WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday, February 4, 2004

RECORD OF PROCEEDINGS

An adjourned session of the Washtenaw County Board of Commissioners was held at the Administration Building, in the City of Ann Arbor, Michigan, on Wednesday, February 4, 2004.

The meeting was called to order at 6:50 p.m. by Chair Leah Gunn, Washtenaw County Clerk/Register.

MEMBERS PRESENT: Comms. Armentrout, Bergman, Brackenbury, Gunn, Kern, Irwin, Peterson, Prater, Sizemore, Solowczuk, Yekulis.

MEMBERS ABSENT: None.

OTHERS PRESENT: Bob Guenzel, County Administrator; Frank Cambria, Deputy Administrator; Curtis Hedger, Corporation Counsel; Peggy M. Haines, Clerk/Register; Janice Bobrin, Drain Commissioner; Harry Scheehan, Drain Commission; David Behen, Joe Suchara, Susan Hunt, Charlie Wolfe, ITS; Verna McDaniel, Dianne Heidt, Rebecca Curry, Human Resources; Tony VanDerworp, Planning and Environment; Amy Klinke, Erica Briggs, Administration; Mary Udoji, Margaret Wolfe, Library; Peter Ballios, Finance; Dick Fleece, Environmental Health; Ellen Clement, Public Health, Marc Breckinridge, Emergency Management; Greg Dill, Facility Management; Robert Tetens, Tom Freeman, Parks and Recreation; James Higginbottom, Deputy Clerk; various citizens; and members of the press.

Pledge of Allegiance

Approval of the Minutes of the Previous Meeting
Comm. Solowczuk seconded by Comm. Peterson moved that the minutes of the January 21, 2004, Board of Commissioners meeting be approved. Motion carried.

Citizen Participation
None.

Commissioner Follow-Up to Citizen Participation
None.

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

R-0051 RECEIVED: January 13, 2004. Letter to Property owners near the proposed miniature golf course from Christina Lirones, Pittsfield Township Clerk. re: Planning Commission Public Hearing for C.U.P. #03-08, Glow Golf (Pittsfield Minature Golf), dated January 12, 2004. Received and filed.

R-0052 RECEIVED: January 15, 2004. Letter from Jennifer H. Goulet, Director of the Depot Town Development Authority to Robert Guenzel, County Administrator, re: Depot Town Downtown Development Authority Notice of Proposed District Expansion, dated January 12, 2004. Received and filed; copy to each Commissioner.

R-0053 RECEIVED: January 20, 2004. Letter from Wayne W. Whitman, Environmental Manager, Michigan Department of Agriculture to Gene Lucas, re: Mr. Lucas' conservation management practices at his beef facility located in Washtenaw County, dated January 13, 2004. Received and filed.

R-0054 RECEIVED: January 22, 2004. Resolution from the County of Gogebic. re: Opposing Collection of State Minimum Fees. Received and filed.

R-0055 RECEIVED: January 23, 2004. Letter from Brenda Stumbo, Ypsilanti Township County Clerk to Robert Guenzel, County Administrator, dated January 21 2004. re: The approved Intergovernmental Agreement for Storm Water Permit Public Education and Public Involvement Services Pursuant to "Phase II" of Storm Water Permits. Received and filed.

Report of the Chair of the Board
04-0024 Comm. Bergman seconded by Comm. Solowczuk moved that the resolution congratulating Margaret Wolfe on being named the 2003 Librarian of the Year by the New York Times be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

04-0025 Comm. Bergman seconded by Comm. Solowczuk moved that the resolution commending Catherine Kalman for her commitment to outstanding local programming and unwavering dedication to citizens of Washtenaw County be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

04-0026 Comm. Bergman seconded by Comm. Solowczuk moved that the resolution commending Ken Kelly for her commitment to outstanding local programming and unwavering dedication to citizens of Washtenaw County be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

04-0027 Comm. Bergman seconded by Comm. Solowczuk moved that the resolution commending Don Harrod for her commitment to outstanding local programming and unwavering dedication to citizens of Washtenaw County be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

Special Order of Business
None.

Reports of Standing Committees
Comm. Bergman seconded by Comm. Solowczuk moved that reports of the Agenda Meeting dated January 14, 2004, the Board Working Session dated January 22, 2004, and the Ways & Means Committee Meeting dated January 21, 2004 be approved and accepted. Motion Carried. (Complete reports are on file in the County Clerk/Register's Office.)

Reports of Special Committees
Comm. Kern seconded by Comm. Solowczuk moved that the following reports be received: Accommodations Ordinance Commission, January 14, 2004; Board of Road Commissioners, January 16, 2004; Building Authority, December 2, 2003; Building Construction Code Board of Appeals, January 26, 2004; Historic District Commission, January 16, 2004; Parks and Recreation Commission, January 21, 2004; Plat Board, January 22, 2004; Statutory Drainage Board, January 20, 2004; Washtenaw Area Transportation Study, January 16, 2004. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Other Reports
None.

Report of the Treasurer
Cash position of Washtenaw County as of December 31, 2003

Report from the County Administrator
None.

Resolutions

Appointments
04-0028 Comm. Bergman seconded by Comm. Solowczuk moved that the resolution appointing members to various Boards, Committees, Commissions and Agencies for terms ending December 31, 2004 be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

Ways & Means Committee – January 21, 2004
04-0029 Comm. Bergman seconded by Comm. Solowczuk moved that the Resolution adopting proposed amendments to the County Well Regulation be adopted. Comm. Prater posed a question on Sec. 4.4. Comm. Armentrout pointed out that there was a summary of changes provided in the board packet. Comms. Irwin, Sizemore and Solowczuk commended Dick Fleece and Environmental Health on their service. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

04-0030 Comm. Bergman seconded by Comm. Solowczuk moved that the Resolution approving fees for the implementation of amendments to the Washtenaw County Rules and Regulations for the Supply of Groundwater for Public and Private Purposes be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

04-0031 Comm. Bergman seconded by Comm. Solowczuk moved that the Resolution ratifying the signature of the County Administrator on the application to the State of Michigan, Department of Natural Resources, for the Marine Safety 2004 Grant Program for one year, commencing January 1, 2004 and ending on December 31, 2004 in the amount of $133,354.46; authorizing the Administrator to sign the notice of grant award; and authorizing the Administrator to sign delegate contracts be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

Approval of Claims
04-0032 Comm. Bergman seconded by Comm. Solowczuk moved that the resolution authorizing payment of claims commencing with the last previously approved claim and continuing through the date of January 23, 2004, be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

	FUND/COMPANY	SYSTEM CHECKS	UTILITIES/CREDIT CARD	EXCEPTION & PRE-CLAIMS	TOTAL
1010	GENERAL FUND	$509.03	$0.00	$0.00	$509.03
1100	GYPSY MOTH SUPPRESSION	$0.00	$0.00	$0.00	$0.00
1110	CHILDRENS SERVICES GRANTS-COOP	$0.00	$0.00	$0.00	$0.00
1310	OPERATION NIGHT CAP	$0.00	$0.00	$0.00	$0.00
1320	COMMUNITY POLICING ENHANCEMENT	$0.00	$0.00	$0.00	$0.00
1330	MDSS REINTEGRATION SERV.	$0.00	$0.00	$0.00	$0.00
1340	I-94 SHORE TO SHORE	$0.00	$0.00	$0.00	$0.00
1400	SHERIFF ROAD PATROL	$0.00	$0.00	$0.00	$0.00
1412	L.A.W.N.E.T.	$0.00	$0.00	$0.00	$0.00
1414	L.A.W.N.E.T. HIDTA GRANT	$0.00	$0.00	$0.00	$0.00
1490	PA 302 TRAINING	$0.00	$0.00	$0.00	$0.00
1572	INMATE CONCESSIONS	$162.27	$0.00	$0.00	$162.27
1590	SHERIFF SPECIAL SVCS. FUND	$0.00	$0.00	$0.00	$0.00
1620	PROS ATTNY-CR	$0.00	$0.00	$0.00	$0.00
1690	SHELTER PLUS CARE	$0.00	$0.00	$0.00	$0.00
1710	BFI SOLID WASTE COORD.	$0.00	$0.00	$0.00	$0.00
1750	BUILDING INSPECTION & SOIL EROSION	$0.00	$0.00	$0.00	$0.00
1760	ENVIRONMENTAL HEALTH	$0.00	$0.00	$0.00	$0.00
1770	ILLEGAL DUMPING PROGRAM	$0.00	$0.00	$0.00	$0.00
1810	VETERANS TRUST FUND ADMIN.	$0.00	$0.00	$0.00	$0.00
1850	RRNWWD:STORM WATER GENERAL PE	$0.00	$0.00	$0.00	$0.00
1870	MICHIGAN GREAT LAKES PROTECTION	$0.00	$0.00	$0.00	$0.00
1880	DOMESTIC VIOLENCE COURT PILOT	$0.00	$0.00	$0.00	$0.00
1881	VIOLENCE AGAINST WOMEN	$0.00	$0.00	$0.00	$0.00
1900	3 - 911 FUND	$0.00	$0.00	$0.00	$0.00
2080	PARKS & RECREATION	$0.00	$0.00	$0.00	$0.00
2060	LAW LIBRARY	$0.00	$0.00	$0.00	$0.00
2110	COUNTY LIBRARY FUND	$0.00	$0.00	$0.00	$0.00
2150	FRIEND OF THE COURT	$0.00	$0.00	$0.00	$0.00
2370	JTPA ADMINISTRATION	$0.00	$0.00	$0.00	$0.00
2410	NO WRONG DOOR	$0.00	$0.00	$0.00	$0.00
2420	JTPA - FIRST	$0.00	$0.00	$0.00	$0.00
2490	EMPLOYMENT SERVICES	$0.00	$0.00	$0.00	$0.00
2510	CSA HEADSTART	$0.00	$0.00	$0.00	$0.00
2530	GATEWAY PROJECT	$0.00	$0.00	$0.00	$0.00
2600	CSBG	$0.00	$0.00	$0.00	$0.00
2630	CSA SR NUTRITION	$0.00	$0.00	$0.00	$0.00
2650	FOSTER GRANDPARENTS	$0.00	$0.00	$0.00	$0.00
2700	CSA DOE - WEATHERIZATION	$0.00	$0.00	$0.00	$0.00
2800	MDSS REINTEGRATION SERVICES	$0.00	$0.00	$0.00	$0.00
2801	ZAAP	$0.00	$0.00	$0.00	$0.00
2804	COMMUNITY CORRECTIONS	$0.00	$0.00	$0.00	$0.00
2810	JUVENILE ACCOUNTABILITY	$0.00	$0.00	$0.00	$0.00
2820	STRONG FAMILIES/SAFE CHILDRFEN	$0.00	$0.00	$0.00	$0.00
2920	WCHO	$0.00	$0.00	$0.00	$0.00
2930	MENTAL HEALTH	$0.00	$0.00	$0.00	$0.00
2940	SUBSTANCE ABUSE	$0.00	$0.00	$0.00	$0.00
2960	HEALTH	$0.00	$0.00	$0.00	$0.00
2961	HSRA COMMUNITY ACCESS GRANT	$0.00	$0.00	$0.00	$0.00

2990	CHILD CARE/PROBATE CT.	$0.00	$0.00	$0.00	$0.00
4010	CAPITAL PROJECTS	$0.00	$0.00	$0.00	$0.00
4050	CAPITAL EQUIPMENT	$0.00	$0.00	$0.00	$0.00
4520	MULTI-LAKE SEWER SYSTEM	$0.00	$0.00	$0.00	$0.00
4860	B.A. E-911 CONSTRUCTION	$0.00	$0.00	$0.00	$0.00
4900	B.A. SPACE PLAN PHASE II CONST.	$0.00	$0.00	$0.00	$0.00
4902	HEADSTART CONSTRUCTION BOND	$0.00	$0.00	$0.00	$0.00
5720	INMATE ENTERPRISE FUND	$0.00	$0.00	$0.00	$0.00
6280	DEL TAX REVOLVING #28	$0.00	$0.00	$0.00	$0.00
6310	FACILITIES MGMT - O & M	$0.00	$0.00	$0.00	$0.00
6320	FACILITIES MGMT - TRANSP	$0.00	$0.00	$0.00	$0.00
6330	FACILITIES MGMT - GEN SVC	$0.00	$0.00	$0.00	$0.00
6340	GEN SVCS - REVOLV.	$0.00	$0.00	$0.00	$0.00
6440	SELF INSURANCE	$0.00	$0.00	$0.00	$0.00
6630	MEDICAL SELF INSURANCE	$0.00	$0.00	$0.00	$0.00
6500	1999 PROPERTY FORECLOSURE PROC	$0.00	$0.00	$0.00	$0.00
6501	2000 PROPERTY FORECLOSURE PROC	$0.00	$0.00	$0.00	$0.00
6502	2001 PROPERTY FORECLOSURE PROC	$0.00	$0.00	$0.00	$0.00
6650	FRINGE BENEFIT REVOLVING	$0.00	$0.00	$0.00	$0.00
6900	CENTREX ASSOCIATION	$0.00	$0.00	$0.00	$0.00
6930	MENTAL HEALTH	$0.00	$0.00	$0.00	$0.00
7350	T&A 14A DISTRICT COURT	$0.00	$0.00	$0.00	$0.00
7412	LAWNET - DRUG ENFORCEMENT	$0.00	$0.00	$0.00	$0.00
7413	LAWNET NON-FORFEITURE FUND	$0.00	$0.00	$0.00	$0.00
7520	EMPLOYEE RETIREMENT FUND	$0.00	$0.00	$0.00	$0.00
7550	MONEY PURCHASE PENSION PLAN	$0.00	$0.00	$0.00	$0.00
7570	VEBA HEALTH TRUST	$0.00	$0.00	$0.00	$0.00
7900	REGIONAL DISPATCH FUND	$0.00	$0.00	$0.00	$0.00
7950	HAZ MATL RESPONSE TEAM	$0.00	$0.00	$0.00	$0.00
7990	CO-OP EXTENSION SERVICE	$0.00	$0.00	$0.00	$0.00
8005	PORTAGE-BASELINE LAKE LEVEL	$0.00	$0.00	$0.00	$0.00
8007	WHITMORE LAKE LEVEL	$0.00	$0.00	$0.00	$0.00
8008	FOUR MILE LAKE LEVEL	$0.00	$0.00	$0.00	$0.00
8297	SWAN CREEK & PLINEY HARRIS	$0.00	$0.00	$0.00	$0.00
	TOTALS	$671.30	$0.00	$0.00	$671.30

New Business

Robert Tetens gave a presentation on the Parks and Recreation Commission's Master Plan Update, 2004-2008.

- WCPARC Mission
- What is a County Park
- Methodology
- Basis of Plan Recommendations
- Survey Response
- Priorities 2004-2008
- Greenways
- Natural Areas & Environmental Quality
- Recreation Summit
- Existing Facilities Improvements
- Marketing

Comms. Prater, Armentrout, Kern and Sizemore posed questions. Mr. Tetens responded.

04-0033 Comm. Bergman seconded by Comm. Solowczuk moved that the Resolution approving the Parks & Recreation Commission 5 Year Plan for the period 2004-2008 be adopted. Roll call vote: YEAS: 11. NAYS: None. ABSENT: None. Motion carried.

Liaison Reports
Comm. Bergman talked about her enjoyable experience volunteering at the new shelter.
Comm. Yekulis reminded the Board of the upcoming MAC conference on February 9 and 10, 2004.

Items for Current/Future Discussion
None.

Citizen Participation
None.

Commissioners Follow-up to Citizen Participation
None.

Adjournment
Comm. Solowczuk seconded by Comm. Yekulis moved to adjourn until Wednesday, February 18, 2004, at 6:45 p.m. in the Board Room, Washtenaw County Administration Building. Motion carried.

The meeting adjourned at 7:28 p.m.

_____
Comm. Leah Gunn, Chair

_____
Peggy M. Haines, Clerk/Register
By: James D. Higginbottom, Deputy Clerk

Board Approved:

A RESOLUTION CONGRATULATING MARGARET WOLFE ON BEING NAMED THE 2003 LIBRARIAN OF THE YEAR BY THE NEW YORK TIMES

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2004

WHEREAS, Margaret Wolfe has devoted her professional career to providing the highest quality of library services to thousands of blind consumers in Michigan, thereby increasing their quality of life; and

WHEREAS, the New York Times sponsors annual librarian awards to public librarians who have demonstrated outstanding public service; and

WHEREAS, the New York Times created this annual awards program as an extension of its support for public libraries and its commitment to fostering a well-informed, literate society; and

WHEREAS, in 2003 The New York Times received over 2,000 enthusiastic nominations of exceptional candidates from 46 states; and

WHEREAS, Patrick Cannon, Director of the Michigan Commission for the Blind, wrote in his nomination that "Margaret introduced me to the possibility of accessing an entire world of information I had thought lost forever"; and

WHEREAS, in 2003 The New York Times Librarians selection committee, comprised of 18 library leaders from across the United States and representatives from the New York Times unanimously selected Margaret Wolfe as a 2003 Librarian of the Year, making her the only Michigan Librarian to have ever received this award; and

WHEREAS, a long time LBPD consumer, in recognition of Margaret Wolfe's award, expressed his appreciation by saying, "one person out of 2000 or more seems like a long shot, unless she's one-in -a-million"

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby congratulates Margaret Wolfe on being named the 2003 Librarian of the Year by the New York Times and wishes her continued success

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS 11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0024

A RESOLUTION COMMENDING CATHERINE KALMAN FOR HER COMMITMENT TO OUTSTANDING LOCAL PROGRAMMING AND UNWAVERING DEDICATION TO THE CITIZENS OF WASHTENAW COUNTY

WASHTENAW COUNTY BOARD OF COMMISSIONERS
February 4, 2004

WHEREAS, on January 9th, 2004 Big D Broadcasting announced that WAAM will shift from Full Service to an All Talk national format and would no longer retain the majority of their local staff; and

WHEREAS, Catherine Kalman served as the General Manager of WAAM; and

WHEREAS, WAAM has a history of providing phenomenal local news coverage to Washtenaw County residents; and

WHEREAS, WAAM's steadfast local programming was one of Washtenaw County's hidden treasures; and

WHEREAS, the local staff at WAAM have always worked diligently to ensure important information is communicated quickly and accurately to the community; and

WHEREAS, the County owes a great deal to the local staff at WAAM and their presence will be missed by many members of the community; and

WHEREAS, the Washtenaw County Board of Commissioners recognizes individuals for their efforts and contributions to the community and the citizens of Washtenaw County in making Washtenaw County a better place to live

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby commends Catherine Kalman for her commitment to outstanding local programming and unwavering dedication to the citizens of Washtenaw County and wish her continued success on her future endeavors.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW) SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0025

A RESOLUTION COMMENDING KEN KELLY FOR HIS COMMITMENT TO OUTSTANDING LOCAL PROGRAMMING AND UNWAVERING DEDICATION TO THE CITIZENS OF WASHTENAW COUNTY

WASHTENAW COUNTY BOARD OF COMMISSIONERS
February 4, 2004

WHEREAS, on January 9th, 2004 Big D Broadcasting announced that WAAM will shift from Full Service to an All Talk national format and would no longer retain the majority of their local staff; and

WHEREAS, Ken Kelly served as the Program Director of WAAM; and

WHEREAS, WAAM had a history of providing phenomenal local news coverage to Washtenaw County residents; and

WHEREAS, WAAM's steadfast local programming was one of Washtenaw County's hidden treasures; and

WHEREAS, the local staff at WAAM have always worked diligently to ensure important information is communicated quickly and accurately to the community; and

WHEREAS, the County owes a great deal to the local staff at WAAM and their presence will be missed by many members of the community; and

WHEREAS, the Washtenaw County Board of Commissioners recognizes individuals for their efforts and contributions to the community and the citizens of Washtenaw County in making Washtenaw County a better place to live

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby commends Ken Kelly for his commitment to outstanding local programming and unwavering dedication to the citizens of Washtenaw County and wish him continued success on his future endeavors.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0026

A RESOLUTION COMMENDING DON HARROD FOR HIS COMMITMENT TO OUTSTANDING LOCAL PROGRAMMING AND UNWAVERING DEDICATION TO THE CITIZENS OF WASHTENAW COUNTY

WASHTENAW COUNTY BOARD OF COMMISSIONERS
February 4, 2004

WHEREAS, on January 9th, 2004 Big D Broadcasting announced that WAAM has shifted from Full Service to an All Talk national format and would no longer retain the majority of their local staff; and

WHEREAS, Don Harrod served as the News Director of WAAM; and

WHEREAS, WAAM had a history of providing phenomenal local news coverage to Washtenaw County residents; and

WHEREAS, WAAM's steadfast local programming was one of Washtenaw County's hidden treasures; and

WHEREAS, the local staff at WAAM have always worked diligently to ensure important information is communicated quickly and accurately to the community; and

WHEREAS, the County owes a great deal to the local staff at WAAM and their presence will be missed by many members of the community; and

WHEREAS, the Washtenaw County Board of Commissioners recognizes individuals for their efforts and contributions to the community and the citizens of Washtenaw County in making Washtenaw County a better place to live

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby commends Don Harrod for his commitment to outstanding local programming and unwavering dedication to the citizens of Washtenaw County and wish him continued success in his future endeavors.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **11** **0** **0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0027

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMITTEES, COMMISSIONS AND AGENCIES FOR TERMS ENDING DECEMBER 31, 2004

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2004

WHEREAS, various appointments to boards, committees, commissions and external agencies; boards, committees and commissions are scheduled to be made in January of each year; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby confirms the appointments of the Chair of the Board Commissioners of members to the following Boards, Committees, Commissions and agencies for terms ending December 31, 2004:

Central Dispatch Authority
1) Martha Kern
2) Barbara Bergman, alternate

Emergency Telephone District Board
1) Leah Gunn (Chair of the Board)
2) Martha Kern
3) Robert Brackenbury, alternate

800 Mhz (Liaison)
1) Barbara Bergman

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0028

A RESOLUTION ADOPTING PROPOSED AMENDMENTS TO THE COUNTY WELL REGULATION

WASHTENAW COUNTY BOARD OF COMMISSIONERS
February 4, 2004

WHEREAS, Washtenaw County Environmental Health Department is charged with assuring groundwater drinking water wells are safe; and

WHEREAS, the current County Well Regulation does not address factors that may impact the safety of drinking water from individual wells; and

WHEREAS, Washtenaw County Environmental Health has proposed amendments to provide further assurances that appropriate steps are taken to ensure safe water; and

WHEREAS, these amendments are protective of groundwater and public health; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, the County Administrator's Office and the Ways & Means Committee

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby adopts the amendments to the Washtenaw County Rules and Regulation for the Protection of Groundwater, as attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Board of Commissioners hereby directs the County Clerk to publish the Washtenaw County Rules and Regulations for the Protection of Groundwater in the newspaper of general circulation

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

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In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0029

WASHTENAW COUNTY RULES & REGULATIONS

FOR THE

PROTECTION OF GROUNDWATER

PREAMBLE

Recognizing that the supply of safe potable water is fundamental to individual, public and community health; further recognizing that public groundwater supply facilities installed and operated in a proper manner are necessary for safeguarding public health; still further recognizing the need to isolate and protect individual wells furnishing water for human consumption from sewage or other sources of pollution; and insofar as possible, to prevent the contamination of groundwater resources and supplies, or the creation of conditions menacing the public health, these Rules and Regulations governing groundwater are hereby established under authority of the State of Michigan's Public Health Code, Act 368 of the Public Acts of 1978, State of Michigan, MCL 333.1101 et seq. as amended.

PURPOSE

It is the purpose of this Regulation to assure that the construction and abandonment of wells is conducted in such a manner that the groundwater of this County will not be contaminated or polluted, and that water obtained from wells will be suitable for beneficial use and will not jeopardize the health, safety or welfare of the people of this County or the environment.

Article I Definitions

Sec. 1:1 "Approved" means acceptable for intended use as judged by the Health Officer utilizing public health laws, rules, regulations, and technical data.

Sec. 1:2 "Contaminant" means a biological, chemical, physical, or radiological constituent in water that is or may become injurious to the public health, safety, or welfare or to the environment.

Sec. 1:3 "Contamination" means an impairment of the quality of water to a degree that creates a hazard, or may create a hazard, to the public health through poisoning or through spread of disease, or otherwise affects the aesthetic quality of the groundwater.

Sec. 1:4 "Department" means the Washtenaw County Department of Public Health.

Sec. 1:5 "Drainfield" means that part of an on-site sewage system that provides for the infiltration of sewage below the ground surface.

Sec. 1.6 "Emergency basis" means a circumstance where a well driller or homeowner is unable to obtain a well permit from the Department due to the office being closed and that an undue hardship would likely result if drilling the well was delayed until the office was open.

Sec. 1:7 **"**Groundwater" means the water in the zone of saturation that fills all of the pore spaces of the subsurface geologic material.

Sec. 1:8 "Health Officer" means the Director of the Washtenaw County Department of Public Health or his/her designated representative who shall be a Registered Sanitarian or who is under the supervision of a Registered Sanitarian.

Sec. 1:9 "Imminent health hazard" means a condition that in the judgment of the Health Officer exists that may require immediate action to prevent endangering the health of the public.

Sec. 1:10 "Maintenance" means, but shall not be limited to, repair or replacement of a pump, well screen, pressure tank, piping, wiring, controls, or treatment device that is part of a well.

Sec. 1:11 "Municipality" means a city, village, township, county, district or other public body created by, or pursuant to, State law or any combination of such units acting cooperatively or jointly.

Sec. 1:12 “Owner” means a person who holds, or at the time of construction who held, a legal, equitable or possessory interest of any kind in a well or in the property on which the well system is located, including, but not limited to, a trust, vendor, vendee, lessor, or lessee. However, owner does not include a person or a regulated financial institution who, without participation in the operation of the well, is acting in a fiduciary capacity or who holds indicia of ownership primarily to protect the person’s or the regulated financial institution’s security interest in the well or the property on which it is located. This exclusion does not apply to a grantor, beneficiary, remainderman, or other person who could directly or indirectly benefit financially from the exclusion other than by the receipt of payment of fees and expenses related to the administration of a trust.

Sec. 1:13 “PHAC/EAB” means Public Health Advisory Committee / Environmental Appeals Board.

Sec. 1:14 "Person" means an individual, partnership, cooperative, association, private corporation, personal representative, receiver, trustee, assignee, governmental entity or any other legal entity.

Sec. 1:15 "Potable water" means water that is free of contaminants in concentrations that may cause disease or harmful physiological effects, is safe for human consumption and meets the State drinking water standards set forth in Michigan's Safe Drinking Water Act 399 of the Public Acts of 1976, as amended, (MCL 325.1001 et seq.) as it now exists or may be amended in the future.

Sec. 1:16 "Public nuisance," when applied to a well, means any well that threatens to impair the quality of groundwater or otherwise jeopardize the health and safety of the public or the environment.

Sec. 1:17 "Test or exploratory hole" means an excavation, or direct push used for determining the nature of underground geological or hydrological conditions, by direct observation, or by any other means.

Sec. 1:18 Wells

1. "Well" means an excavation and an integrated system of pumps, pipes, controls, reservoirs, and mechanical devices used for the purpose of injecting into or extracting water or other fluids from below the ground surface or for making tests or observations of underground conditions, or for any other similar purpose**.**
2. Wells include, but are not limited to:
    a. "Abandoned water well" means any of the following:
        i. A well that has its use permanently discontinued.

ii. A well that is in such disrepair that its continued use for the purpose of obtaining groundwater is impractical.

iii. A well that has been left with the drilling uncompleted.

iv. A well that is a threat to groundwater resources.

v. A well that is or may be a health or safety hazard.

b. “Community water well” means a public water supply that provides year-round service to not fewer than fifteen (15) living units or which regularly provides year-round service to not fewer than twenty-five (25) residents.

c. “Extraction well” means any well used to extract water for treatment or other processes.

d. “Heat exchange well” means a well for the purpose of utilizing the geothermal properties of earth formations for heating or air conditioning.

e. "Individual domestic well" means a water well used to supply water for domestic needs of an individual residence.

3. "Industrial well" means a well that is used to supply water for industrial processes, fire protection, or similar nonpotable uses.

4. “Injection well” means any well used to inject water or other fluids into the groundwater.

5. “Irrigation well” means a well that is used to provide water for plants, livestock, or other agricultural processes.

6. ”Monitoring well” means any well installed for the purpose of observing/monitoring the conditions of a water-bearing aquifer to determine the quality of groundwater or concentration of contaminants in underground waters.

7. “Non-community well” means a water system that provides water for drinking or household purposes to twenty-five (25) or more persons for at least sixty (60) days per year or has fifteen (15) or more service connections. (A few examples are schools, restaurants, churches, campgrounds and highway rest stops with their own water supplies.)
8. “Purge well” means wells used for the purpose of extracting and treating water from a contaminated aquifer.
9. "Test well” means a well that is used to obtain information on groundwater quantity, quality, or aquifer characteristics for the purpose of designing or operating a water supply well.
10. “Water supply well” means a well that is used to provide potable water for drinking or domestic purposes.
11. Wells, for the purpose of this regulation shall not include:
    a. Oil and gas wells constructed under the jurisdiction of the Michigan Department of Environmental Quality (MDEQ), except those wells converted to use as water wells; or
    b. Wells used for the purpose of:
        i. Providing community water supplies under the jurisdiction of MDEQ,
        ii. Dewatering wells less than twenty-five (25) feet in depth during construction,
        iii. Stabilizing hillsides or earth embankments,

iv. Wells less than twenty-five (25) feet in depth used to lower the water tables for construction purposes.

c. The following excavations:

i. Holes or excavations for drainfield soil evaluation tests,

ii. Drill holes for seismic exploration where such drill holes are less than twenty-five (25) feet in depth.

Article II Well Permit Requirements

Sec. 2:1 No person shall construct or drill any well unless a permit has first been issued by the Health Officer authorizing such installation and construction of the well, provided: (1) a permit shall not be required for maintenance of a well, ,and (2) an existing well may be replaced on an emergency basis prior to receiving a permit in the event its intended use is for a residence that is occupied and a repair cannot be made. In such instances the permit must be applied for within twenty-four (24) hours of the next business day. If the emergency well replacement is not in compliance with the other requirements of this Regulationregulation upon Department review, the well will be required to be relocated or otherwise modified to be in compliance. (3) A single permit will be required for all direct-push geoprobe type wells installed on a legally described property boundary.

Sec. 2:2 Application for a permit shall be made by the property owner(s) or his/her authorized representative on forms provided by the Health Officer. The application for a permit shall be accompanied by the appropriate service fee designated by the Washtenaw County Board of Commissioners, and plans showing locations of pertinent features of the

proposed well, including sewage disposal systems or works carrying or containing sewage, potential sources of contamination, property description, and any other necessary data that may be required by the Health Officer. The permit shall be valid only for the property described in the application for the permit.

Sec. 2:3 A permit for the drilling of a well shall become void twelve (12) months from the date of issuance. If the drilling of a well has not been completed within the twelve (12) month period, a new permit shall be required. The well driller or individual(s) drilling a well shall have a copy of the permit including the plot plan accessible on site during the drilling operation. A permit may be re-activated within three (3) years of the permit issuance date and will be assessed fifty (50%) per cent of the permit fee for re-activation.

Sec. 2:4 No municipality shall issue a building permit where a well is necessary or otherwise allow construction to commence on any land where an approved public or private water supply is not available until a well permit has been issued by the Health Officer.

Sec. 2:5 A permit for a well shall be denied in writing by the Health Officer for one or more of the following reasons:

a. A potable water well where the property dimensions are too small for the required isolation distances specified in Sec 6:7 and a variance is not warranted.

b. The installation of the system, in the opinion of the Health Officer, would create a dangerous condition, public nuisance, or potentially contaminate the groundwater. Agricultural structures that are built to the US

Department of Agriculture compliance with the generally accepted agricultural and management practices (GAAMPs) shall not be considered a public nuisance.

c. The submitted information is not in compliance with the provisions of these Rules and Regulations

Article III Construction Requirements.

Sec. 3:1 All wells are subject to inspection by the Health Officer and all construction work and pump installations shall be approved by the Health Officer. Inspection and approval shall be limited to the general layout and functional aspects. Inspections of such systems when required shall be promptly made following notification.

Sec. 3:2 Prior to the installation of any well, an application shall be filed with the Health Officer accompanied by a site plan indicating the proposed location of the well, its intended use, the nearest source of contamination within 100 hundred (100) feet, and prominent features of the property. When applying for a non-potable well permit for such use as a monitoring or dewatering well, the name, address and telephone number of the consultant(s) or engineer and property owner shall be provided along with the anticipated diameter and depth of the well.

Sec. 3:3 No person shall construct or drill any well unless a permit has first been issued by the Health Officer authorizing such installation and construction except as authorized under Sec. 2.1

Sec. 3:4 The Health Officer shall be notified by the permit holder or well driller by fax or by another mutually-agreed upon format prior to the beginning of the installation and construction of the well.

Sec. 3:5 The Health Officer may, upon presentation of proper identification**,** at any and all reasonable times, enter any and all places, property, enclosures and structures where well drilling and construction has taken place for the purpose of making examinations and investigations to determine whether any provision of this Regulation is being violated. The Health Officer may require that each completion, modification, or abandonment operation be inspected prior to any further work.

Sec. 3.6 A registered well driller may request an inspection by the Department of any well drilled.

Article IV Plugging Abandoned Wells

Sec. 4:1 A well shall be considered abandoned and shall be plugged in accordance with this regulation when:

- It has been replaced with a new well, or
- It has been out of service for more than twelve (12) months, or
- When the structure it is serving has been connected to a municipal supply;

provided however, a well may continue in use if the well is registered with the Department for its intended use, there is a complete separation from any municipal supply, and the well remains in working condition.

Sec. 4.2: When it is determined a well is abandoned, it shall be plugged in accordance with the following:

a. Potable water supply: An abandoned well or dry hole shall be plugged by a well drilling contractor who is registered pursuant to the provisions of Part 127 of PA 368 (Groundwater Quality Control Act) of 1978.

b. Dewatering wells shall be plugged by a registered de-watering well driller in accordance with Part 127 of PA 368 of 1978, Section 4 utilizing methods specified within Section 4, Rules #261 – 268.

c. Other non-potable water wells may be abandoned under the supervision of a registered well driller, professional engineer, certified professional geologist or a registered sanitarian knowledgeable of well plugging procedures.

Sec. 4:3 A pump, a drop pipe, a packer, other equipment, debris, or obstructions shall be removed from the well, if possible, before plugging.

Sec. 4:4 An abandoned well or dry hole (other than dewatering wells) shall be plugged as follows:

a. Well or dry hole that terminates in overburden shall be plugged by filling with any of the following materials:

(i) Neat cement.

(ii) Concrete grout.

(iii) Bentonite chips.

(iv) Bentonite pellets.

(v) Bentonite grout.

b. A section of a well or dry hole that is in bedrock shall be plugged by filling with neat cement or concrete grout from the bottom of the well or dry hole to not less than twenty (20) feet above the top of the bedrock or to the ground surface. The section of the well from twenty (20) feet above the bedrock to the ground surface shall be plugged in accordance with the provisions of subdivision (a) of this subrule.

c. Gravel, sand, stone aggregate, or other materials that are acceptable to the Department may be used for plugging that portion of a well that penetrates lost circulation zones, such as gravel or cavernous, creviced, or fractured bedrock.

Sec. 4:5 The flow from an abandoned flowing well shall be stopped by plugging the well with neat cement or concrete grout.

Sec. 4:6 Abandoned wells that discharge subterranean gases shall be plugged with neat cement or concrete grout.

Sec. 4:7 Abandoned well or dry hole plugging materials shall be placed as follows:

a. Bentonite chips or bentonite pellets shall be poured slowly into the top of the well or dry hole to prevent bridging in the casing or borehole. Fine bentonite particles that accumulate in the shipping container shall not be used. The plugging operation shall continue until the bentonite chips or bentonite pellets appear at the ground surface. Upon completion of the

plugging operation, water shall be placed into the casing or borehole to promote expansion of the bentonite above the static water level.

b. Neat cement, concrete grout, or bentonite grout shall be placed through a tremie pipe from the bottom of the well or dry hole to the ground surface.

c. Other materials and methods may be used if the materials and methods proposed to be used will plug the abandoned well or dry hole to prevent them from acting as a channel for contamination or the escape of subterranean gases and if prior approval is given by a Health Officer.

Sec. 4:8 A large diameter dug well or crock well shall be plugged pursuant to the provisions stated above or may be plugged as follows:

a. A layer of bentonite chips or bentonite pellets that is not less than six (6) inches thick shall be placed at the bottom of the well. The remainder of the well shall be plugged by placing clean soil backfill in layers that are not more than ten (10) feet thick, with a layer of bentonite chips or bentonite pellets that is not less than six (6) inches thick placed on top of each clean soil backfill layer. Dry granular bentonite may be used in place of, or in combination with, bentonite chips or bentonite pellets, and neat cement or concrete grout may be poured if the well has been dewatered before plugging.

b. The uppermost section of concrete crock or tile or the upper three (3) feet of stone, brick, or other curbing material that supports the well bore shall be removed. Before backfilling the well up to the ground surface, a layer

of bentonite chips or bentonite pellets that is not less than six (6) inches thick shall be placed.

Article V Records

Sec. 5:1 Within sixty (60) days of the date of completion of a well, a well drilling contractor shall furnish the well owner with one (1) copy and the Health Officer with two (2) copies of a well log that contains the information required on the form furnished by the director. The Health Officer shall send one (1) copy of the well log to the Michigan Department of Environmental Quality within thirty (30) days after the Health Officer receives the copies of the well log. A well drilling contractor shall retain a copy of the well log.

Sec. 5:2 A well drilling contractor shall record the geologic material types and thicknesses penetrated during the drilling process. The record shall be available for inspection during well drilling.

Sec. 5:3 Within sixty (60) days after plugging an abandoned well or dry hole, the person who performed the plugging operation shall provide the Department or Local Health Department with two (2) copies of a report that sets forth all of the following information:

a. The well owner's name.

b. The location of the well.

c. The well depth.

d. The well diameter.

e. The plugging procedure.

f. The plugging material.

g. The amount of plugging material used. Standard forms for the report shall be provided by the Department.

h. In lieu of reporting quarter section/ quarter section/ quarter section in identifying the location of wells, GPS coordinates may be submitted provided that within two (2) years of adoption of this Regulation, all well locations must be identified utilizing latitude and longitude coordinates.

Sec. 5:4 When an abandoned well is plugged where a replacement well will be or has been constructed, the plugging information may be recorded on the well log that is submitted for the replacement well. Information on several abandoned wells or dry holes within a single parcel may be submitted on a single well log form if the geologic materials and plugging methods are similar.

Sec. 5:5 A well log shall be signed by a registered well drilling contractor.

Sec. 5:6 Monitoring well test results may be requested by the Department. When so requested, the results shall be submitted in a mutually agreeable format within thirty (30) days of request.

Article VI Potable Water Supply Requirements

Sec. 6:1 It shall be unlawful for any person to occupy, or to permit to be occupied, any premise in Washtenaw County not equipped with an adequate supply of potable water as determined by the Health Officer or the municipality supplying the water. A potable well in existence at the time of adoption of these Regulations may be continued and maintained in service without the approval of the Health Officer as long as

satisfactory performance is maintained, the water remains potable and the system use is not changed so that it becomes a public water supply as regulated by Act 399 of the Public Acts of 1976, as amended.

Sec. 6:2 These Rules and Regulations shall apply to all non-community and private groundwater supplies within Washtenaw County. Requirements with respect to water well and/or pumping equipment installations or water well abandonment procedures shall include those requirements as set forth in Part 127, Act 368 of the Public Acts of 1978, and Act 399 of the Public Acts of 1976 and all rules and regulations and amendments applicable thereto.

Sec. 6:3 Water supplies intended for human consumption that are not potable shall be treated by methods approved by the Michigan Department of Environmental Quality or the Washtenaw County Health Officer. If the water is not made potable, said water supply and/or well shall be properly abandoned to protect the water-bearing formation against contamination, or identified at each outlet that it is unfit for human consumption.

Sec. 6:4 A contaminated potable groundwater water supply system that, in the judgment of the Health Officer represents an imminent health hazard, shall be identified with suitable signs at each outlet, or the outlets shall be made inoperable to the satisfaction of the Health Officer.

Sec. 6:5 All wells intended for human consumption shall conform to the minimum construction requirements of these Rules and Regulations whenever a new building is being constructed, a new well is drilled, and/or the water is no longer potable.

Sec. 6:6 A newly drilled well shall not be used for human consumption until the construction and installation have been approved by the Health Officer, and the following

are submitted: (a) a completed water well record prepared by the well driller, when applicable, and (b) a certified laboratory report indicating the water supply is free from specified bacteriological or chemical contaminants. All water samples shall be collected by the owner, well driller, or permit holder, Health Officer, or other person specifically designated by the Health Officer.

Sec. 6:7 All potable water wells, in addition to the requirements of Act 399 of the Public Acts of 1976, shall be located not closer than fifty (50) feet from any septic tank or injection well, and not closer than one hundred (100) feet from any drainfield or other source of contamination, and shall be located wholly upon the property served. Isolation distances may be increased by the Health Officer when sufficient protection is not provided by the specified isolation distances and shall be increased by the Health Officer where greater isolation distances are required by Act 399 of the Public Acts of 1976, as amended. Under certain conditions, where suitably executed and recorded easements or right-of-way agreements exist, this provision may be waived by specific written permission of the Health Officer. Return wells used in conjunction with a groundwater heat pump shall be at least fifty (50) feet from any supply well. A groundwater heat pump shall have a disposal location approved by the Health Officer.

Sec. 6:8 The Health Officer may reduce the minimum required isolation distance of one hundred (100) feet) from a well to a drainfield if compliance with said isolation requirement would create undue hardship upon the property owner(s) and if, in the opinion of the Health Officer, the well can be drilled into an aquifer that is protected from surface contamination by a minimum ten (10) foot thick continuous clay layer, as determined from area well logs.

Article VII Department Responsibility for Community Notification

Sec. 7:1 Upon the request of any city, village, township or charter township, the Health Officer shall provide notification of any well permit issued in that jurisdiction (or in that jurisdiction's designated wellhead protection area) after the effective date of this Amendment.

Sec. 7:2 The Health Officer shall maintain a database of all well drilling activities identified in this Regulation. Periodically the Department shall produce and make available a report on groundwater in Washtenaw County.

Article VIII Jurisdiction / Right to Inspect

Sec. 8:1 The Health Officer shall have jurisdiction throughout Washtenaw County, including all cities, villages, townships, and charter townships, in the administration and enforcement of these Rules and Regulations and any amendments hereafter adopted, unless otherwise specifically herein. All premises affected by these Rules and Regulations shall be subject to inspection by the Health Officer, and the Health Officer may collect such samples for laboratory examination as s/he deems necessary for the enforcement of these Rules and Regulations.

Sec. 8:2 The Health Officer**,** upon presentation of proper identification**,** may enter and inspect at reasonable hours any well installation on public or private property for the purpose of reviewing the installation or abandonment of a well.

Sec. 8:3 No person shall remove, mutilate or conceal any notice or placard posted by the Health Officer except by permission of the Health Officer.

Article IX Violation Remedies

Sec. 9:1 After learning that this Regulation has been violated, the Health Officer may:

a. Issue a Cease and Desist Order and/or suspend any permit, certificate or other approval issued pursuant to this Regulation to the owner or other party violating this Regulation, and afford the owner or other interested party Notice and Opportunity for Hearing.

b. Request that Washtenaw County Corporation Counsel file a legal action to enjoin the violation. In addition, the Health Officer may seek to recover any and all costs related to correcting, removing or abating the violation, including enforcement costs.

c. Issue a citation within ninety (90) days after the alleged violation is discovered. The citation shall state with particularity the nature of the violation, including reference to the Section of the Regulation alleged to have been violated, the civil penalty established for such violation, if any, and a right to appeal the citation pursuant to MCLA 333.2461.The citation shall be delivered or sent by U.S. mail to the alleged violator.

d. Any party issued a citation may request an informal conference within ten (10) days from the date the citation is issued, at which time the person may indicate why s/he believes that s/he has not violated this Regulation.

e. Any party issued a citation may appeal the citation to the PHAC/EAB or its designated committee within thirty (30) days after the citation is issued.

f. A person aggrieved by a final decision of the Health Officer or the PHAC/EAB or its designated committee, may petition Washtenaw County Circuit Court for review. The time period for appeal shall begin the day following the date of such final decision.

Sec. 9:2 Monetary civil penalties may be imposed according to the following schedule:

a. First violation: Up to: $ 200.00

b. Second violation: $ 500.00

c. Third and subsequent violations each: $ 1000.00

Sec. 9:3 A civil penalty levied under this Section may be assessed for each violation or day that the violation continues. The civil penalty may be for a specified violation of this Regulation or promulgated Rule that the Health Officer has the authority and duty to enforce.

Sec. 9:4 A decision by the Health Officer not to issue a citation shall not be construed as a waiver of any other rights or remedies authorized by law or this Regulation.

Sec. 9:5 Notwithstanding the existence or pursuit of any other remedy, the Health Officer may maintain an action in the name of the County in a court of competent jurisdiction for an injunction or other appropriate process against any person to restrain or prevent violations of these Rules and Regulations.

Article X Conviction of Misdemeanor

Sec. 10:1 Any person who violates or who knowingly submits false information required by this Regulation is guilty of a misdemeanor, punishable by imprisonment for not more than ninety (90) days, or a fine of not more than $200.00 or both. Conviction by jury, court or voluntary plea and acceptance by court under this provision shall not waive any other claim for fines, costs, injunction or other relief authorized by this Regulation. Each day that a violation of this Regulation exists shall constitute a separate offense.

Article XI Assessment against the Property

Sec. 11:1 If the owner or party violating this Regulation refuses on demand to pay such expenses incurred by the Department to abate, correct or remove a violation, unsanitary condition or nuisance, the sum shall be assessed against the property and shall be collected and treated in the same manner as taxes assessed under the general tax laws of this State.

Article XII Right to Obtain Samples

Sec. 12:1 Inspection under this Regulation shall include the right to obtain samples where the Health Officer has reason to believe that there is a likelihood of contamination of surface water, ground water, water supply or other unsanitary conditions. Upon written notice, an owner or occupant of premises where such inspection is sought shall co-operate with the Health Officer or his/her designated representative.

Article XIII Hearings and Appeals

Sec. 13:1 If an owner or interested party is adversely affected by any decision under this Regulation, s/he may request in writing a Hearing before the PHAC/EAB or its designated Committee within thirty (30) days of the date of such decision. The Health Officer shall issue a Notice of Hearing within fifteen (15) days after receiving the request. A Hearing shall then be held at the next regular meeting of the PHAC/EAB (or its designated committee), scheduled for such purposes; provided, however, that a Hearing shall be conducted no later than sixty (60) days after the Notice of Hearing is mailed to the owner or interested party. The PHAC/EAB (or its designated committee) shall affirm, reverse or modify the contested decision by a majority vote of the entire Board. The decision by the PHAC/EAB (or its designated committee) shall be in writing and stateState the reasons and grounds for such decision. A copy shall be furnished to the owner, any interested person, and the Health Officer within thirty (30) days of the decision.

Sec. 13:2 The PHAC/EAB shall hear appeals and may grant individual variances from these Rules and Regulations where it is determined no substantial health hazard is likely to occur therefrom, and unnecessary hardship might result from strict compliance with these Rules and Regulations. A written notice of appeal and/or request for a variance shall be filed with the Health Officer. The notice of appeal shall state the particular grounds on which it is based. Opportunity for the hearing shall be given at the next regular or scheduled PHAC/EAB meeting following the request unless receipt of the request is within less than fourteen (14) calendar days of the time for such a meeting in

which event a hearing may be provided for at a subsequent regular or special meeting of the PHAC/EAB. Due notice of such hearing shall be given to all persons listed on the last assessment roll for the township as the owner(s) of any real property contiguous to the appellant's property. In addition, notice of such hearing shall be published at least five (5) calendar days prior to the date of the hearing in the newspaper of general circulation published in Washtenaw County. The Board shall furnish the appellant with a written report of its findings and decision within sixty (60) calendar days of the date of such hearing.

Sec. 13:3 All amendments to these Regulations shall be approved by the Washtenaw County PHAC/EAB and the Washtenaw County Board of Commissioners after a public hearing required by Section 2442 of Act 368 of the Public Acts of 1978, as amended, has been held. All amendments shall become effective forty-five (45) days after approval by the Washtenaw County Board of Commissioners or at a time specified by the Washtenaw County Board of Commissioners.

A RESOLUTION APPROVING FEES FOR THE IMPLEMENTATION OF AMENDMENTS TO THE WASHTENAW COUNTY RULES AND REGULATIONS FOR THE SUPPLY OF GROUNDWATER FOR PUBLIC AND PRIVATE PURPOSES

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2004

WHEREAS Amendments to the County Well Regulations (Washtenaw County Rules and Regulations for the Supply of Groundwater for Public and Private Purposes) have been adopted by the Washtenaw County Board of Commissioners; and

WHEREAS it is the desire of the Board that costs incurred in the implementation of those amendments be recovered through the assessment of user fees; and

WHEREAS the Department of Environmental Health Regulation has determined the costs to be as described in the attached fee schedule, and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, the County Administrator's Office and the Ways & Means Committee

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the attached Fee Schedule for the administration and enforcement of the amendments to the County Well Regulation for the Protection of Groundwater.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0030

WASHTENAW COUNTY
RULES AND REGULATIONS
FOR THE PROTECTION OF GROUNDWATER

FEE SCHEDULE

FEBRUARY, 2004

Permit related activities for other than drinking water wells…….$50.00

Fee to reactivate an expired permit 50% of current permit fee

A RESOLUTION RATIFYING THE SIGNATURE OF THE COUNTY ADMINISTRATOR ON THE APPLICATION TO THE STATE OF MICHIGAN, DEPARTMENT OF NATURAL RESOURCES, FOR THE MARINE SAFETY 2004 GRANT PROGRAM FOR ONE YEAR, COMMENCING JANUARY 1, 2004 AND ENDING ON DECEMBER 31, 2004 IN THE AMOUNT OF $133,354.46; AUTHORIZING THE ADMINISTRATOR TO SIGN THE NOTICE OF GRANT AWARD; AND AUTHORIZING THE ADMINISTRATOR TO SIGN DELEGATE CONTRACTS.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

FEBRUARY 4, 2004

WHEREAS, the Washtenaw County Sheriff's Department and Washtenaw County have diligently maintained efforts to better serve the citizens of Washtenaw County; and

WHEREAS, the Sheriff's Department wishes to further enhance its delivery of law enforcement services to the community, within the realm of community oriented policing; and

WHEREAS, the Washtenaw County Sheriff's Department requests permission to submit an application for a grant award from the State of Michigan, for 75% reimbursement of up to $133,354 in eligible expenses being made available through the Marine Safety Grant Program; and

WHEREAS, this matter has been reviewed by the County Administrator's Office, the Finance Department, Human Resources, Corporation Counsel, and the Ways and Means Committee;

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby ratifies the signature of the County Administrator on the application to the State of Michigan for the period January 1, 2004 to December 31, 2004 in the amount of $133,354.46 through the 2004 Marine Safety Grant Program, as on file with the County Clerk.

BE IT FURTHER RESOLVED that the Board of Commissioners takes the following actions contingent upon receipt of the grant award in conformity with the grant application:

1. Authorizing the Administrator to sign the Notice of Grant Award
2. Authorizing the Administrator to sign the delegate contracts in conformity with the application/award upon review of Corporation Counsel, to be filed with the County Clerk.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						
CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY					**ROLL CALL VOTE: TOTALS**				**11**	**0**	**0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW) SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0031

A RESOLUTION AUTHORIZING PAYMENT OF CLAIMS COMMENCING WITH THE LAST PREVIOUSLY APPROVED CLAIM AND CONTINUING THROUGH THE DATE OF JANUARY 23, 2004

WASHTENAW COUNTY BOARD OF COMMISSIONERS
February 4, 2004

WHEREAS, as filed with the County Clerk is a true copy of the record of claims commencing with the last previously approved claim and continuing through the date of January 23, 2004, inclusive; and

WHEREAS, the Board of Commissioners has been assured by the County Clerk that no claim received is withheld or rejected by the list, shows the name of the claimant, the amount of the claim and the date presented

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the payment of claims commencing with the last previously approved claim and continuing through the date of January 23, 2004, inclusive, as listed in the statement of claims as attached hereto and made a part hereof

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS 11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW) SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____
Deputy Clerk

Res. No. 04-0032

A RESOLUTION ADOPTING THE WASHTENAW COUNTY PARKS AND RECREATION COMMISSION 5 YEAR MASTER PLAN 2004 – 2008

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2004

WHEREAS, the Washtenaw County Parks and Recreation Commission has prepared a 5 Year Master Plan to serve as the guideline for the Commission from 2004 through 2008; and

WHEREAS, in the process of developing the new 5 Year Master Plan the Commission sought public input through a number of meetings with local officials, public and private recreation providers, staff of the Commission and the general public; and

WHEREAS, the Commission, with the assistance of a professional consultant, conducted a random telephone survey of a sample of Washtenaw County residents to identify parks and recreation needs and priorities as expressed by the public; and

WHEREAS, the survey conducted by the Commission was augmented by a previous survey conducted by the Huron Clinton Metropolitan Authority which included residents of Washtenaw County; and

WHEREAS, the input gained through these input sources was utilized in developing the recommendations which comprise the new Washtenaw County Parks and Recreation Commission 5 Year Master Plan; and

WHEREAS; the State of Michigan requires all parks and recreation agencies applying for grant funding from the State of Michigan Department of Natural Resources to submit a Parks and Recreation Master Plan every five years; and

WHEREAS, the most recent Master Plan prepared by the Washtenaw County Parks and Recreation Commission covered the years 1999 – 2003; and

WHEREAS, State of Michigan guidelines require the Master Plan to be adopted by the highest level governing body for the community, that being the Washtenaw County Board of Commissioners; and

WHEREAS, the Parks & Recreation Commission held a public hearing on January 12, 2004; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby adopts the Washtenaw County Parks and Recreation Commission 5 Year Master Plan 2004 – 2008, as on file with the County Clerk.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS 11 0 0**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 4 2004, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY:_____

Deputy Clerk

Res. No. 04-0033