



WASHTENAW COUNTY BOARD OF COMMISSIONERS

WAYS & MEANS COMMITTEE

February 6, 2013

Comm. Felicia Brabec called the meeting to order at 6:30 p.m. in the Board Room, Administration Building, 220 North Main Street, Ann Arbor, Michigan.

MEMBERS PRESENT: Comms. Brabec, LaBarre, Martinez-Kratz, Rabhi, Sizemore, Conan Smith, Dan Smith

MEMBERS ABSENT: Comms. Peterson, Ping

OTHERS PRESENT: County Administrator, Verna McDaniel; Catherine McClary, Treasurer; Jerry Clayton, Sheriff; Evan Pratt, Water Resources Commissioner; Curt Hedger, Corporate Counsel; Greg Dill, Facilities; Kelly Belknap, Finance; Tina Gavalier, Finance; SiRui Huang, Sheriff; Mary Jo Callan, OCED; Shamar Herron, OCED; Bob Tetens, Parks & Recreation; Ken Schrader, ITS; Elaine Holleran, County Administration; Lisa Moutinho, County Administration; Peter Simms, Clerk's Office; various citizens; and members of the press.

Roll Call

Citizen Participation

Thomas Partridge, democrat and recent candidate for Michigan Senate and House of Representatives, stated that he was in attendance to advance the cause of those who need shelter from the cold. He noted that such work should be a board priority. He called for the advancement of the cause of union workers. He characterized union workers as being left out in the cold by Governor Snyder.

George Lawrence, Whitmore Lake, stated that he would not condemn right to work. He added that when he had been a union member he felt as though his union dues went to political parties that he did not support.

Commissioner Follow-Up to Citizens' Participation

Comm. Rabhi in response to the citizen, who wondered why the pledge of allegiance had not been recited at the start of the meeting, noted that the pledge of allegiance was done only at the beginning of the board meeting.

New Business:

A. Economic Development

1. Office of Community and Economic Development:

a. Michigan Works! System Plan:

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the signature of the Chair of the Board on the Calendar Year 2013 Michigan Works! System Plan for the period of January 1, 2013, through December 31, 2013.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

b. Community Services Block Grant Discretionary Funds (CSBG-D):

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the signature of the County Administrator on the OCED application to the Michigan Department of Human Services for Community Service Block Grant Discretionary funds in the amount of \$20,000, with an additional \$5,000 match, for a total budget in the amount of \$25,000, for the Fiscal Year September 1, 2011, through August 31, 2012.

Comm. Dan Smith thanked Mary Jo Callan and her staff for their work and the many items on the agenda.

Comm. Brabec asked if there was money available to follow through on the recommendations of the needs assessment for the Discretionary Funds. Mary Jo Callan said that there wasn't necessarily money to follow through on every need it would still be very useful information to have for future investments.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

c. Community Services Block Grant Discretionary Funds for Tax Preparation Assistance (CSBG-T):

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the signature of the County Administrator on the OCED application to the Michigan Department of Human Services (DHS) for Community Service Block Grant Tax (CSBG-T) funds, for the period of December 1, 2012, through June 30, 2013, in the amount of \$20,000.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

d. Foster Grandparent Program (FGP) Federal Grant Application:

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the County Administrator's signature on the Fiscal Year 2013 Foster Grandparent Program (FGP) Federal Grant Application to the Corporation for National and Community Service for the period of January 1, 2013 – December 31, 2013, in the amount of \$404,029; approving the budget and authorizing the Administrator to sign the delegate contracts.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

e. Low-Income Home Energy Assistance Program Crisis Assistance Grant for Deliverable Fuels:

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the signature of the County Administrator on the Low-Income Home Energy Assistance Program (LIHEAP) Crisis Assistance (LCA): Deliverable Fuels Agreement with the Michigan Department of Human Services (DHS), for the period of September 15, 2012, through August 31, 2013; in the amount of \$46,900; approving the budget and authorizing the Administrator to sign the delegate contracts.

Comm. Brabec asked if the difference between LIHEAP and MPSC was that LIHEAP was for out-county people. Andrea Plevak responded that both programs were for the entire county.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

f. Michigan Public Service Commission Emergency Energy Assistance Program:

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the County Administrator's signature on the Michigan Community Action Agency Association (MCAAA) application to the Michigan Public Service Commission (MPSC) Emergency Energy Assistance Program, in the amount of \$94,901, for the period of December 4, 2012, through July 31, 2013; authorizing the Administrator to sign the Notice of Grant Award; approving the budget and authorizing the Administrator to sign the delegate contracts.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

B. Civic Infrastructure

1. Treasurer:

a. Delinquent Tax Borrowing Resolution

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners issue 2013 General Obligation Limited Tax Notes for the 2012 delinquent taxes.

Catherine McClary said that she wants to be available to the board if they have questions. She said that she is required to collect delinquent taxes as the Treasurer. She stated that a revolving fund was set up decades ago. She noted that she can pay out of that fund to the municipalities the amount they would have collected had everyone paid their taxes. She said that notes would most likely be issued in April or May. She stated that she serves as the Board's agent under State Law. She noted that the amount being issued had decreased from last year. Comm. Dan Smith thanked Catherine McClary for her work. He added that it was a tremendous help for municipalities which have smaller budgets. He stated that the interest rates on CDs was abysmal. He asked if

he could purchase one of these bonds. Catherine McClary said that when she was a commissioner in 1975 she had investigated selling these bonds across the county. She noted that it was an insurmountable problem. She went on to say that the notes could be issued while the cash was on hand and then the delinquent tax amount could be borrowed. She said that the tax notes could then be purchased through a broker with the cash on hand. She said that in 2010 delinquent taxes were so high that they did not have the cash to do that. She said that last year the notes had been purchased between three counties including Washtenaw. She said that she would like to hold them all in the County's possession but if that would not be possible she had potential buyers.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

C. Land Use & Environment

1. Water Resources Commissioner:

a. Allen Creek Miller Ave. Drain Project

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners pledge the County's limited full faith and credit for payment of bonds for the Allen Creek Miller Ave. Drain Project, in an amount not to exceed \$1,585,000, (one million, five hundred, and eighty-five thousand dollars). Bonds will be retired through special assessments against the following: City of Ann Arbor

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

1. Public Works:

a. Bond Refunding for Lyndon and Sylvan Townships for the Lyndon Sylvan Sewer System

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners approve the sale of refunding bonds to allow for refinancing of the debt incurred by Lyndon and Sylvan Townships for the construction of the Lyndon Sylvan sewer system and agreeing to the provision of continuing disclosure relative to those bonds.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

D. Public Safety & Justice

1. Sheriff:

a. Marine Safety Grant

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners ratify the signature of the County Administrator on the 2011 Marine Safety Grant application with the State of Michigan, Department of Natural Resources for the period of January 1, 2013, through December 31, 2013, for the total program budget of \$231,271.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

E. Support Services

1. Infrastructure Management:

a. Amendment to Interagency Agreement for Collaborative Technology and Services

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners authorize the County Administrator to sign Amendment 1 (process for adding additional members) to the Interagency Agreement for Collaborative Technology and Services between the City of Ann Arbor, Washtenaw County and the Ann Arbor Transportation Authority.

Comm. Rabhi said that the amendments to the interagency agreement for collaborative technology would expand the number of participants. He stated that this was one of the best examples of government collaboration that the county participated in.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

F. Infrastructure Management

a. Amendment to Interlocal Agreement for the Southeast Michigan Regional Energy Office Community Alliance

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners authorize the County Administrator to sign an Amendment to the Interlocal Agreement for the Southeast Michigan Regional Energy Office (SEMRO) Community Alliance.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

G. Board of Commissioners

a. Amending the Rules and Regulations of the Washtenaw County Board of Commissioners

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners amend the list of boards/committees eligible for stipend.

Roll call vote: YEAS: 7 NAYS: 0 ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

b. Condemning the Passage of “Right to Work” legislation

Comm. Rabhi seconded by Comm. LaBarre moved that the Board of Commissioners pass a resolution which formally condemns the passage of “Right to Work” in the State of Michigan.

Comm. LaBarre said that the Right to Work resolution was his effort to address the issue. He said that he would be more than happy to answer any questions or respond to any comments.

Comm. Dan Smith asked Curt Hedger to comment on the legality of the ten-year contracts. Curt Hedger said that he did not have an opinion on it that night but he would look into at the direction of the board. Comm. Dan Smith asked what it might cost to defend the county against a lawsuit brought against the county for the ten year agreement. Curt Hedger said that it was hard to tell at this point. He noted that lawsuits have been filed on both sides of this. He added that there should be answers on this issue fairly soon. Comm. Dan Smith asked how expensive this would be if it went all the way to the Supreme Court. Curt Hedger replied that it might be as little as \$10,000. He said that the cost might be so low because the most expensive part of a lawsuit is “discovery” and this issue would be a straightforward decision on legality.

Diane Heidt said that the current letter of understanding has a strong indemnification clause.

Comm. Dan Smith said that the resolution as presented was fairly over the top. He added that he had distributed several alternate copies. Comm. LaBarre said that it was definitely the county’s business. He said it was rational for the county to address this issue because it would affect the county’s workforce. He said that in this instance he felt a response was warranted.

Comm. Sizemore asked how a “four-year” agreement had been determined. Verna McDaniel said that there was a precedent of longer term contracts between unions and the county. She noted that the county had once had a five-year contract which had been a good contract.

Roll call vote: YEAS: 6 NAYS: 1 (Comm. Dan Smith) ABSENT: 2 (Comms. Peterson, Ping) Motion carried.

Report of the Administrator:

Report of the Chair of the Board

Items for Current/Future Discussion

Comm. Rabhi complimented Comm. Dan Smith on his new haircut. Comm. Rabhi noted that he has started work on a new program; the Washtenaw County Identification card. He said that the card would provide a form of identification for those who don't have a driver's license. He said that elderly, immigrants, ex-offenders, mentally ill, homeless people would be able to have the same rights as everyone else. He noted that it would help the immigrant community in particular. He said that many immigrants feel uncomfortable reporting crimes when they don't have any sort of identification.

Pending

Comm. Brabec thanked Evan Pratt, Jerry Clayton and Catherine McClary for their presence.

Comm. Dan Smith introduced Oakland County Commissioner Phil Weipert.

Adjournment

Comm. Rabhi seconded by Comm. LaBarre moved that the meeting be adjourned until February 20th, 2013 at 6:30 p.m. Motion carried.

The meeting adjourned at 7:09 p.m.

Felicia Brabec, Chair

Lawrence Kestenbaum, Clerk/Register

By: Peter Simms, Deputy Clerk

APPROVED: February 20, 2013