-0197** Comm. Brabec seconded by Comm. LaBarre moved that the Board approve the signature of the administrator on a grant application entitled Washtenaw County Stormwater Management Plan Grant to the Michigan Department of Environmental Quality, for the Office of Water Resources Commissioner. Roll call vote: YEAS 8 NAYS 0 ABSENT 1 (Comm. Sizemore) Motion carried.

**13-0198** Comm. Brabec seconded by Comm. LaBarre 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 with the Michigan State Police Emergency Management and Homeland Security Division for the period October 1, 2013 to September 30, 2014. Roll call vote: YEAS 8 NAYS 0 ABSENT 1 (Comm. Sizemore) Motion carried.

**13-0199** Comm. Brabec seconded by Comm. LaBarre moved that the Board approve Board of Commissioner Community Outcomes and Processes for Implementation. Roll call vote: YEAS 7 NAYS 1 (Comm. Ping) ABSENT 1 (Comm. Sizemore) Motion carried. Discussion on this item is provided below.

Comm. Peterson asked about the proposed priorities. He asked if there was a special line item or cost for carrying out the exercises proposed in the resolution. He said that he would like to see an agenda for priorities which could be addressed in a term of office. Comm. Brabec said that this was an effort to ensure that this process was carried out in the future. Comm. Peterson said that he was not comfortable with the budget. He said that he was concerned with the uncertainty of a four-year budget. He asked how the commitments would be paid for. Comm. Rabhi noted that tradition has been for commissioners to pass the budget in the first year of their term and divert focus from it during the second term year. He stated that the intention of these priorities outcomes was to maintain focus on the budget. Comm. Peterson said that Administration was tasked with producing a budget based on the priorities given to them by the board. He said that this budget was now the board's document. He added that he was not comfortable with the four-year budget. He said that now the board is beginning to think about another person to carry out the duties of carrying out the board's priorities in regards to the budget. He stated that this was the last opportunity in four-years to discuss the budget if this proposed budget passed that night. Comm. Conan Smith said that he wants to have this

discussion but it's not germane to the priorities item. He said that the priorities item makes it clear that this process would be the responsibility of the Administrator. He said that this conversation was germane to the allocation of dollars. Comm. Peterson said that it is the responsibility of the board to be sure that there are dollars to support their priorities and programs. He stated that the budget has an allowance for furlough days, and increasing the costs of healthcare. He said that he was troubled about adopting the four-year budget. He asked how another level of administration would be paid for.

Comm. Peterson asked if the budget could be adopted without adopting the priorities. He said that furlough days were in the budget whether they were used or not. Comm. Conan Smith said that this resolution does not require any dollars to be implemented. He added that its effect was to change the work plan for the Administrator. He said that the implementation of some of the recommendations may have costs associated with that. He added that the plan was not to incur those expenses in 2014 but discuss them.

Comm. Ping said that Comm. Peterson makes some really good points. She asked if there was money in the budget to fund those priorities as stated in the resolution. Comm. Rabhi said that the Board had undergone a process to set priorities. He said that this was about setting a course for moving forward. Comm. Ping asked if the budget was based on these priorities or would administration go back in 2014 and then find the money for the priorities before the board that night. Verna McDaniel noted that the programs and services for 2014 fit under the priorities provided by the board. She added that the process for 2014 would be identifying gaps between the services provided and the board priorities. Comm. Peterson asked where the dollars are for the priorities. He asked if new money would need to be generated to address the priorities. Comm. Rabhi said that this was about trying to align the two processes. Comm. Brabec said that the board was trying to take a more strategic approach to the allocation of funds. She noted that this would mean programmatic changes.

Comm. Peterson asked the Chair to highlight the recommendation which would be made to the board in January. He added that this felt like getting more into the micromanagement of the county. He said that it sounded like the recommendation would be driving the budget. He stated that this was the board's budget at this time. He added that he appreciates the inclusiveness of the Chair. He added that he was troubled by the document before the board. He said that adopting the budget was the most important act of the board. He stated that there was no reason to rush to vote on a four-year budget. Comm. Rabhi directed Comm. Peterson to the budget language. He said that at the end of the day this is a board decision.

Comm. Brabec said that the process has been in depth and lengthy. She said that there had been a lot of effort made in being inclusive.

Comm. Peterson said that he was troubled that there was an additional level of government being proposed and he was not sure how it would be paid for. He added that he appreciated the outreach that had been made to him but he had never heard about the micromanagement being proposed that night.

**13-0200** Comm. Brabec seconded by Comm. LaBarre moved that the Board adopt the 2014-2017 Washtenaw County recommended budget. Roll call vote: YEAS 7 NAYS 1\* (Comm. Peterson) ABSENT 1 (Comm. Sizemore) Motion carried. \* Comm. Peterson voted yes on Community Impact Statements, Outside Agencies Funding and Position Modifications. Discussion on this item is provided below.

Comm. Dan Smith seconded by Comm. Conan Smith withdrew his amendment to the budget which had carried over from the meeting on November 6, 2013.

Comm. Conan Smith said that the board did not know with certainty revenue levels year to year. He noted that the board received the revenue figures in April or May when the Equalization report is received.

Comm. Conan Smith seconded by Comm. Dan Smith amended the bolded section of Item 11 on page 13 of the budget to be a separate paragraph and to read "Any annual surplus or deficit will have options for use recommended by the County Administrator in alignment with the investment policy...in June of each calendar year."

Comm. Dan Smith proposed that "investment policy" be changed to "community outcomes and processes". This proposal was accepted as a friendly amendment.

Comm. Rabhi proposed changing "June" to "July". This proposal was accepted as a friendly amendment.

Comm. Conan Smith's amendment was passed by voice vote.

Comm. Conan Smith proposed adding the following item as item 35 on page 16 of the budget "The administrator is directed to prepare and implement a staff study or survey to assess the capabilities of the organization to meet the community outcomes and processes."

Comm. Dan Smith made a friendly amendment to strike "or survey" from Comm. Conan Smith's motion.

Comm. Ping asked how often this should be done. Comm. Conan Smith noted that it used to happen every two years. Comm. Rabhi suggested keeping it open ended and acting upon the Administrator's recommendation. Comm. Ping said that it should be clarified not more than twice so that it was not done twice.

Comm. Ping made a friendly amendment clarifying Comm. Conan Smith's motion so it was clear that the study should happen not more than twice in a four-year budget.

Comm. Conan Smith's amendment passed by voice vote.

Comm. Ping seconded by Comm. Conan Smith made a motion to remove \$500,000 from fund number 6310 facilities operations and maintenance and be moved to a contingency fund for parking. She said that she would like to have the resolution authorizing the agreement with the DDA in hand. Greg Dill said that a study on the parking needs had been commissioned and the results would be coming back in the next two weeks. Comm. Dan Smith said that it sounds as though there is an agreement with the DDA though the resolution cannot be found and so there may not be a formal agreement. Comm. LaBarre asked if the DDA knew that this was coming. Verna McDaniel confirmed that the DDA had been made aware.

Comm. Ping's motion passed by voice vote.

Comm. Peterson said that he appreciates the communications from Administration addressing his questions. He asked for an explanation of how police services contractual services will be affected. He said that in a year and a half he doesn't want to need to be back before the board advocating for the fair treatment of Superior Township and Ypsilanti Township which he represents. He asked if a discussion had taken place with any of the municipalities about how a four-year budget which would impact them. Comm. Rabhi said that he has present at the WATS meeting and several Township Supervisors meetings. He said that he has been working with Township Supervisors so that they understand any changes. Verna McDaniel said that the Police Steering Committee is comprised of the contracting agencies. She said that the contracts for POA and COA pretty well align. She said that they would be working to address any questions and issues that come up. She added that there are also commissioners on the PSSC who can help keep the board apprised of the situation. Comm. Peterson said that no commissioner can guarantee a modification. He asked if any of the local municipalities been briefed that the Board of Commissioners is adopting a four-year budget. He said that inflationary costs may not have been built into the contractual agreements. He said that cities also receive services from inter-governmental agreements between them and Washtenaw County. Comm. Rabhi said that he has communicated the fact that Washtenaw County is working on a four-year budget. Comm. Peterson said that communities that receive building inspection or animal control services may see their costs go up as a result of the budget the board is considering.

Comm. Conan Smith said that Comm. Ping and Kristin Judge had each raised the idea of citizen surveys. He said that he had not been a big fan of that approach but he noted that he had not been a fan of Open Book which is something that people love.

Comm. Conan Smith seconded by Comm. Brabec made a motion to add the following language as item number 36 on page 16 of the budget "The County shall conduct a citizen experience study assessing customer interactions with county entities via our website and other means to inform the development of community outcomes and Board priorities."

Comm. Conan Smith's motion was passed by voice vote of the Board.

Comm. Peterson said that a four-year period of term is too far in advance to accurately project revenues. He said that he would be separating his vote on a few issues and voting no. He said that it was difficult to make a four-year budget. He stated that he votes for items because he believes that they are the right thing to do.

Comm. Dan Smith said that the Board can call it a four-year budget but it really is a one-year budget since the state requires that a budget be adopted each year.

**13-0201** Comm. Brabec seconded by Comm. LaBarre moved that the Board accept the Washtenaw County Workforce Development Board bylaws. Roll call vote: YEAS 8 NAYS 0 ABSENT 1 (Comm. Sizemore) Motion carried.

**13-0202** Comm. Brabec seconded by Comm. LaBarre moved that the Board authorize payment of claims commencing with the last previously approved claim and continuing through the date of November 1, 2013. Roll call vote: YEAS 8 NAYS 0 ABSENT 1 (Comm. Sizemore) Motion carried.

### **Items for Current/Future Discussion**

Comm. Rabhi thanked the Board for their work on the budget. He thanked Comm. Brabec in particular for her work. He thanked Comm. Peterson for his input. He thanked Comm. Dan Smith for his vote and his work. He thanked the commissioners for their work and their diligence. He thanked staff for their work. He thanked the members of the press for their diligence on reporting on the process. He thanked the public for their participation. He said that the idea of community impact investing is spreading to other counties in Southeast Michigan.

Comm. Peterson asked about the appointments process. He asked when a final vote would happen. He asked about the status on the development of a Board of Public Health. He said that he would like to see this happen soon.

Comm. Rabhi said that they would be working to have a proposal for this by the December 4th meeting. Ellen Rabinowitz said that she was working to share a document at the December 4th meeting. Comm. Peterson said that he hoped this board would be far more progressive about the needs of the community.

Comm. Peterson said that his vote on the budget was not a reflection of his confidence in the county administrator. He said that disadvantaged folks suffer when communities are not fiscally sound. He said that when budgets are cut services for the needy are cut first. He said that disadvantaged people suffer because they don't vote at high rates. He said that his job is to be an advocate for his constituents.

Comm. LaBarre noted that there would be a working session on the County Road Commission and MDOT. He thanked Verna for her work throughout the budget process. He said that Yousef could not thank himself because he's not a jerk. He praised Yousef for his work.

Comm. Ping said that she would be unable to attend the meeting the next day.

Comm. Rabhi said that the annual Board of Commissioners event would be happening before the next board meeting.

### **Adjournment**

Comm. Peterson seconded by Comm. Conan Smith moved to adjourn. Motion carried.

The meeting adjourned at 10:10 p.m.

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Yousef Rabhi, Chair

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Lawrence Kestenbaum, Clerk/Register  
By: Peter Simms, Deputy Clerk  
Board Approved: 12/04/13