



WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday, February 4, 2009

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, 2009.

The meeting was called to order at 8:28 p.m. by Rolland Sizemore, Chair of the Board.

MEMBERS PRESENT: Comms. Bergman, Gunn, Irwin, Judge, Ouimet, Ping, Prater, Schwartz, Sizemore, and Smith.

MEMBERS ABSENT: Comm. Peterson

OTHERS PRESENT: County Administrator Bob Guenzel; Deputy County Administrators, Verna McDaniel and David Behen; Corporation Counsel Curt Hedger; Jennifer Watson, Dale Vanderford, James McFarlane, Andy Brush, Dave Shirley, Support Services; Peter Ballios, Finance; Jenny Bivens, ETCS; Patricia Denig, Planning and Environment; Bob Tetens, Parks and Recreation; Mark Breckenridge, Emergency Management; Diane Heidt, Human Resources; Ken Schrader, ITS; Scott Patton, Joanna Bidlack, Administration; Jason Brooks, Clerk's Office; various citizens; and members of the press.

Roll Call

Pledge of Allegiance

Approval of the Minutes of the Previous Meeting

Comm. Gunn seconded by Comm. Prater moved that the minutes of the January 21, 2009, meeting of the Board of Commissioners be approved. Motion carried.

Citizen Participation

Tom Partridge stated that he would like the Board of Commissioners to connect with the outside world. He stated that he would like the Sheriff and local police to house the homeless.

Commissioner Follow-Up to Citizen Participation

None

Communications

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

R-0026 RECEIVED: January 21, 2009. A letter to the Washtenaw County Board of Commissioners Chair. from Moises C. Medina, Director, Government Entities, Internal Revenue Service, re: Income Tax withholding on payments for property and services made by government entities after December 31, 2010, dated January 16, 2009. Received and filed, copied to Treasurer's office, Finance, Equalization, and Administration.

R-0027 RECEIVED: January 21, 2009. A newsletter from the Michigan Association of Counties, re: MAC Legislative Update, dated January 16, 2009. Received and filed.

R-0028 RECEIVED: January 22, 2009. A letter to Chairperson, Washtenaw County Board of Commissioners, from Jeanette Harris, Director, Community Planning and Development, Detroit Field Office, re: Monitoring Review – Washtenaw County Consortium, dated January 15, 2009. Received and filed, copied to Community Development.

R-0029 RECEIVED: January 24, 2009. An e-mail to the Washtenaw County Board of Commissioners, from Dawn (jeff.firestone@castrol.com), re: Help for son's girlfriend, dated January 24, 2009. Received and filed.

R-0030 RECEIVED: January 25, 2009. An e-mail to the Washtenaw County Board of Commissioners, from Ray Tuck (tuck3@att.net), re: Property line question, dated January 25, 2009. Received and filed.

Liaison Reports

None

Report of the Chair of the Board of Commissioners

Comm. Sizemore stated that the County can get through this budget situation. He stated that opportunities for collaboration on Parks and Recreation programs will be looked at with the County Administrator.

Special Order of Business:

None

Reports of the Standing Committees

Comm. Schwartz seconded by Comm. Gunn moved that the following reports be received and approved: Administrative Briefing, dated January 14, 2009; Ways & Means, dated January 21, 2009; Working Session, dated January 22, 2009. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Reports of Special Committees

Comm. Schwartz seconded by Comm. Gunn moved that the following reports be received: Concealed Weapons Licensing Board, dated January 20, 2009 and December 16, 2008; Historic District Commission, dated November 13, 2008; Parks and Recreation Commission, dated December 9, 2008; Police Services Steering Committee, dated November 19, 2008 and November 5, 2008 be adopted. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Other Reports

None

Report of the Treasurer

None

Appointments:

09-0014 Comm. Schwartz seconded by Comm. Gunn moved that the resolution appointing a representative to the Criminal Justice Collaborative Council (CJCC) be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Report of the County Administrator:

Administration Staff Introduction (Took place at Ways & Means – February 4, 2009)

Update on the Library for the Blind and Physically Disabled transfer to the Ann Arbor District Library – Josie Parker, Director (Took place at Ways & Means – February 4, 2009)

Bob Guenzel reported that the data center migration that is occurring does not include County employees moving to the facility.

Resolutions:

Ways & Means – January 21, 2009

09-0015 Comm. Schwartz seconded by Comm. Gunn moved that the resolution ratifying the signature of the of the Chair of the Board of Commissioners on the Emergency Management Work Agreement; ratify the signature of the County Administrator on the Emergency Management Performance Grant Local Budget and on the State of Michigan Emergency Management Performance Grant Agreement with the Michigan State Police Emergency Management and Homeland Security Division for the period October 1, 2008 to September 30, 2009 in the amount of \$72,808; and authorizing the Administrator to sign the delegate contracts be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

09-0016 Comm. Schwartz seconded by Comm. Gunn moved that the resolution authorizing the County Administrator to sign the 2007 Homeland Security grant program agreement with the State of Michigan for the period of July 1, 2007 through March 31, 2010 in the amount of \$1,213,986.22 to reimburse Washtenaw County for approved homeland security planning, training, and equipment expenses; and authorizing the Administrator to sign delegate contracts be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

09-0017 Comm. Schwartz seconded by Comm. Gunn moved that the resolution authorizing the County Administrator to sign the State of Michigan 2007 Citizens Corps program grant in the amount of \$14,464.49 for the period October 1, 2008 through December 1, 2009 and authorizing the Administrator to sign the delegate contracts be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

09-0018 Comm. Schwartz seconded by Comm. Gunn moved that the resolution ratifying the signature of the County Administrator on the agreement to the State of Michigan, Michigan Department of Corrections/Office of Community Corrections, and Washtenaw County/City of Ann Arbor Community Corrections Board for the FY 2007 Washtenaw County/City of Ann Arbor Community Corrections Comprehensive Plan in the amount of \$960,685 for the period October 1, 2008 through September 30, 2009 be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

09-0019 Comm. Schwartz seconded by Comm. Gunn moved that the resolution ratifying the electronic submission of the grant application and agreement for the Safe Communities Grant in the amount of \$103,944 with the State of Michigan, Office of Highway Safety Planning, for the period October 1, 2008 to September 30, 2009, authorizing the County Administrator to sign the notice of grant award; amending the budget; and authorizing the Administrator to sign delegate contracts be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Ways & Means – February 4, 2009

09-0020 Comm. Schwartz seconded by Comm. Gunn moved that the resolution pledging the full faith and credit of the County of Washtenaw, within constitutional limitations, for the payment of the bond of the Allen’s Creek Drainage District be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Approval of Claims

09-0021 Comm. Schwartz seconded by Comm. Gunn moved that the resolution authorizing payment of claims commencing with the last previously approved claim and continuing through the date of January 23, 2009 be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

FUND	DESCRIPTION	SYSTEM CHECKS	UTILITIES CREDIT CARD	EXCEPTION & PRE-CLAIMS	TOTAL
1010	GENERAL FUND	\$ -	\$ -	\$ 568.00	\$ 568.00
	TOTALS	0	\$ -	\$ 568.00	\$ 568.00

New Business

09-0022 Comm. Schwartz seconded by Comm. Gunn moved that the resolution clarifying the history of Washtenaw County’s Police Services Steering Committee, re-affirming the current four Commissioner representatives to that committee and establishing term limits for the Commissioners appointed to the committee be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

09-0023 Comm. Schwartz seconded by Comm. Gunn moved that the resolution to accept comments from the Washtenaw County Planning Advisory Board on the Lodi Township Master Plan update and direct the County Clerk to send comments to Lodi Township and the contiguous local units of government be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Items for Current/Future Discussion

Comm. Judge thanked Joanna Bidlack for putting together the tours of County departments.

Comm. Prater reported that about \$61 million has been submitted by the County and about the same amount by the Road Commission for economic stimulus funds.

Comm. Ouimet thanked Jeff Irwin for chairing the Board for the previous two years.

Comm. Sizemore asked Bidlack to provide documents that were submitted on the economic stimulus.

Citizen Participation

None

Commissioners Follow-up to Citizen Participation

None

Adjournment

Comm. Prater seconded by Comm. Ping moved to adjourn until Wednesday, February 18th, 2009, at 6:45 p.m. in the Board Room, Washtenaw County Administration Building. Motion carried.

The meeting adjourned at 8:49 p.m.

Rolland Sizemore Jr., Chair

Lawrence Kestenbaum, Clerk/Register

By: Jason Brooks, Deputy Clerk

Board Approved: 2/18/09

A RESOLUTION APPOINTING A REPRESENTATIVE TO THE CRIMINAL JUSTICE
COLLABORATIVE COUNCIL (CJCC) FOR A TWO YEAR TERM
EXPIRING DECEMBER 31, 2010

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

WHEREAS, on April 21, 2004, the Board of Commissioners created and appointed representation to the CJCC (Resolution 04-0072); and

WHEREAS, a vacancy exists for a city or township chief of police representation for a two-year term expiring December 31, 2010; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following representative to the Criminal Justice Collaborative Council (CJCC) for a two-year term expiring December 31, 2010:

<u>Member</u>	<u>Representation</u>	<u>Term</u>
1)Matthew Harshberger	City or Township Chief of Police	12/31/10

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS}.

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____
Deputy Clerk



Res. No. 09-0014

A RESOLUTION RATIFYING THE SIGNATURE OF THE CHAIR OF THE BOARD OF COMMISSIONERS ON THE EMERGENCY MANAGEMENT WORK AGREEMENT; RATIFY THE SIGNATURE OF THE COUNTY ADMINISTRATOR ON THE EMERGENCY MANAGEMENT PERFORMANCE GRANT LOCAL BUDGET AND ON THE STATE OF MICHIGAN EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT WITH THE MICHIGAN STATE POLICE EMERGENCY MANAGEMENT AND HOMELAND SECURITY DIVISION FOR THE PERIOD OCTOBER 1, 2008 TO SEPTEMBER 30, 2009 IN THE AMOUNT OF \$72,808; AND AUTHORIZING THE ADMINISTRATOR TO SIGN THE DELEGATE CONTRACTS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

FEBRUARY 4, 2009

WHEREAS, since 1991 the Federal Emergency Management Agency has required the State of Michigan to enter into agreements with each county before disbursing Emergency Management funding; and

WHEREAS, Michigan counties with a full-time Emergency Management Director and a local emergency program that operates in full compliance with the Michigan Emergency Management Act (P.A. 390 of 1976, as amended) may be reimbursed up to 50% of the Director's salary and fringe benefits; and

WHEREAS, the 2009 Emergency Management Performance Grant will reimburse the County for approximately 36% of the Emergency Management Director's salary and fringe benefits in fiscal year 2009 based on reimbursement trends over the past five years; and

WHEREAS, resolution 92-0072 authorizes the Chair of the Washtenaw County Board of Commissioners and the County Administrator to address functional and operational issues relating to Emergency Management; and

WHEREAS, the agreement places no additional programmatic burden on the County or the Emergency Management Division; and

WHEREAS, this matter has been reviewed by Corporation Counsel, Human Resources, 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 authorizes the Chair of the Board to sign the Emergency Management FY2009 Work Agreement and the County Administrator to sign the Local Budget for FY2009 for Emergency Management Performance Grant with the State of Michigan for the period of October 1, 2008 through September 30, 2009; and

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
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **10 0 1**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS}.

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0015

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE 2007 HOMELAND SECURITY GRANT PROGRAM AGREEMENT WITH THE STATE OF MICHIGAN FOR THE PERIOD OF JULY 1, 2007 THROUGH MARCH 31, 2010 IN THE AMOUNT OF \$1,213,986.22 TO REIMBURSE WASHTENAW COUNTY FOR APPROVED HOMELAND SECURITY PLANNING, TRAINING, AND EQUIPMENT EXPENSES; AND AUTHORIZING THE ADMINISTRATOR TO SIGN THE DELEGATE CONTRACTS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

WHEREAS, Washtenaw County has received pass-through funds supporting Emergency Management operations since 1979; and

WHEREAS, Washtenaw County has received homeland security grant funds to purchase Weapons of Mass Destruction response equipment, enhance emergency planning and coordination, improve disaster exercise design and participation, and for local hospitals and public health preparedness activities since 2001; and

WHEREAS, the United States Department of Homeland Security has created these pass-through grants to reimburse Emergency Management jurisdictions, through state agencies, for approved homeland security project expenses; and

WHEREAS, Washtenaw County's 2007 grant award is \$1,213,986.22 for approved homeland security projects that will continue to substantially improve our response capability; and

WHEREAS, the Washtenaw County Homeland Security Task Force has developed and unanimously recommended fifteen projects to enhance Washtenaw County's preparedness for acts of international and domestic terrorism, and emergencies in general; and

WHEREAS, the Emergency Management Division in conjunction with the Homeland Security Task Force will administer this grant; and

WHEREAS, this matter has been reviewed by Corporation Counsel, Human Resources, 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 authorizes the County Administrator to sign the 2007 Homeland Security Grant Program Agreement with the State of Michigan for \$1,213,986.22 for the period of July 1, 2007 through March 31, 2010; and

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the Administrator to sign delegate contracts in conformity with the application/award upon review of Corporation Counsel, to be filed with the County Clerk.

1. Authorizing the Administrator to sign the Notice of Grant Award
2. Amending the budget, as attached hereto and made a part hereof
3. 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
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** **10 0 1**

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS.}

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0016

Emergency Management – Homeland Security
 July 1, 2007 to March 31, 2010
 Homeland Security Grant
 BU 1950075600

<u>Revenue</u>	Original	Revised	Variance
50000 Federal Revenue	\$ -	\$ 1,213,986	\$ 1,213,986
<u>Expenditure</u>			
70050 Personal Services	\$ -	\$ 248,463	\$ 248,463
72600 Supplies	\$ -	\$ 303,741	\$ 303,741
80000 Other Services	\$ -	\$ 353,271	\$ 353,271
<u>95000 Capital Outlay</u>	<u>\$ -</u>	<u>\$ 308,511</u>	<u>\$ 308,511</u>
Total	\$ -	\$ 1,213,986	\$ 1,213,986

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE STATE OF MICHIGAN 2007 CITIZENS CORPS PROGRAM GRANT IN THE AMOUNT OF \$14,464.49 FOR THE PERIOD OCTOBER 1, 2008 THROUGH DECEMBER 1, 2009 AND AUTHORIZING THE ADMINISTRATOR TO SIGN THE DELEGATE CONTRACTS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

FEBRUARY 4, 2009

WHEREAS, Washtenaw County has received pass-through funds supporting Emergency Management operations since 1979; and

WHEREAS, Washtenaw County has received homeland security grant funds to purchase Weapons of Mass Destruction response equipment, enhance emergency planning and coordination, improve disaster exercise design and participation, and for local hospitals and public health preparedness activities since 2001; and

WHEREAS, the United States Department of Homeland Security has created a pass-through grant to reimburse Emergency Management jurisdictions, through state agencies, for approved Citizens Corps project expenses including instructor fees, team response equipment and supplies; and

WHEREAS, The United States Citizen Corps was created to help better prepare citizens for local and national disasters, and to develop a base of minimally trained volunteers who can assist neighborhoods and response organizations during significant events; and

WHEREAS, The Community Emergency Response Team (CERT) is a community training program under the U.S. Citizens Corps that prepares people to help themselves, their families and their neighbors in the event of a disaster in their community; and

WHEREAS, Washtenaw County's Homeland Security Task Force developed a partnership with the City of Ann Arbor Neighborhood Watch Program to extend CERT training to everyone in the County who is interested in attending training, and

WHEREAS, the 2007 Citizen Corps Grant Program will provide \$14,464.49 to cover the costs of Washtenaw County's instructor fees, training supplies, and basic response equipment for CERT team members on a 100% reimbursement basis between October 1, 2008 and December 1, 2009; and

WHEREAS, the Washtenaw County Emergency Management Division in conjunction with the Washtenaw County Homeland Security Task Force will administer this grant; and

WHEREAS, this matter has been reviewed by Corporation Counsel, Human Resources, 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 ratifies the County Administrator's signature on the State of Michigan 2007 Citizen Corps Program Grant Agreement in the amount of \$14,464.49;

BE IT FURTHER RESOLVED that the Board of Commissioners hereby takes the following

actions contingent upon receipt of the grant award in conformity with the application:

1. Authorizing the County Administrator to sign the Notice of Grant Award
2. Amending the budget as attached hereto and made a part hereof
3. Authorizing the County Administrator to sign delegate contracts upon review and approval of Corporation Counsel, to be filed with the County Clerk.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS}.

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0017

A RESOLUTION RATIFYING THE SIGNATURE OF THE COUNTY ADMINISTRATOR ON THE AGREEMENT TO THE STATE OF MICHIGAN, MICHIGAN DEPARTMENT OF CORRECTIONS/OFFICE OF COMMUNITY CORRECTIONS, AND WASHTENAW COUNTY/CITY OF ANN ARBOR COMMUNITY CORRECTIONS BOARD FOR THE FY 2007 WASHTENAW COUNTY/CITY OF ANN ARBOR COMMUNITY CORRECTIONS COMPREHENSIVE PLAN IN THE AMOUNT OF \$960,685 FOR THE PERIOD OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

WHEREAS, on August 6, 1989, by resolution #89-0219, the Washtenaw County Board of Commissioners established, in conjunction with the Ann Arbor City Council, a city/county Community Corrections Advisory Board (CCAB) pursuant to PA 511 of 1988; and

WHEREAS, on January 21, 2004, the Washtenaw County Board of Commissioners passed resolution #04-0023 approving revisions to the originally adopted CCAB By-Laws; and

WHEREAS, the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board meets monthly on the second Tuesday of every month pursuant to their By-Laws; and

WHEREAS, Washtenaw County continues to have one of the lowest prison commitment rates in the state and a high utilization of Community Corrections community-based supervision programs; and

WHEREAS, the application for FY 2008-09 programs and descriptions have been reviewed and approved by the CCAB and were forwarded to the Washtenaw County Board of Commissioners and Ann Arbor City Council for review and approval in June 2008; and

WHEREAS, the State of Michigan Department of Corrections has reviewed the application and has processed the recommendation of funding as outlined in the grant agreement; and

WHEREAS, the budget request provides for total State program funding in the amount of \$393,756; and

WHEREAS, the proposed budget includes a request for general fund cash match of \$256,548 and estimated program generated revenues of \$310,381; and

WHEREAS, the proposed budget includes the placing of one previously vacant Administrative Coordinator position on hold vacant status for the entire fiscal year; and

WHEREAS, this agreement represents and demonstrates fourteen successful years of implementation of the original Comprehensive Corrections Plan, which was developed and approved by this body on November 9, 1991 by Resolution #91-0280; and

WHEREAS, this matter has been reviewed by the County Administrator's Office, 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 ratify the County Administrator's signature on the grant agreement with the State of Michigan, Michigan Department of Corrections/Office of Community Corrections for the FY 2008/2009 Washtenaw County/City of Ann Arbor Community Corrections Comprehensive Plan for the period October 1, 2008 through September 30, 2009, as on file with the County Clerk.

BE IT FURTHER RESOLVED that the Board of Commissioners takes the following actions in conformity with the grant agreement:

1. Approve the budget, as attached hereto and made a part hereof
2. Authorizing the Administrator to sign the delegate contracts upon review by Corporation Counsel, to be filed with the County Clerk.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

I, Lawrence Kestenbaum, 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, 2009, as it appears of record in my office.

COUNTY OF WASHTENAW)^{SS}.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____
Deputy Clerk



Res. No. 09-0018

A RESOLUTION RATIFYING THE ELECTRONIC SUBMISSION OF THE GRANT APPLICATION AND AGREEMENT FOR THE SAFE COMMUNITIES GRANT IN THE AMOUNT OF \$103,944 WITH THE STATE OF MICHIGAN, OFFICE OF HIGHWAY SAFETY PLANNING, FOR THE PERIOD OCTOBER 1, 2008 TO SEPTEMBER 30, 2009. AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE NOTICE OF GRANT AWARD; AMENDING THE BUDGET AND AUTHORIZING THE ADMINISTRATOR TO SIGN DELEGATE CONTRACTS.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

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

WHEREAS, the Sheriff's Office 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 Office has submitted an electronic application for a grant award from the State of Michigan for funding in the amount of \$103,944 being made available through the Office of Highway Safety Planning; and

WHEREAS, the State of Michigan has approved the grant application and issued an agreement letter; 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 electronic grant application and the agreement with the State of Michigan for grant funding in the amount of \$103,944 through the Office of Highway Safety Planning.

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 Chair of the Board or the County Administrator to sign the Notice of Grant Award
2. Amending the budget, as attached hereto and made a part hereof
3. 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 (IF APPLICABLE)

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS}

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0019

RESOLUTION PLEDGING THE FULL FAITH AND CREDIT OF THE COUNTY OF WASHTENAW, WITHIN CONSTITUTIONAL LIMITATIONS, FOR THE PAYMENT OF THE BOND OF THE ALLEN CREEK DRAINAGE DISTRICT DESCRIBED IN THE BOND RESOLUTION ATTACHED TO THIS RESOLUTION

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

WHEREAS, the Washtenaw County Water Resources Commissioner (the "Commissioner") has completed the necessary proceedings for making certain improvements in the Allen Creek Drainage District (the "District") which will involve the improvement of a storm drain within the City of Ann Arbor designated as the Allen Creek Stadium Boulevard Storm Water Controls Drain Project (the "Project"); and

WHEREAS, the Drainage Board for the District has approved a "Bond Resolution" authorizing the issuance of not to exceed \$275,000 in a Bond (the "Bond") with interest at a rate not to exceed the rate of 4% per annum pursuant to Chapter 20 of Act No. 40, Michigan Public Acts of 1956 as amended (the "Drain Code"), maturing finally on April 1, 2029, a copy of which is attached to this resolution; and

WHEREAS, the estimated cost of the Project is \$290,000.00 which has been apportioned against the City of Ann Arbor, the County of Washtenaw, and the State of Michigan (the "Public Corporations"), all pursuant to the Drain Code; and

WHEREAS, the County of Washtenaw and the State of Michigan will prepay their share of the cost of the Project; and

WHEREAS, to defray part of the cost of the Project, the Water Resources Commissioner, on behalf of the District, proposes to issue up to \$275,000 principal amount of a bond of the District, and to pledge the full faith and credit of the Drainage District, to be designated as set forth in the title of this resolution (the "Bond"), with interest at the rate of not more than 4% per annum, pursuant to the Drain Code, maturing each year as follows:

<u>Maturing</u>	<u>Amount</u>
April 1, 2010	\$10,000
April 1, 2011	10,000
April 1, 2012	10,000
April 1, 2013	10,000
April 1, 2014	10,000
April 1, 2015	10,000
April 1, 2016	15,000
April 1, 2017	15,000
April 1, 2018	15,000
April 1, 2019	15,000
April 1, 2020	15,000
April 1, 2021	15,000

April 1, 2022	15,000
April 1, 2023	15,000
April 1, 2024	15,000
April 1, 2025	15,000
April 1, 2026	15,000
April 1, 2027	15,000
April 1, 2028	15,000
April 1, 2029	20,000

WHEREAS, the Bond is to be made payable out of the assessments against the City of Ann Arbor assessed pursuant to the Drain Code; and

WHEREAS, the Board of Commissioners, pursuant to said Drain Code, is authorized by vote of two-thirds of its members to pledge its full faith and credit of the County of Washtenaw for the payment of the Bond, within constitutional limitations.

NOW THEREFORE BE IT RESOLVED as follows:

1. The limited tax full faith and credit of the County is hereby pledged for the prompt payment of the principal of and interest on the Bond. In case of any deficiency in the assessments to be made to pay the principal of and interest on the Bond as and when due, the County shall pay the amount of such deficiency out of its general funds as a first budget obligation and, if necessary, shall levy ad valorem taxes for such purposes against all taxable property within its limits, subject to constitutional and statutory limitations provided, however, that if it is necessary to reimburse the County for money it is obligated to advance, it shall be the duty of the Commissioner to at once levy an additional assessment as herein before provided as such an amount as will make up the deficiency pursuant to the Drain Code, Section 280, M.C.L. 280.280.

2. If required to do so, the County Water Resources Commissioner is authorized and directed to:

- (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Bond;
- (b) file with such application all required supporting material; and
- (c) pay all fees required in connection therewith.

3. All previous resolutions of the Board of Commissioners of the County, or parts thereof, that are inconsistent with this resolution are hereby rescinded.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS}.

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0020

BOND RESOLUTION

WHEREAS, the Drainage Board (the "Board") for the Allen Creek Drainage District (the "District"), by resolution, has approved the cleaning out, widening, deepening, straightening, extending, tiling, interconnecting or otherwise improve the intracounty drain designated by the Board as the "Allen Creek Stadium Boulevard Storm Water Controls Drain Project" (the "Project") for the purpose of providing storm drainage to the District which lies wholly within the City of Ann Arbor, County of Washtenaw (the "County"), Michigan; and

WHEREAS, pursuant to a resolution of the Board, the following Public Corporation have been apportioned the cost to establish, locate, acquire, construct and finance the Project and have been assessed by the Board in the amounts set forth all as follows:

Total Estimated Cost of Project: \$290,000.00

Name of Public Corporation To be Assessed	City of Ann Arbor	County of Washtenaw	State of Michigan Dept. of Transportation
Percentage Apportioned to Public Corporation to be Assessed:	95.40%	0.70%	3.90%
Amount of Assessment against Public Corporation Based Upon Percentage of Apportionment:	\$276,660.00	\$2,030.00	\$11,310.00
Less Prepayments:	\$1,660.00	\$2,030.00	\$11,310.00
Amount to be Collected in Installments:	\$275,000.00	\$0.00	\$0.00

WHEREAS, the Board desires to issue a bond of the District in the maximum aggregate principal amount of \$275,000 in anticipation of the payment of such assessments against the City of Ann Arbor (the "Public Corporation"), all pursuant to Chapter 20 of Act No. 40, Michigan Public Acts of 1956, as amended (the "Act"); and

WHEREAS, the amounts of prepayments and the several installments of principal of and interest on the assessment roll made by this Board will not be less than the semiannual principal and interest due on such bond;

NOW, THEREFORE, IT IS RESOLVED as follows:

1. Bond Size. A Bond of the District in the aggregate principal amount of not to exceed \$275,000 shall, as provided below, be sold to the Michigan Municipal Bond Authority (the "Authority") through its State Revolving Fund Loan Program.
2. Definitions. In addition to other terms defined in this Resolution, whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:
 - a. "Act" means Act No. 40 of the Public Acts of Michigan of 1956, as amended.
 - b. "State Authority" and "Authority" shall mean the Michigan Municipal Bond Authority created under Act No. 227 of the Public Acts of Michigan of 1985.
 - c. "Bond" means the Allen Creek Drainage District, Allen Creek Stadium Boulevard Storm Water Controls Drain Project Bond (Limited Tax General Obligation), Series 2009 of the District in such principal amount as shall be delivered pursuant to the Purchase Contract authorized by this Resolution.
 - d. "Government Obligations" means direct obligations of the United States of America or obligations the principal and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the District, the principal and interest payments upon which, without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Bond and the principal and redemption premium, if any, on the Bond as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if the Bond is to be called for redemption prior to maturity, irrevocable notice to call the Bond for redemption shall be given to the paying agent.
 - e. "Purchase Contract" shall mean a Purchase Contract and Supplemental Agreement.
3. Bond Details. The Bond hereby authorized shall be designated Allen Creek Drainage District, Allen Creek Stadium Boulevard Storm Water Controls Drain Project Bond (Limited Tax General Obligation), Series 2009 or in any other manner requested by the Authority and approved by the Chair of the Drainage Board, shall be dated as of the date of delivery, shall consist of a single fully-registered bond, and shall be payable in the years and amounts as shown on the Form of Bond attached to this Bond Resolution all in accordance with a certain Purchase Contract, in the general form attached hereto as Appendix A (the "Purchase Contract").

The Bond shall bear interest from the date such principal is disbursed by the State Authority to the District at such rate per annum as shall be agreed to not in excess of four percent (4%) per annum, payable on such dates as shall be provided in the final Bond. It is

expected that principal will be disbursed in more than one installment and each installment of principal disbursed will bear interest from the date of disbursement as noted by the State Authority on the date of disbursement.

Principal of and interest on the Bond shall be payable, and principal of the Bond will be subject to prepayment prior to maturity, in the manner and at the times provided in the form of Bond set forth in paragraph 18 of this Bond Resolution. The actual debt retirement schedule shall be set forth in the Purchase Contract.

4. Source of Repayment. The Bond shall be issued in anticipation of, and is payable primarily from, the collection of special assessments assessed against the City of Ann Arbor the public corporation on the Special Assessment Roll for the Allen Creek Drainage District. The assessments are general obligations of the public corporation. The full faith and credit of the Allen Creek Drainage District have been pledged for the prompt payment of the principal and interest on this bond as the same shall become due, and, in addition, the full faith and credit of the County of Washtenaw will be pledged therefor. Taxes imposed by the public corporations are subject to constitutional tax rate limitations.
5. Reduction in Aggregate Amount of Issue. In the event the Purchase Contract shall call for delivery of bonds less than \$275,000, the Chair of the Drainage Board shall reduce the principal amount of the Bond and restructure the maturities thereof in accordance with the Purchase Contract.
6. Paying Agent and Bond Registrar. Until a successor is appointed by the Chair of the Drainage District, the County Treasurer shall act as Paying Agent and Bond Registrar.
7. Transfer or Exchange of Bond. The Bond shall be transferable only as set forth in the Bond Form shown in paragraph 17 of this Bond Resolution.
8. Execution and Delivery. The bond shall be executed in the name of the Drainage District by the manual or facsimile signatures of the Chair and at least one other member of the Drainage Board and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the Drainage District or a facsimile thereof, shall be impressed or imprinted on the bond. When so executed, the Bond shall be delivered to the Chair of the Drainage Board, who thereafter shall deliver the same to the Authority.
9. Bond Payment Fund. The District shall establish a separate fund to be designated "Allen Creek Stadium Boulevard Storm Water Controls Drain Project Bond Payment Fund" (the "Bond Payment Fund"). All accrued interest and premium, if any, received from the purchaser of the Bond shall be deposited in the Bond Payment Fund.

Moneys in the Bond Payment Fund shall be used solely to pay principal of and premium, if any, and interest on the Bond.

Moneys in the Bond Payment Fund may be continuously invested and reinvested in any legal investment for District funds, which shall mature, or which shall be subject to redemption by the holder thereof not later than, the dates when moneys in the Bond Payment Fund will be required to pay the principal of and interest on the Bond. Obligations purchased as an investment of moneys of the Bond Payment Fund shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

All collections of installments of the assessments against the public corporations assessed (including principal and interest) on Special Assessment Roll No. 1 for Allen Creek Drainage District shall be placed in the Bond Payment Fund and shall be used solely to pay the principal and interest on the bond authorized herein.

10. Project Fund. Except for amounts required by this resolution to be deposited in the Bond Payment Fund, the proceeds from the sale of the Bond shall be deposited in a separate fund to be designated "Allen Creek Stadium Boulevard Storm Water Controls Drain Project Fund" (the "Project Fund").

Moneys at any time in the Project Fund shall be used solely to pay costs of the Project or to reimburse the District for any costs of the Project paid before the Bond is delivered, except that upon payment (or provision for payment) in full of the costs of the Project any excess moneys remaining in the Project Fund shall be transferred to the Bond Payment Fund (if a Bond is outstanding) or applied as required by law.

Moneys in the Project Fund may be continuously invested and reinvested in any legal investment for District funds, which shall mature, or which shall be subject to redemption by the holder thereof not later than, the estimated dates when moneys in the Project Fund will be required to pay costs of the Project. Obligations purchased as an investment of moneys in the Project Fund shall be deemed at all times to be a part of the Project Fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

11. Mutilated, Lost, Stolen, or Destroyed Bonds. Subject to Act No. 354, Public Acts of Michigan, 1972, as amended and any other applicable laws, in the event any bond is mutilated, lost, stolen or destroyed, the Chair of the Drainage Board and any other member of the Drainage Board may, on behalf of the District, execute and deliver, or order the Bond Registrar to authenticate and deliver, a new bond having a number not then outstanding, of like date, maturity, interest rate and denomination as that mutilated, lost, stolen, or destroyed.

In the case of a mutilated bond, a replacement bond shall not be delivered unless and until such mutilated bond is surrendered to the Bond Registrar. In the case of a lost, stolen, or destroyed bond, a replacement bond shall not be delivered unless and until the District and the Bond Registrar shall have received the following: (i) a bond of indemnity as required by Act 354; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the bond lost, stolen or destroyed and the circumstances under which it was lost, stolen, or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the District and the Bond Registrar against loss due to the lost, stolen, or destroyed bond and the issuance of any replacement bond in connection therewith; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the District and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the District.

12. Arbitrage and Tax Covenants. Notwithstanding any other provision of this Resolution, the District covenants that it will not at any time or times:

(a) Permit any proceeds of the Bond or any other funds of the District or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) in a manner which would result in the exclusion of any Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Bond as a "private activity bond" within the

meaning of Section 141(a) of the Code, as a "private loan bond" within the meaning of Section 141(a) of the Code or as an obligation guaranteed by the United States of America within the meaning of Section 149(b) of the Code; or

(b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Bond to be includible in gross income for federal income tax purposes, cause the interest on the Bond to be includible in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Bond to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code, or (ii) adversely affect the exemption of the Bond and the interest thereon from State of Michigan income taxation.

13. Defeasance or Redemption of Bond. If at any time,

(a) the whole amount of the principal of and interest on any outstanding bond shall be paid,
or

(b) (i) sufficient moneys, or Government Obligations (as defined in this section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys, to pay the whole amount of the principal of and premium, if any, and interest on any outstanding bond as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such bond as and when due, and (ii) in the case of redemption prior to maturity, any outstanding bond shall have been duly called for redemption (or irrevocable instructions to call such bond for redemption shall have been given)

then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the District shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest on the Bond (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the District and considered excess proceeds of the Bond. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within thirty (30) days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be published once in a newspaper of general circulation in the City of Detroit, Michigan, setting forth (x) the date or dates, if any, designated for the redemption of the Bond, (y) a description of the moneys or Government Obligations so held by it, and (z) that the District has been released from its obligations under this resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of and premium, if any, and interest on the Bond at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by an Authorized Officer, and (c) at the time of its appointment and so long as it is serving as such, have at least \$25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

14. Filing with Municipal Finance Division. The Water Resources Commissioner, if necessary, is authorized and directed to:

- (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Bond;
- (b) file with such application all required supporting material; and
- (c) pay all fees required in connection therewith.

15. Resolution. The provisions of this Resolution shall constitute a contract between the District and the State Authority as the bondholder. After the issuance of the Bond the Resolution shall not be repealed or amended in any respect which will adversely affect the rights and interests of the bondholder, nor shall the District adopt any law, ordinance or resolution in any way adversely affecting the rights of the holders of the Bond so long as the Bond or interest thereon remains unpaid.

16. Purchase Contract. The Chair of the Drainage Board is hereby authorized to execute and deliver the Purchase Contract and the Issuer's Certificate, with such changes as may be necessary or desirable, permitted by the Act and otherwise by law, and not materially adverse to the District so long as the interest rate on the Bond is not in excess of 4% per annum.

The Chair of the Drainage Board and any member of the Drainage Board, and any of them individually, are hereby authorized to sign the Supplemental Agreement and any and all other documents and certificates necessary for the sale and delivery of the Bond.

17. Form of Bond. The Bond shall be in substantially the following form:

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
ALLEN CREEK DRAINAGE DISTRICT,
COUNTY OF WASHTENAW, STATE OF MICHIGAN
ALLEN CREEK STADIUM BOULEVARD STORM
WATER CONTROLS DRAIN PROJECT BOND
(LIMITED TAX GENERAL OBLIGATION), SERIES 2009**

No. R-1

<u>RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ISSUANCE</u>
____%	_____	_____

=====

REGISTERED OWNER: MICHIGAN MUNICIPAL BOND AUTHORITY

PRINCIPAL AMOUNT: _____ (\$_____)

=====

FOR VALUE RECEIVED, the Allen Creek Drainage District, County of Washtenaw, State of Michigan (the "Issuer" or "District"), hereby acknowledges itself indebted and promises to pay to the Michigan Municipal Bond Authority (the "Authority") the principal sum of _____ Dollars (\$_____) or so much thereof as shall have been advanced to the Issuer pursuant to a Purchase Contract between the Issuer and the Authority and a Supplemental Agreement by and among the Issuer, the Authority and the State of Michigan acting through the Department of Environmental Quality, in lawful money of the United States of America, on the dates and in the principal installments indicated on the Payment Schedule attached as EXHIBIT 1 hereto, unless prepaid prior thereto as hereinafter provided, with interest on said principal thereon until paid from the date each such installment of principal is disbursed by the Authority to the District at the rate of _____ percent (____%) per annum, first payable on _____, _____ and semiannually thereafter and principal is payable on the first day of _____ commencing _____, _____ (as identified in the Purchase Contract) and annually thereafter.

Notwithstanding any other provision of this Bond, so long as the Michigan Municipal Bond Authority (the "State Authority" or "Authority") is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at J.P. Morgan Trust Company, N.A., or at such other place as shall be designated in writing to the District by the Authority (the "Authority's Depository"); (b) the Issuer agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the Issuer's deposit by 12:00 noon on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this Bond shall be given by the Issuer and received by the Authority's Depository at least forty (40) days prior to the date on which such redemption is to be made.

ADDITIONAL INTEREST

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the Issuer's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on any outstanding bonds of the Authority issued to fund such account, the Issuer shall and hereby agrees to pay on demand only the Issuer's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

The Bond may be subject to redemption prior to maturity by the Issuer only with the prior written consent of the Authority and on such terms as may be required by the Authority.

During the time funds are being drawn down by the Issuer under this Bond, MMBA will periodically provide the Issuer a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the MMBA to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the Issuer of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

This Bond is a single registered bond issued by the District under and pursuant to and in full conformity with the Constitution and statutes of the State of Michigan (especially Act No. 40, Public Acts of Michigan, 1956, as amended) and a bond resolution adopted by the Drainage Board of the District on _____, ____ (the "Bond Resolution") for the purpose of paying for the construction of the Allen Creek Stadium Boulevard Storm Water Controls Drain Project (the "Project").

This Bond is issued in anticipation of, and is primarily payable from, the collection of special assessments assessed against public corporations on the Special Assessment Roll No. 1 for the Allen Creek Drainage District. The assessments are general obligations of the public corporations. The full faith and credit of the Allen Creek Drainage District have been pledged for the prompt payment of the principal and interest on this bond as the same shall become due, and, in addition, the full faith and credit of the County of Washtenaw have been pledged therefore. Taxes imposed by the public corporations are subject to constitutional tax rate limitations.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in connection with the issuance of the Bond, existed, have happened and have been performed in due time, form and manner as required by the Constitution and statutes of the State of Michigan, and that the total indebtedness of the District, including this Bond, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Allen Creek Drainage District, County of Washtenaw, Michigan, by its Drainage Board has caused this Bond to be executed in its name with the signatures of its Chair and at least one other member of the Drainage Board, has caused its seal to be affixed hereto, all as of the Date of Issuance.

ALLEN CREEK DRAINAGE DISTRICT

[SEAL]

By: _____
Janis Bobrin, Chair

And: _____
Rolland Sizemore, Member

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EXHIBIT 1

DEQ Project No.

DEQ Approved Amt: \$

PAYMENT SCHEDULE

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the Issuer is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the Issuer and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the Issuer by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the Issuer.

<u>Due Date</u>	<u>Amount of Principal Installment Due</u>
April 1, 2010	\$10,000
April 1, 2011	10,000
April 1, 2012	10,000
April 1, 2013	10,000
April 1, 2014	10,000
April 1, 2015	10,000
April 1, 2016	15,000
April 1, 2017	15,000
April 1, 2018	15,000
April 1, 2019	15,000
April 1, 2020	15,000
April 1, 2021	15,000
April 1, 2022	15,000
April 1, 2023	15,000
April 1, 2024	15,000
April 1, 2025	15,000
April 1, 2026	15,000
April 1, 2027	15,000
April 1, 2028	15,000
April 1, 2029	20,000

Interest on the Bond shall accrue on principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of ____% per annum, payable _____, 20__, and semi-annually thereafter.

The Issuer agrees that it will deposit with J.P. Morgan Trust Company, N.A., or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 noon on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to

recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

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18. Investments. Moneys in the Bond Payment Fund and the Project Fund may be continuously invested and reinvested in the United States government obligations, obligations the principal of and interest on which are unconditionally guaranteed by the United States government, or in interest-bearing time deposits selected by the Treasurer of the District which are permissible investments for surplus funds under Act No. 20 of the Public Acts of 1943, as amended. Such investments shall mature, or be subject to redemption at the option of the holder, not later than (a) in the case of the Bond Payment Fund, the dates moneys in such fund will be required to pay the principal of and interest on the Bond, and (b) in the case of the Project Fund, the estimated dates when moneys in such fund will be required to pay costs of the Allen Creek Stadium Boulevard Storm Water Controls Drain Project. Obligations purchased as an investment of moneys in the Bond Payment Fund or the Project Fund, as the case may be, shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

19. Depositories. All of the banks located in the State of Michigan are hereby designated as permissible depositories of the moneys in the funds established by this Resolution, except that the moneys in the Bond Payment Fund shall only be deposited in such banks where the principal of and interest on the Bond are payable. The Treasurer of the District shall select the depository or depositories to be used from those banks authorized in this Section.

20. Qualified Tax-Exempt Obligation. The Bond is designated as “qualified tax-exempt obligations” for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code.

21. Retention of Bond Counsel. The firm of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the District in connection with the issuance, sale and delivery of the Bond.

22. Retention of Financial Consultants. Municipal Financial Consultants Incorporated, Grosse Pointe Farms, Michigan, is hereby retained to act as financial consultant and advisor to the District in connection with the issuance, sale and delivery of the Bond.

23. Conflicting Resolutions. All resolutions of the Board, or parts of such resolutions, in conflict with this resolution are hereby rescinded.

24. Effective Date. This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the District as soon as practicable after adoption.

APPENDIX A

ALLEN CREEK DRAINAGE DISTRICT
County of Washtenaw, State of Michigan
Project No: *(Project Number)*

State Revolving Fund

PURCHASE CONTRACT

The Michigan Municipal Bond Authority (the "Authority"), a public body corporate, separate and distinct from the State of Michigan, hereby offers to enter into this Purchase Contract with the Issuer named below (the "Issuer") which, upon the acceptance of this offer by the Issuer and ratification by the Authority, will be binding upon the Authority and the Issuer. This offer is made subject to acceptance on or before [_____].

Upon the terms and conditions and upon the basis of the representations, warranties, and agreements set forth herein, including those set forth on Schedule I hereto, the Authority hereby agrees to purchase from the Issuer, and the Issuer hereby agrees to sell and deliver to the Authority, bonds (the "Bonds") in the principal amount and with the maturities and interest rate as shown on Schedule I and with redemption provisions acceptable to the Authority. The purchase price for the Bonds shall be 100%. The Authority's obligation to disburse Bond proceeds shall be contingent upon funding of the State Water Pollution Control Revolving Fund created by 1988 PA 316 and 1988 PA 317. The method of payment of Bond proceeds to the Issuer shall be as set forth in the Supplemental Agreement among the Issuer, the Authority, and the State of Michigan acting through the Department of Environmental Quality.

The Issuer represents and warrants to, and agrees with, the Authority that the Issuer has, and on the Closing Date (specified below) will have, full legal right, power and authority (i) to enter into this Purchase Contract, and (ii) to sell and deliver the Bonds to the Authority as provided herein and in the resolution or ordinance authorizing the Bonds and the Issuer has duly authorized and approved the execution and delivery of and the performance by the Issuer of its obligations contained in this Purchase Contract including those set forth in Schedule I.

On _____, _____, the local preclosing date, the Issuer shall make available for inspection by the Authority at the offices of the Department of Attorney General, Finance Division, Lansing, Michigan, the Bonds, together with such other documents, certificates and closing opinions as the Authority shall require (the "Closing Documents").

On _____, _____, (the "Closing Date"), the Authority shall accept delivery of the Bonds and the Closing Documents and pay the purchase price for the Bonds.

MICHIGAN MUNICIPAL BOND
AUTHORITY

BY _____
Authorized Officer

Accepted and Agreed to this
[_____] day of [_____]

ALLEN CREEK DRAINAGE DISTRICT
County of Washtenaw, State of Michigan ("Issuer")

By: _____

Title: _____

SCHEDULE I

DEQ Project No.

DEQ Approved Amt: \$

PAYMENT SCHEDULE

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the Issuer is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the Issuer and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the Issuer by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the Issuer.

<u>Due Date</u>	<u>Amount of Principal Installment Due</u>
April 1, 2010	\$10,000
April 1, 2011	10,000
April 1, 2012	10,000
April 1, 2013	10,000
April 1, 2014	10,000
April 1, 2015	10,000
April 1, 2016	15,000
April 1, 2017	15,000
April 1, 2018	15,000
April 1, 2019	15,000
April 1, 2020	15,000
April 1, 2021	15,000
April 1, 2022	15,000
April 1, 2023	15,000
April 1, 2024	15,000
April 1, 2025	15,000
April 1, 2026	15,000
April 1, 2027	15,000
April 1, 2028	15,000
April 1, 2029	20,000

Interest on the Bond shall accrue on principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of ____% per annum, payable _____, 20__, and semi-annually thereafter.

The Issuer agrees that it will deposit with J.P. Morgan Trust Company, N.A., or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 noon on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to

recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

Las.r5-wasdr6

CERTIFICATION OF PROCEEDINGS

I, Janis A. Bobrin, Chair of the Drainage Board, hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Drainage Board for the Drainage District referred to therein, at a meeting duly called, convened and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meetings were kept and will be or have been made available as required thereby.

DATED: _____

Janis A. Bobrin
Chair of the Drainage Board

Las.r5-wasdr6

A RESOLUTION AUTHORIZING PAYMENT OF CLAIMS COMMENCING WITH THE LAST PREVIOUSLY APPROVED CLAIM AND CONTINUING THROUGH THE DATE OF JANUARY 23, 2009

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

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, 2009, 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, 2009, 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
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

I, Lawrence Kestenbaum, 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, 2009, as it appears of record in my office.

COUNTY OF WASHTENAW)^{SS}.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0021



COUNTY ADMINISTRATOR

220 North Main, P.O. Box 8645
(734) 222-6850

Ann Arbor, Michigan 48107-8645
FAX (734) 222-6715

MEMORANDUM

January 26, 2009

TO: Lawrence Kestenbaum, Washtenaw County Clerk/Register
FROM: Robert E. Guenzel, County Administrator
RE: Certification of Claims List Inclusive from January 10, 2009 through January 23, 2009

I HEREBY CERTIFY that to the best of my knowledge the list of attached claims as presented to the County Clerk/Register of Washtenaw, constitutes all claims received for payment subsequent to the List of Claims presented through the date of January 23, 2009 and that none have been withheld or omitted.

FURTHER; that all claims bear the date received.

FURTHER; that the list contains the name of each claimant, and the amount of the claims, and that proper authorization and documentation has been reviewed, checked and retained.

FURTHER; that the total demand upon each of the various general operating funds requiring approval by the Board of Commissioners prior to disbursements has been accurately determined and is stipulated in gross total by fund as an integral part of the List of Claims herein presented.

Staff Recommendation By:

Nicole Hann
Management Assistant



BEGINNING OF CLAIMS: January 10, 2009
END OF CLAIMS: January 23, 2009
FOR BOARD
APPROVAL: February 4, 2009

FUND	DESCRIPTION	SYSTEM CHECKS	UTILITIES CREDIT CARD	EXCEPTION & PRE-CLAIMS	TOTAL
1010	GENERAL FUND	\$ -	\$ -	\$ 568.00	\$ 568.00
	TOTALS	0	\$ -	\$ 568.00	\$ 568.00



EXCEPTIONS AND PRE-CLAIMS LISTING FOR:

February 4, 2009

<u>PAYEE</u>	<u>FUND/CO</u>	<u>CHECK NO.</u>	<u>CHECK DATE</u>	<u>AMOUNT</u>	<u>EXPLANATION</u>
United Parcel Service	1010	409574	01/22/09	\$17.00	1
St. Joe Mercy Hospital	1010	409352	01/15/09	\$500.00	2
United Parcel Service	1010	409221	01/14/09	\$17.00	1
United Parcel Service	1010	409221	01/14/09	\$17.00	1
United Parcel Service	1010	409221	01/14/09	\$17.00	1
				<u>\$568.00</u>	

EXPLANATION

- 1)Early release to avoid late fees
- 2)Released early but not released



COUNTY ADMINISTRATOR
220 NORTH MAIN STREET, P.O. BOX 8645
ANN ARBOR, MICHIGAN 48107-8645
(734) 222-6850
FAX (734) 222-6715

TO: Washtenaw County Board of Commissioners

THROUGH: Robert E. Guenzel
County Administrator

FROM: Rolland Sizemore, Jr., Chair

DATE: February 4, 2009

SUBJECT: Clarifying Board of Commissioner Membership on the Washtenaw County Police Services Steering Committee, Reaffirming the Commissioner Membership on that Committee and Establishing Limits on the Terms of the Commissioners who Serve on the Committee

BOARD ACTION REQUESTED:

It is requested that the Board of Commissioners approve a Resolution clarifying the Board of Commissioner membership on the Washtenaw County Police Services Steering Committee, re-affirm the current Commissioner members of that Committee and establish limits on the terms of the Commissioners currently serving on the Committee.

BACKGROUND:

During calendar year 2005, the County was engaged in negotiations with its local government contractual partners concerning the provision of contractual police services for 2006-2009. As part of this process, the County created an informal committee which came to be known as the Police Services Steering Committee ("PSSC"). The PSSC was comprised of representatives from the County Board of Commissioners, County's Sheriff's Department and local governmental entities that contracted with the County for police services. The PSSC was established as a forum for all of the parties to the police services contract process to discuss the price of police services, what County-wide services should be provided by the County as well as problems, ideas and strategies to generally improve the provision of contractual police services throughout the County.

The culmination of the negotiation process throughout 2005 was a new four-year police services contract for 2006-2010. Although the negotiations of the police services was complete at the end of 2005, the participants of the PSSC felt that the informal committee had been a great success and had successfully provided a forum for all of the participants in the contractual police service process to air their complaints and ideas, as well as to educate the other members of the Committee about their respective

law enforcement needs. As such, the PSSC participants urged the Board of Commissioners to formally establish the PSSC as a County Committee.

On April 19, 2006, the Board of Commissioners responded to this request by passing Resolution #06-0091 which officially established the Police Services Steering Committee as a special Committee of the Board of Commissioners. The Resolution provided for 13 members of the PSSC. Four of these members were County Commissioners: the Chair of the Board plus 3 additional at-large Commissioners. In addition, the County Sheriff was named as a member, along with 5 Township representatives, 1 village representative, 1 supervisor of a non-contracting jurisdiction and 1 police chief of a non-contracting jurisdiction. None of the PSSC position had term limits.

The four initial Board of Commissioner members were as follows:

- Commissioner Wes Prater (Chair of the Board)
- Commissioner Jeff Irwin,
- Commissioner Mark Ouimet
- Commissioner Stephen Solowczuk.

After the 2006 election, Commissioners Prater and Solowczuk were no longer on the Board of Commissioners and Commissioner Irwin was elected as Chair of the Board. Because Irwin was now serving on the PSSC as Chair of the Board, his at-large position, along with that of Commissioner Solowczuk were both open. On January 17, 2007 the Board of Commissioners approved Resolution #07-0015 which approved the following three members to the PSSC: Commissioner Irwin as Chair of the Board and Commissioner Karen Lovejoy Roe and Commissioner Ken Schwartz as additional members. After this Resolution the Board of Commissioner representatives of the PSSC were as follows:

- Commissioner Jeff Irwin (Chair of the Board)
- Commissioner Mark Ouimet
- Commissioner Karen Lovejoy Roe
- Commissioner Ken Schwartz

Following the 2008 election, Commissioner Lovejoy Roe was no longer on the Board of Commissioners and Commissioner Rolland Sizemore Jr. was now the Chair of the Board. To address these changes, on January 21, 2009, Board of Commissioners approved Resolution #09-0010 which added the following two Commissioner Members to the PSSC: Commissioner Rolland Sizemore Jr as Chair of the Board; and Commissioner Jeff Irwin as one of the at-large Commissioner representatives. Thus, the current Board of Commissioner representatives to the PSSC are as follows:

- Commissioner Rolland Sizemore, Jr. (Chair of the Board)
- Commissioner Mark Ouimet
- Commissioner Ken Schwartz

- Commissioner Jeff Irwin

DISCUSSION:

As noted above, the four Commissioner members of the PSSC are the Chair of the Board and three additional Commissioners. None of these representative positions were term limited by the Resolution which established the PSSC. Since the PSSC was officially created in April, 2006 there has been some change in the four Commissioners representing the Board of Commissioners on that Committee. This change, however, has been due to individuals leaving the Board of Commissioners or new Board members being elected as Chair of the Board.

The proposed Resolution would clarify the history of the PSSC, re-affirm the current four Commissioner representatives to that Committee and establish term limits for those Commissioner representatives. The limits would be as follows: the Chair of the Board would serve on the PSSC so long as he/she remained Chair of the Board. Once a new Chair of the Board became effective, that person would automatically become a member of the PSSC by virtue of his/her position as Chair of the Board. The other 3 at-large Commissioner representatives would have 2 year terms. For the current at-large Commissioners, this term would begin on January 1, 2009 and expire on December 31, 2010.

A RESOLUTION CLARIFYING THE HISTORY OF WASHTENAW COUNTY'S POLICE SERVICES STEERING COMMITTEE, RE-AFFIRMING THE CURRENT FOUR COMMISSIONER REPRESENTATIVES TO THAT COMMITTEE AND ESTABLISHING TERM LIMITS FOR THE COMMISSIONERS APPOINTED TO THE COMMITTEE

WASHTENAW COUNTY BOARD OF COMMISSIONERS

FEBRUARY 4, 2009

WHEREAS, during 2005, Washtenaw County, the County Sheriff and numerous local governmental entities were engaged in negotiations for the County, through its Sheriff's Department, to provide contractual police services to certain local governmental entities; and

WHEREAS, as part of the negotiating process, the County created an informal committee comprised of representatives from the County Board of Commissioners, County Sheriff and local contracting governmental entities which came to be known as the Police Services Steering Committee ("PSSC"); and

WHEREAS, the PSSC was designed as a forum for all the parties to the police service contract negotiation process to provide in-put on the price of contractual police services, the scope of County-wide services to be provided at the County's expense as well as all other topics concerning contractual police services; and

WHEREAS, the informal PSSC was so well received by all the Committee members that early in 2006, they asked the Board of Commissioners to continue the Committee as a special Committee of the Board; and

WHEREAS, on April 19, 2006 the Board of Commissioners passed Resolution #06-0091 which officially created the PSSC as a special Committee of the Board; and

WHEREAS, the PSSC consists of 13 members, 4 of whom are members of the Washtenaw County Board of Commissioners; and

WHEREAS, the 4 Board of Commissioner members of the PSSC are the Chair of the Board, who serves by virtue of his/her position as Chair of the Board, along with 3 additional Commissioner "at-large" appointees; and

WHEREAS, the Resolution creating the PSSC did not provide for term limits on any of the 4 Commissioner representatives to the Committee; and

WHEREAS, the only changes to the Commissioner representatives to the PSSC have occurred because of Commissioners leaving the Board of Commissioners and new individuals being elected as Chair of the Board; and

WHEREAS, the four current Board of Commissioners to the PSSC are as follows:

- Commissioner Rolland Sizemore Jr. (Chair of the Board) (Appointed 1-21-09)
- Commissioner Mark Ouimet (appointed 4-19-06)
- Commissioner Ken Schwartz (appointed 1-17-07)
- Commissioner Jeff Irwin (appointed 1-21-09); and

WHEREAS, to clarify future Commissioner representation on the PSSC, the Board of Commissioners would like to institute the following term limits on the 4 Commissioner representatives to the PSSC: (1) Chair of the Board will serve as long as he/she remains Chair; once a new Chair is elected, that person shall automatically become the Chair of the Board representative to the PSSC; and (2) the other 3 “at-large” Board representatives to the PSSC shall serve 2 year terms, with the current at-large representative terms beginning on January 1, 2009 and ending on December 31, 2010.

NOW THEREFORE, BE IT RESOLVED that the Washtenaw County Board of Commissioners reaffirms the following four Commissioners as the Board’s representatives to the Police Services Steering Committee:

- Commissioner Rolland Sizemore Jr. (Chair of the Board) (Appointed 1-21-09)
- Commissioner Mark Ouimet (appointed 4-19-06)
- Commissioner Ken Schwartz (appointed 1-17-07)
- Commissioner Jeff Irwin (appointed 1-21-09)

BE IT FURTHER RESOLVED, that the Washtenaw County Board of Commissioners approves the following term limits for each of the 4 Commissioner representatives to the Police Services Steering Committee: (1) the Chair of the Board representative will serve as long as he/she remains Chair; once a new Chair is elected, that person shall automatically become the Chair of the Board representative to the PSSC; and (2) the other 3 “at-large” Board of Commissioner representatives to the PSSC shall serve 2 year terms, with the current at-large representative terms beginning on January 1, 2009 and ending on December 31, 2010.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)^{SS}.

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0022



COUNTY ADMINISTRATOR
220 NORTH MAIN STREET, P.O. BOX 8645
ANN ARBOR, MICHIGAN 48107-8645
(734) 222-6850
FAX (734) 222-6715

TO: Rolland Sizemore, Jr.
Chair of Board of Commissioners

THROUGH: Robert E. Guenzel
County Administrator

FROM: Anthony VanDerworp, Director
Office of Strategic Planning

DATE: February 4, 2009

SUBJECT: Lodi Township Master Plan Update Review

BACKGROUND

Lodi Township (Township) submitted an updated Lodi Township Master Plan on December 10, 2008, for comment by Washtenaw County, in accordance with the procedures set forth in the Municipal Planning Enabling Act, Public Act 33 of 2008. The Act requires the County to provide comments, which are advisory only, to the Township. The comments must include, but need not be limited to, both of the following as applicable:

- A statement as to whether the proposed master plan is consistent with the plans of contiguous communities and applicable regional plans, and;
- A statement as to whether the proposed update is consistent with the County Plan.

DISCUSSION

Office of Strategic Planning staff evaluated the proposed amendments according to the goals, objectives and recommendations of *A Comprehensive Plan for Washtenaw County*. The Office of Strategic Planning distributed the amendments to the Washtenaw County Departments of Public Works, Parks and Recreation, Public Health, Washtenaw County Road Commission, Office of the Drain Commissioner and the Washtenaw Area Transportation Study (WATS) for comment. Any comments received from these departments and agencies are included in the attached staff report.

The Revisions were reviewed and approved by the Washtenaw County Planning Advisory Board at their January 26, 2009 meeting. After acceptance of the report by the Washtenaw County Board of Commissioners, the report will be submitted to the Township and the contiguous communities.

ATTACHMENTS

- Cover Letter
- Staff Report

A RESOLUTION TO ACCEPT COMMENTS FROM THE WASHTENAW COUNTY PLANNING ADVISORY BOARD ON THE LODI TOWNSHIP MASTER PLAN UPDATE AND DIRECT THE COUNTY CLERK TO SEND COMMENTS TO LODI TOWNSHIP AND THE CONTIGUOUS LOCAL UNITS OF GOVERNMENT

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 4, 2009

WHEREAS, Public Act 33 of 2008 (“the Act”) requires that the County submit comments on the proposed update to the Lodi Township Master Plan to Lodi Township; and

WHEREAS, the Act requires that the comments include, but not be limited to, a statement whether the proposed revisions are considered to be inconsistent with the plan of any contiguous city, village, township or region, and a statement whether the proposed plan is considered to be inconsistent with the county plan; and

WHEREAS the County Board of Commissioners created the Planning Advisory Board to review plans and recommend adoption by the Board of Commissioners; and

WHEREAS Lodi Township submitted an updated Lodi Township Master Plan; and

WHEREAS the revisions were reviewed for consistency with the goals, objectives and recommendations of *A Comprehensive Plan for Washtenaw County*; and

WHEREAS the Update was reviewed and approved by the Washtenaw County Planning Advisory Board at their January 26, 2009 meeting;

WHEREAS the amendments are forwarded to the Washtenaw County Board of Commissioners as a County staff report for review;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners accepts the staff report from the Washtenaw County Office of Strategic Planning on the Lodi Township Master Plan Update, and

BE IT FURTHER RESOLVED that the Board of Commissioners directs the County Clerk to send the comments to Lodi Township and the contiguous local units of government.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman	X			Ouimet	X			Schwartz	X		
Gunn	X			Peterson			X	Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN)

COUNTY OF WASHTENAW)SS.

I, Lawrence Kestenbaum, 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, 2009, 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 5th day of February, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 09-0023



Washtenaw County
Office of Strategic Planning

1/20/2009 DRAFT UNTIL ADOPTED BY BOARD OF COMMISSIONERS

Margaret O'Connor, Secretary
Lodi Township Planning Commission
3755 Pleasant Lake Rd.
Ann Arbor, MI 48108

Re: Lodi Township Master Plan Update Review

Dear Ms. O'Connor:

Thank you for the opportunity to comment on the Lodi Township Master Plan (Township Plan) update. In accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, the Township Plan was reviewed by Washtenaw County Planning Advisory Board and the Board of Commissioners. The Washtenaw County Department of Parks and Recreation, Road Commission, Department of Public Health, Office of the Water Resources Commissioner and the Washtenaw Area Transportation Study (WATS) were also given the opportunity to comment on the update.

Worth commending is the designation of the two Municipal Services Areas, the designation and plan for Lodi Central, as well as including Agricultural Preservation plan elements. Establishing such limits on services, while providing strong protective measures for agricultural land and open space minimizes the negative impacts of development while increasing service efficiency. Language encouraging clustering of residential areas and utilizing density transfers also strengthen this goal. Such planning allows for the needs of existing and future residents to be met, while also addressing sustainable growth and natural resource protection.

Staff reviewed the proposed update in the context of A Comprehensive Plan for Washtenaw County (County Plan), plans of contiguous local units of government and the current Lodi Township Master Plan (Township Plan). Staff found the proposed amendments would be consistent with the County Plan and the plans for the contiguous communities with the following recommendations:

- **While the overall pattern for development described in the Township Plan corresponds to that recommended in the Comprehensive Plan for Washtenaw County, the Agriculture designation on Map 6 and described on page 51 in Section 6.10 and the Agricultural Zoning District described in Section 16.04 is set for a two (2) acres minimum lot size, while Figure 3-6: Recommended Potential Future Landscapes in the County Plan**

suggests this area to be a minimum lot size of five acres or greater (5+ acres) to be consistent. To meet the goals and objectives of the Landscapes, Agriculture, and Transportation chapters of the County Plan, the Township should consider a minimum lot size of 20 acres or greater for both the Agriculture designation on Map 6 and the Agriculture Zoning District, and/or other techniques that are supportive of the preservation of agricultural and open space.

Although the following recommendations are not applicable to the consistency with the County Plan, we strongly encourage the incorporation of the following to enhance the overall plan:

- The draft master plan has several typographical/grammatical errors, inconsistent map references, duplicate and non-sequential map numbering, and repetition of text. The Township should carefully edit the Master Plan document before adopting it.
- Map 6, found on pages 29 and 108 is titled "Master Plan." The Township should consider using the title "Future Land Use Map" as the title for this map, as the whole document is called "Master Plan." This suggested title would distinguish it from the title of the entire document. Additionally, the Michigan Planning Enabling Act (P.A. 33 of 2008) uses the terminology of "Future Land Use Map" throughout the act, and this suggested title would be consistent with the terminology used in this legislation.
- P.A. 33 requires an explanation in the zoning plan of how each of the land use categories on the future land use map relate to the districts on the zoning map. Within the zoning plan there is no clear identification of how some of the specific land use categories on Map 6 relate to each zoning district of the Township's zoning ordinance. Specifically, Rural Residential Districts and Commercial and Office Districts (Sections 16.04.B and 16.04.D). Some of the residential zoning districts' relationships with the Map 6 categories are found in Part 7 of the plan, but not located in the Zoning Plan (Part 16). The Township should consider making specific reference to the corresponding future land use map (Map 6) category to each of the Township's zoning districts in Part 16 – Zoning Plan.
- The incorporation of recommendations from the Washtenaw Area Transportation Study (WATS) Non-motorized Plan for Washtenaw County by reference (For specific information, see WATS and Public Health Comments attached)
- In Section 11.03A, the Township should consider using the National Functional Classification of Roads (For specific information See WATS Comments Attached)
- The Township should also consider incorporating the recommendations from the WATS Transit Plan for Washtenaw County that includes the provision of demand response/door to door service throughout the township (For specific information, see WATS Comments Attached)

- A major concept of the plan is the establishment of an interconnected natural features system, as well as pedestrian and bicycle linkages. Developing a regional greenway plan that combines a natural features inventory with a regional recreation trail network would satisfy multiple goals set by the Township Plan. This point is supported by Public Health and WATS.
- In order to support the Township's efforts to maintain its rural character and to use resources efficiently as development progresses, gravel road capacity should be considered. A study of gravel road capacities as a means to manage growth was prepared by the Huron River Watershed Council and can be found at http://www.hrwc.org/pdf/PAL_Guidebook.pdf.
- The Township Plan communicates a strong grasp of its unique character, giving reference to the history and character in various sections of the plan. Language regarding the importance of historic preservation to the community's character should be more strongly articulated in the final draft. Lodi Township should consider the addition of a goal to seek protection and preservation of historic resources through local, state and national programs.
- Another major concept of this plan is the designation of two Municipal Service Areas. However, there isn't much detailed site planning guidelines on the two designated Municipal Services Areas, other than Section 7.04 and sections of Part 12. The Township should consider adding more site planning guidelines for both of these two Municipal Services Areas, either by expanding Part 8 – Special Use Areas or devoting a new Part devoted as a Special Area Plan for both Municipal Services Areas.
- Designating lands for agricultural preservation through an overlay and stating "these lands should not be considered land banks for future rural or urban development or as low density residential areas" is a strong aspect of this plan. In addition, the amendments to the Township Plan could make Lodi Township eligible for additional points from the State of Michigan PDR Program. The comments found within this review reveal that the Lodi Township Master Plan meets 4 of the 5 necessary requirements to be eligible for the additional points from the State of Michigan PDR Program. However, in order to be eligible for additional points from the State of Michigan PDR Program, the Township Master Plan must meet all 5 requirements. Specific requirements and suggestions are included in more detail in the Staff Review and Statement of Consistency with MAPF (State PDR Program) section. The opportunity for and importance of agricultural preservation is also supported by Washtenaw County Public Health comments.
- The Township should also consider aligning the "Agriculture" Master Plan Map designation, as well as a "Lands Designated for Agricultural Preservation Overlay Area" designation with parcel lines, especially in Sections 4, 5, 6 and 23.
- Three of the townships that border Lodi Township (Freedom Township, Saline Township, and Scio Township) have adopted and implemented

Sliding Scale requirements for their respective Agricultural Zoning Districts. The Township should consider including the sliding scale agricultural zoning requirements as a policy and/or strategy in Part 6 Agricultural Land Use of the Master Plan to help contribute to a critical mass of agricultural land in Lodi Township and bordering townships and adopt and implement within the Township's zoning ordinance.

- Agricultural preservation is addressed as an objective within the plan. An important part of maintaining the viability of the agricultural sector is the viability of the local and regional agricultural economy. Lodi Township should consider adding a goal, or an objective, or a policy that supports and/or endorses the five-county Southeast Michigan Food System Economic Partnership (FSEP) to help support agricultural producers in the Township and the region as well as encourage new agricultural and food system economic opportunities. The FSEP website can be found at <http://www.fsepmichigan.org> for more information on the program. This point is supported by Washtenaw County Public Health.

The attached staff report provides additional detail and background regarding County comments. Additionally, agency comments are provided containing additional detailed recommendations and should be reviewed and considered. On behalf of the Planning Advisory Board and the Board of County Commissioners, I would like to thank you for your contribution to promoting a shared vision for Washtenaw County.

If the Department may be of assistance to the Township as you work to implement the policies included in your plan, please call me at (734) 222-6888.

Sincerely,

Patricia Denig, Director of Community Planning
Office of Strategic Planning
Washtenaw County

Attachments

Staff Report

Washtenaw County Department of Public Health comments

Washtenaw Area Transportation Study (WATS) comments

Cc: City of Ann Arbor Clerk
Ann Arbor Charter Township Clerk
Bridgewater Township Clerk
Freedom Township Clerk
Lima Township Clerk
Pittsfield Charter Township Clerk

City of Saline Clerk
Saline Township Clerk
Scio Township Clerk
Don Pennington, Lodi Twp Planning
Consultant



Washtenaw County Office of Strategic Planning

Staff Report

RE: Lodi Township Master Plan Review – Washtenaw County Review

Staff Report Date: 1/20/2009

Background

The Washtenaw County Office of Strategic Planning received the draft Lodi Township Master Plan (Township Plan) on December 10, 2008. In accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, the County is to provide comments to the Township, which must include two statements of consistency:

- A statement as to whether, after considering any comments received by contiguous local units of government, the proposed update is consistent with the plan of contiguous communities, and;
- A statement as to whether the proposed update is consistent with the County Plan.

The proposed update was reviewed for consistency with *A Comprehensive Plan for Washtenaw County* (County Plan). The Washtenaw County Department of Development Services, Department of Parks and Recreation, Road Commission, Department of Public Health, Office of the Water Resources Commissioner and the Washtenaw Area Transportation Study (WATS) were also given the opportunity to comment on the document.

Summary of Update/Review in context of County Plan

Although Lodi Township will not meet the State PDR Requirements as the Master Plan is currently drafted unless it includes a Master Plan Overlay Map or Designation on the Master Plan Map that identifies an area for "Agricultural Preservation," the Master Plan update draft does meet 4 of the 5 requirements of the State PDR Program and if it includes the "Lands Designated for Agricultural Preservation Overlay Map" or a "Lands Designated for Agricultural Preservation designation on the Master Plan Map (Map 6) it will meet all 5 requirements of the State PDR Program incomplete sentence (See the Statement of Consistency with MAPF below). Designating lands for agricultural preservation through an overlay or designation and stating "these lands should not be considered land banks for future rural or urban development or as low density residential areas" is a strong aspect of this plan. Such an overlay or designation could act as a buffer between more developed areas (e.g. the Cities of Ann Arbor and Saline, Pittsfield Township, and Scio Township and more distant communities of Chelsea, Dexter, Manchester, Clinton, and Tecumseh. [Consistent with County Plan's

Landscape Recommendation 4.2, Buffers: Encourage local governments of urban, suburban, smaller cities and villages and the areas surrounding them to incorporate open space buffers around their communities in their master plans. Buffers are to be part of their open space plan].

The Master Plan Update could make Lodi Township eligible for additional points from the State of Michigan PDR Program, provided that the "Lands Designated for Agricultural Preservation Overlay Area" is identified on a map. Specific requirements under the *Michigan Agricultural Preservation Fund (MAPF) Policies and Procedures* to qualify for the State's PDR Program are included in more detail later in this report.

Another strong aspect of this plan is the designation of two Municipal Services Areas as well as a plan for the newly named Lodi Central for the area near the intersection of Ann Arbor-Saline Road and Pleasant Lake Road. Both of these designations are identified in Part 3 – Basic Concepts of the Master Plan. The policies and guidelines for Lodi Central are outlined in Part 8 – Special Use Area – Lodi Central, and the policies and guidelines for the Municipal Services Areas are outlined in Part 7 – Residential Land Use, Section 7.04 Suburban Residential (R-3) General Guidelines and Part 12 – Public Services of the Plan. However, while the two Municipal Services Areas are identified in Part 7 and Part 12, incorporating more detailed policies that would identify the level of development and capacity needed, the timing of service and cost/revenue sharing arrangements, as well as other site and design guidelines similar to Part 8 – Special Use Area – Lodi Central would strengthen the intent of the municipal services areas they do not have [Consistent with County Plan's Landscapes Recommendation 1.8 Small City and Village Infrastructure Planning, Sewer and Water Service Recommendation 1.4—Urban Service District Capacity, as well as Landscapes Recommendations 3.4 – Hamlet Plans].

Language on the importance of pedestrian and bicycle infrastructure is found throughout the plan. A non-motorized transportation system within and connecting commercial and residential land uses help to create a safe and enjoyable community for residents. The incorporation of the Washtenaw Area Transportation Study (WATS) Non-Motorized Plan for Washtenaw County by reference would strengthen this community goal.

A major concept of the plan is the establishment of an interconnected natural features system, as well as comprehensive pedestrian and bicycle linkages. Policies such as "encourage continuous open-space systems, centered around natural features, to enhance existing concentrations of development" demonstrate the Township's awareness that non-motorized transportation, recreation and natural resources conservation can be coordinated to be mutually beneficial, as well as provide public health benefits to a community. Developing a regional greenway plan that combines a natural features inventory with a regional recreation trail would satisfy multiple goals set by the Township Master Plan. The Township should consider the inclusion of a

greenways and trails map and language addressing the designation and protection of greenways and non-motorized transportation.

A policy stated in the Plan is “access to new development shall be from existing paved roads wherever feasible” [Part 11 – Transportation, Section 11.03 C.3.d.]. Without proper planning, rural residential development can have a sprawling affect. This development and associated traffic can overburden gravel roads and threaten rural character as well as natural resources such as water quality. In order to support the Township’s efforts to maintain a rural character, as well as to use resources efficiently as development progresses, gravel road capacity should be considered. A gravel road capacity analysis can help to determine density limitations on gravel roads and will provide useful information for refining land use plans, reviewing development proposals, and prioritizing road projects in order to minimize the negative impacts of development along gravel roads. A study of gravel road capacities as a means to manage growth in rural and suburban communities was prepared by the Huron River Watershed Council and can be found at http://www.hrwc.org/pdf/PAL_Guidebook.pdf.

Historic resources are integrated components of Lodi Township’s existing building stock. They contribute to the community’s overall feeling and sense of place, and help define to the distinctive identity of this rural township’s residential and agricultural landscape. The Washtenaw County historic resources database on the web, known as HistWeb, returned 159 individual historic sites recorded within Lodi Township. Washtenaw County records also returned at least eleven (11) designated Centennial Farms, sites which have been owned by the same family for at least one hundred years. These sites are reminders of many Lodi Township families’ proud agricultural heritage.

The Lodi Township Master Plan update includes a thorough discussion of the area’s local history, but it omits specific mention of the importance of such historic resources association with Lodi Township history. Places of note, such as the Lodi Township Hall, the Lodi, Rosier, and Waters Road cemeteries, places of worship and various historic family farms, are deserving of provisions for their careful use, recognition, preservation, or rehabilitation. In the face of development pressures, if not now but in the future, it is clear that not every historic building, site, object, and structure can be preserved. Lodi Township would do well, however, to include language regarding the importance of historic preservation to the community’s character, particularly the value of rural/agricultural sites, traditional landscapes, and infill development standards congruent with the current form and rhythm of this rural community. Lodi Township should consider articulating a goal to seek protection and preservation of historic resources through local, state and national historic designation or easement programs, all of which employ design guidelines and review to insure appropriate treatment of historic properties (County Plan Historic Preservation: Chapter 9 Objective 3).

Washtenaw County Community Planning can provide assistance in regard to any of these plan areas.

Statement of Consistency with MAPF (State PDR Program)

Staff reviewed the amendments to the Lodi Township Master Plan for consistency with *A Comprehensive Plan for Washtenaw County* (County Plan) and the *Michigan Agricultural Preservation Fund Standards* (Standards):

- It is not known if the proposed Lands Designated for Agricultural Preservation Overlay area closely aligns with the Recommended Proposed Future Landscapes in the County Plan: Open Space and Rural (5+ acre lots), and the Washtenaw County Agricultural Overlay Area as there is no map that identifies this Overlay Area, although this area has been described in the draft Master Plan. This draft of the Master Plan does not meet Requirement number 1 of the State PDR requirements. (See number “1. Requirement” below). Lodi Township does meet State PDR Requirements 2 through 5.
- If all of these State PDR Requirements are met, the amendments could make Lodi Township eligible for additional points from the State of Michigan PDR Program. [Consistent with County Plan’s Agriculture Recommendation 2.1, Farmland Preservation Funding: Encourage landowners to apply for state and federal programs and encourage local governments to identify funding methods for farmland preservation including...PDR program].
- Below are the five master plan requirements under the *Michigan Agricultural Preservation Fund Policies and Procedures* to qualify for the State’s PDR Program. The Lodi Township Master Plan update draft meet four of the five following requirements of the State PDR Program with recommendations provided to meet Requirement number 1 and to more competitively position Lodi Township for the program.

1. Requirement: A New “Agricultural Preservation” Future Land Use Plan Category, Map Amendment

Discussion: In the definition section found on page 13, in Section 6.05 Agricultural Preservation, refer to a map and land use designation as “Lands Designated for Agricultural Preservation.” In Section 6.05 on page 49, the map is specifically referred to as “Map 6 – Master Plan – Agricultural – Lands Designated for Agricultural Preservation Overlay” and indicates that the map serves as an Overlay to “Map 6 – Lodi Township Master Plan.” On page 50, it states that “Map 6 – Lodi Township Master Plan” specifically identifies an overlay area of Lodi Township where there is the largest concentration of ongoing farmland activities.” The draft Master Plan document does not include a map called “Map 6 – Master Plan – Agricultural – Lands Designated for Agricultural Preservation Overlay” nor any such designation on “Map 6 – Lodi Township Master Plan.” The non-existence of the “Lands Designated for Agricultural Preservation Overlay,” either as its own separate map or a designation on the Master Plan Map, and the

duplication of the use of "Map 6" for two maps is confusing and not clear.

The text on page 49 does generally state that the "Lands Designated as Agricultural Preservation," are located in the central, western and southern portions of the Township. Either a separate map titled: "Agricultural – Lands Designated for Agricultural Preservation Overlay" with appropriate Map number (to distinguish it from Map 6 – Lodi Township Master Plan) or a specific designation with this same title should be included on Map 6 Master Plan Map to illustrate the specific location of this Overlay Area on a map in order to meet this State PDR Requirement. The title for this Overlay Area will work, as it must contain the words "Agricultural" or "Farmland" and "Preservation" according to the State PDR Requirements.

Additionally, if the boundaries of the "Agriculture" designation on Map 6 – Master Plan Map found on pages 29 and 108 are used as part of or entirely as the way of designating the "Lands Designated for Agricultural Preservation Overlay Area," the Township should consider changing the boundaries of this "Agriculture" designation, as well as the boundaries of the Lands Designated for Agricultural Preservation Overlay Area to be aligned with parcel lines. In 2006, Lodi Township property owners participated in the Washtenaw County Application to the State PDR Program (Michigan Agricultural Preservation Fund). There were property owners that applied to the program and parts of their respective properties were not eligible to the State PDR Program. This is particularly a problem with the "Agriculture" designation boundaries in Sections 4, 5, 6 and 23. Washtenaw County adopted a countywide Agricultural Preservation Overlay Area in 2006 to become eligible to the State PDR Program, and used the categories from each Township in the County that were the lowest density future land use category titled with "Agriculture" or "Agricultural Preservation" as the methodology for designating the countywide Agricultural Preservation Overlay Area. Because these properties contained part of their respective properties in Lodi Township's "Agriculture" designation, and the remaining parts in non-Agriculture land use categories, those remaining parts in these non-Agriculture areas were not a part of the Washtenaw County Agricultural Preservation Overlay Area and as a result were not eligible to the State PDR program.

2. Requirement: PDR and Other Agricultural Preservation Strategies (Policies) must be included in the Goals, Objectives, Policies Section of the Master Plan

Discussion: Text referring to the strategies intended to preserve agricultural land should include PDR, but also other techniques. Lodi Township's Master Plan contains within the "Agricultural Land Use Part" under Sections 6.09, 6.10 and 6.11 objectives, policies and strategies

which address farmland preservation. Among the strategies on 52 and 53 include:

- A. Encourage farmers to participate in PA 116.
- E. Actively encourage farmers in the Township to apply for PDR funds from the federal, state and/or county governments.
- F. Amend the Township Zoning Ordinance where necessary to incorporate the additional agricultural protection based on the policies of this plan.

Additionally, the designation of Municipal Services Districts within the Township is also an important strategy for directing growth away from agricultural areas in the Township. These objectives and strategies fit in very well with the state's PDR requirements, and these strategies also fit in with the Agriculture strategies found in Chapter 4 of *A Comprehensive Plan for Washtenaw County*.

3. Requirement: Include a paragraph describing why farmland should be preserved in Lodi Township.

Discussion: The text on pages 48-50 including Sections 6.01, 6.02, 6.03, 6.04, and 6.05 meet this requirement. In Section 6.05 in the beginning paragraph of the Agricultural Preservation section that meets this requirement quite well. The reasons include retaining the use of prime agricultural soils in recognition of the importance of the sustenance and economic benefits provided by the agricultural industry to the residents of Lodi Township.

4. Requirement: A paragraph describing why the new "Agricultural Preservation" future land use plan category, was chosen/designated.

Discussion: The third, fourth, fifth and sixth paragraphs of Section 6.05 Agricultural Preservation on pages 49 and 50 states reasons for its designation:

The Lands Designated for Agricultural Preservation are designated for the following reasons:

- A. Existing agricultural operations are the predominating land use within these areas.
- B. These areas are primarily comprised on prime agricultural soils according to the USDA-NRCS Washtenaw County Soil Survey
- C. There are numerous parcels larger than 40 that are contiguous to other large parcels in agricultural production.
- D. Other governmental studies and land use inventories recognize these areas including the 2000 Southeast Michigan Council of Governments land use inventory and the Agricultural Lands Map, 4-1 of the Washtenaw County adopted *A Comprehensive Plan for Washtenaw County*.

E. Several PA 116 contracts exist in the area.

The fourth paragraph of 6.05 indicates this designated area serves as Overlay to Map 6 – Lodi Township Master Plan. Additionally, the fifth paragraph identifies that the Overlay Area was selected in a manner to be non-exclusionary for potential interest by landowners in a PDR or other agricultural preservation options; areas that provide the most potential for on-going or new agriculture activities; recognizing that this Overlay Area are highly sought-after tracts for development; and to underscore continuity with adjoining communities which have also designated “agricultural preservation” goals. The sixth paragraph of this section also indicates that this Overlay Area where there is the largest concentration of ongoing farmland activities, highly productive soils, large tracts of land, and few non-agricultural uses.

While there is no “Lands Designated for Agricultural Preservation Overlay Map” contained within the plan, and there is a duplication of the labeling of “Map 6” with the Overlay Area and the “Lodi Township Master Plan Map, these reasons for selecting the Lands Designated for Agricultural Preservation Overlay Area do fit in very well with the state’s PDR requirements.

5. Requirement: Farmland preservation goal(s).

Discussion: The objective found under Section 6.09 on page 51 serves as the required farmland preservation goals. It states the following: “Continued encouragement must be given for the continuation of long-term agricultural activities within Lodi Township based on existing operations and physical soils considered highly productive for such use. This is encouraged due to the economic benefits provided by the agricultural industry to the residents of Lodi Township, and for the rural character and open space benefits it provides. The policies on page 51 and 52 also support this objective, as well as the Implementation Strategies found under Section 6.11 on pages 52 and 53.

Washtenaw County is well versed in the State PDR Program and would be a willing partner to assist the Township in implementing these recommendations.

Contiguous Community Land Uses

- East (Pittsfield Township): The western portion of Pittsfield Township includes land designated for Low Density Residential (1 d.u.’s per acre) to High Density Residential (9 d.u.’s per acre), Research and Development, Regional Commercial, and Private Recreation. Except for the area that surrounds the intersection of Maple and Textile

Roads, the area immediately east of Lodi Township in Pittsfield is served by Sanitary Sewer from YCUA.

- Southeast (City of Saline): Single-family residential with a density of 3 to 5 units per acre, with sewer and water service provided, as well as Professional Office, Multiple Family Residential, Public/Quasi-Public, Mixed-Use, Commercial, as well as Open Space – Recreation are designated in neighboring areas to Lodi Township within the City of Saline.
- South (Saline Township): Land Use designations along the border with Saline Township include mostly Agriculture uses, and Rural Residential and Manufactured Housing development in the northeast corner of the Township near the City of Saline.
- Southwest (Bridgewater Township): Agricultural designations exist generally in the northeast corner of the Township, however, nearest to its border at a point with Lodi Township is the Hamlet of Bridgewater which has public sewer and has Medium Density Residential designation and small areas designated for commercial and industrial uses.
- West (Freedom Township): Agricultural uses exist near the Township's boundary with Lodi Township.
- Northwest (Lima Township): Agricultural uses are predominant in Lima Township near its border at a point with Lodi Township.
- North (Scio Township): Open Space, Agricultural, Rural Residential, Low Density Residential, Medium Density Residential, High Density Residential, Recreation and Conservation, Office and Industrial, Commercial and Public-Semi Public are the uses that are near Scio Township's boundary with Lodi Township. Sewer Service is available along a contiguous corridor along Jackson Road which. This sewer service corridor includes sewer service located in Section 36 of Scio Township, adjacent to Section 1 of Lodi Township near the intersection of Wagner and Scio Church Roads.
- Northeast (City of Ann Arbor and small jurisdictional islands of Ann Arbor Township): Single-Family Residential, Multi-Family Residential, Commercial, Office, Public-Quasi Public and Parks and Recreation are the land use categories in Ann Arbor City's (including small jurisdictional islands of Ann Arbor Township) close proximity to Lodi Township. Public sanitary sewer and water service is provided within the City of Ann Arbor.

Review of Plan in Context of Contiguous Community Master Plans

The proposed Township Plan update is consistent with the master plans of adjacent communities.

Applicable Agency Comments

Washtenaw County Public Health: See attached

Washtenaw Area Transportation Study (WATS): See attached



**Public Health Review and Comment for:
Lodi Township Master Plan Update 2008-09 Draft**

1. The plan includes elements that **increase access to physical activity.**

	Not Addressed	Somewhat Addressed	Adequately Addressed	Not Applicable To this review
A. Opportunities for use of non-motorized transportation are evident in the plan (bikeability, walkability, multi-use paths).	1	<u>3</u>	5	N/A
B. Connectivity between schools and residential areas are promoted in the plan (Safe Routes to School).	<u>1</u>	3	5	N/A
C. Preservation of green/open space including parks is evident in this plan.	1	<u>3</u>	5	N/A

General Comments:

- The “Bicycle Paths” section within Part 11: Transportation begins to explore bicycle pathways and the discusses the importance of connecting bicycle pathways to parks and recreation.
- Consider adding a map/inventory of existing infrastructure and deficiencies of sidewalks, bike paths, wide shoulders, etc.
- Consider stating support for the Washtenaw County Non-Motorized Plan.
- Consider addressing the transportation and safety concerns of children traveling to/from schools. (Safe Routes to School Program)

2. The plan includes elements that **increase access to healthy eating resources.**

	Not Addressed	Somewhat Addressed	Adequately Addressed	Not Applicable To this review
A. The plan promotes mixed use development (retail	1	<u>3</u>	5	N/A

including access to grocery stores and residential uses).

B. Grocery stores and super-markets can be accessed by non-motorized transportation.	<u>1</u>	3	5	N/A
C. The plan includes elements that support or improve the local food system (including preservation of agricultural land /urban agriculture and community gardens).	1	3	<u>5</u>	N/A

General Comments:

3. The plan includes elements that promote emotional well-being and social connectivity.

	Not Addressed	Somewhat Addressed	Adequately Addressed	Not Applicable To this review
A. The plan includes elements that promote the use of, and access to, public transportation.	1	<u>3</u>	5	N/A
B. The plan includes elements that promote connectivity between residential development and retail.	1	<u>3</u>	5	N/A
C. The plan incorporates affordable housing options into residential developments.	1	<u>3</u>	5	N/A
D. The plan includes built elements that increase community cohesion and neighborhood activities.	1	<u>3</u>	5	N/A

General Comments:

References:

- 1) Washtenaw County Public Health comments for Environment and Planning Master Plan.

- 2) Design Guidelines for Active Michigan Communities (2006). Available at: www.mihealthtools.org/communities
- 3) Promoting Active Communities (PAC). Available at: www.mihealthtools.org/communities
- 4) Robert Wood Johnson: Active Living Research
 - a. Designing for Active Recreation (Updated February 2005).
 - b. Designing for Active Transportation (Updated February 2005)Available at: http://www.activelivingresearch.org/index.php/What_We_are_Learning/117

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WASHTENAW AREA TRANSPORTATION STUDY

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Planning Reviews

Community: **Date Received:** December 12, 2008

Complete Master Plan Update: **Complete Zoning Plan Update:**

Master Plan Amendment: **Zoning Plan Amendment:**

Other:

The map references are incomplete and out of order. Some of the maps provided were not included or were illegible. Some of the maps were referenced without a map number. It would be more useful to have the maps included in the text near where they are referenced.

The Central area descriptions and views of the special use area/Central Area are difficult to follow, as they do not seem to relate to each other. It is unclear from the pictures or text whether the long term vision includes the retention of the council farm grounds. The plan also states that the Central area will not have municipal services but calls for sidewalks and curbing along both Ann Arbor-Saline and Pleasant Lake. Where will the storm water runoff go if there are no underground sewers.

Land Use Implications:

The plan uses various density numbers for residential uses – ½ to 2 acres yet throughout the document speaks to the need to retain agriculture and rural character. The residential densities are really more suburban and should probably change based on the area.

Transportation Component Implications:

Page 37, 4.08 Roads – This section should probably speak to the existing conditions of all transportation. The second paragraph does not speak to existing conditions as it does to what the impact of improvement would be and probably belongs in the transportation policies section.

Page 76, 11.01 B. WATS suggests restating this as follows (as the township should not necessarily be recommending increased speed) : Retain capacity and efficiency of arterials.

POLICY COMMITTEE MEMBERS

• CITY OF ANN ARBOR • ANN ARBOR TRANSPORTATION AUTHORITY • ANN ARBOR TOWNSHIP • CITY OF CHELSEA • VILLAGE OF DEXTER •
• DEXTER TOWNSHIP • EASTERN MICHIGAN UNIVERSITY • MICHIGAN DEPARTMENT OF TRANSPORTATION • NORTHFIELD TOWNSHIP • FITTSFIELD TOWNSHIP •
• CITY OF SALINE • SCIO TOWNSHIP • SOUTHWEST WASHTENAW COUNCIL OF GOVERNMENTS • SUPERIOR TOWNSHIP • UNIVERSITY OF MICHIGAN •
• WASHTENAW COUNTY BOARD OF COMMISSIONERS • WASHTENAW COUNTY ROAD COMMISSION • CITY OF YPSILANTI • YPSILANTI TOWNSHIP •
• EX OFFICIO: FEDERAL HIGHWAY ADMINISTRATION • SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS •

AN INTERMUNICIPALITY COMMITTEE ORGANIZED UNDER ACT 200 OF PUBLIC ACTS OF MICHIGAN (1957)
REPRESENTING WASHTENAW COUNTY

Page 77, 11.02 Transportation Guidelines B. – The streets should include sidewalks in addition to curb and gutters.

Page 77, 11.02, G. Consider changing “..reduce the need for additional lanes..” to “retain capacity”.

Page 77, 11.03 Goal, Objectives, and Policies – Hierarchy of Roadways – WATS would recommend using the National Functional Classification of roads that dictates eligibility for federal funding

The existing NFC roads in Lodi Township are as follows:

Minor Arterials

Scio Church from Ann Arbor CL to Zeeb
Wagner from Scio Church to Ann Arbor-Saline
Ann Arbor-Saline from Wagner to Saline CL

Collectors

Scio Church from Zeeb to Parker
Pleasant Lake – entire length
Saline Waterworks – entire length
Zeeb from Scio Church to Pleasant Lake

The Township should consider the inclusion of the Pavement Management data that is available for the Townships Nationally Functionally Classified roads. The data is available through WATS.

Page 78 and 78 Policies, The Township should uses a maximum of 120 feet of ROW as the maximum for the township roads however, the policies use only 86 feet for the Arterials. The Township should consider ROW's wide enough to allow for the entire width of the paved road, paved shoulders of 4-5 feet, space for ditches wide enough to adequately accommodate drainage and sidewalks if in the urban services or Central area of the township.

Page 80, B,(3) The fifty foot landscaped buffer along major federally funded roads would prohibit easy access to transit routes in the future particularly in the urban services or central area. Wagner Road in particular has dense residential use that is likely to be served by public transit in the future. Setting uses back from roads on transit routes makes them very unfriendly to pedestrians, bikers and transit users. Ann Arbor-Saline is also a route likely to be served by public transit. In the central or urban services area, minimum setbacks with parking located behind uses would be most conducive to non-motorized trips and support public transit use.

Page 81, C, are the listed items Policies? It is often unclear what are the policies and what is just educational information.

Page 83 D. Pedestrian/Bicycle Circulation – the first statement is not a complete thought as it is unclear whether these are to be supported or discouraged because it lacks a verb.

Page 83 D, 1.a.1) a) d) these statements in bullets are essentially the same as the paragraph in 1.c.1) a). There is much duplication throughout this document. There is no direction as to where the bicycle facilities should be constructed, ie along roads or off road between developments. WATS would like to see the Lodi Township plan incorporate the recommendations from the WATS Non-motorized Plan. This would include the provision of paved shoulders along federally classified roads.

Page 84, E. Public Transportation – In addition to the recommendations for bus stops in the Municipal Service Area, there will need to be stops along the entire route within the Township. The Plan should also incorporate the recommendations from the WATS Transit Plan for Washtenaw County that includes the provision of demand response/door to door service throughout the township. The Park and Ride lots should be coordinated with the public transit stops.

Page 84, F. Internal Roadway Design with new Developments – this section belongs with Road Systems for new Development on page 81 as most of it is duplicative of what is already in the document.

Page 85, G. 1. e. remove the ability to waive non-motorized facilities by the Planning Commission as even in the rural area paved shoulders improve the safety of pedestrians and bicyclists in the rural area.

Page 85, G.1. a. the setbacks established should be minimized in the Central, Municipal or Urban Services area.

Page 85, 2. d. Add paved shoulders as an option for bicycle facilities along Township roads.