



**WASHTENAW COUNTY BOARD OF COMMISSIONERS**

**WAYS & MEANS COMMITTEE**

**May 17, 2006**

Chair Irwin 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. Bergman, Irwin, Kern, Ouimet, Peterson, Prater, Sizemore, Smith, Solowczuk.

**MEMBERS ABSENT:** Comm. Grewal, Gunn.

**OTHERS PRESENT:** Robert Guenzel, County Administrator; Curtis Hedger, Corporation Counsel; Janis Bobrin, Drain Commissioner; Peter Ballios, Scott Patton, Finance; Gordon Burger, Budget; David Behen, Dale Vanderford, Ken Schrader, ITS; Verna McDaniel, Diane Heidt, Human Resources; Mary O'Hare, Organizational Development; Mary Udoji, Library; Alan Israel, Prosecuting Attorney; Donna Sabourin, CSTS; Patricia Denig, Planning and Environment; Ellen Clement, Public Health; Annette Rook, Community Development; Dave Shirley, Facilities Management; Kerry Sheldon, Administration; Stephen Kirschner, Clerk's Office; various citizens; and members of the press.

**Roll Call**

**Citizen Participation**

Doug Winters addressed the board concerning the ways and mean agenda item that extends two options to Ypsilanti, Salem and Augusta Townships offering police services. He said that the court stated that it is sheriff Minzey's responsibility to continue to respond to calls from the litigating townships. He stated that Judge Costello put the county on notice. He stated that the sheriff is responsible for deployment and has to respond to calls as they are needed.

**Commissioner Follow-Up to Citizens' Participation**

None.

**Executive Session – Litigation and Advice of Counsel:**

Comm. Irwin stated that there will not be an executive session.

**New Business:**

**Planning & Environment Community of Interest:**

**Office of the Drain Commissioner – Oak Park Washtenaw Heights Drainage District Improvements Project:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution pledging the full faith and credit of the county of Washtenaw, within constitutional limitations, for the payment of the bonds of the Oak Park Washtenaw Heights Drain Drainage District (Township of Pittsfield, Washtenaw County, Michigan) described in the order authorizing bonds attached to this resolution.

Roll call vote: YEAS: 9. NAYS: 0. ABSENT: 2. [Comms. Bergman, Ouimet] Motion carried.

Comm. Kern asked if there is an estimate of the annual house assessment. Janis Bobrin stated that she did not have the exact number but it the assessment is fairly manageable.

**Employment Training and Community Service – Annual Workforce Investment Act (WIA) Adult, Youth & Dislocated Workers Program:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution ratifying the chair of the board's signature on the Workforce Investment Act Adult, Dislocated Worker , and Youth Plans in the total amount of \$2,102,484 for the period of July 1, 2006 through June 30, 2007 for ETCS;

authorizing the county administrator to sign notice of grant awards; amending the budget and authorizing the administrator to sign delegate contracts.

Roll call vote: YEAS: 9. NAYS: 0. ABSENT: 2. [Comms. Bergman, Ouimet] Motion carried.

Comm. Kern asked how the young people are being recruited. Jennifer Yeakey responded that those in school are easy to recruit, and out of school are recruited mainly by word of mouth. Comm. Kern asked if they feel they are well networked with the non-profits area. Ms. Yeakey stated that they are always looking for more partners.

**Annual 2006 Employment Services Program:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution ratifying the 2006 Employment Services Plan application to the Michigan Department of Labor and Economic Growth for the period of July 1, 2006 through June 30, 2007 in the amount of \$459,030 for the employment Training and Community Services Department; authorizing the administrator to sign the notice of grant award; amending the budget, and authorizing the county administrator to sign the delegate contracts.

**Health Community of Interest:**

**Public Health – Mutual Aid Agreement:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution authorizing the chair of the board to sign the Public Mental Health Mutual Aid Agreement between the counties of Washtenaw, Livingston, Macomb, Monroe, Oakland, St. Clair, and Wayne and the City of Detroit.

Roll call vote: YEAS: 9. NAYS: 0. ABSENT: 2. [Comms. Bergman, Ouimet] Motion carried.

Comm. Smith asked if there is an epidemiological emergency, how the command and response system would work. Ellen Clement stated that in this type of event public health will be active. Comm. Smith asked where responsibility for evacuation falls. Ellen Clement stated that it depends on the situation. Ellen Clement recognized Cindra James, the new emergency preparedness coordinator.

**Support Services Community of Interest:**

**Human Resources – Washtenaw County Employee Retirement System – Change Ordinance:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution adopting amendments and restating provisions of the Washtenaw County Employees Retirement System to incorporate accumulated changes, remove obsolete material, and to confirm to applicable provisions of state and federal law.

Roll call vote: YEAS: 9. NAYS: 0. ABSENT: 2. [Comms. Bergman, Ouimet] Motion carried.

**Public Safety & Justice Community of Interest:**

**Trial Court – Juvenile Center – Building a Restorative Community – Year Three Implementation Grant:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution ratifying the county administrator's signature on the grant application to the Michigan Department of Human Services for the Building Restorative Communities Year Three Implementation Grant in the amount of \$100,000 for the period of December 1, 2006 through November 30, 2007.

Roll call vote: YEAS: 9. NAYS: 0. ABSENT: 2. [Comms. Bergman, Ouimet] Motion carried.

**Office of the Administrator Community of Interest:**

**Administration – Police Services:**

Comm. Gunn seconded by Comm. Solowczuk moved to recommend that the Board of Commissioners approve the resolution extending two options to Ypsilanti Township, Augusta Township and Salem Township for contractual police

services with Washtenaw County; providing a time for the townships to accept or reject either option; and providing a course of action for the board of commissioners to follow if both options are rejected.

Robert Guenzel reported that eight out of ten counts have been dismissed in summary judgment. He said that the first five accounts have been appealed. He stated that the judge has ruled that there is no contract between the parties and the county. He reiterated that the judge stated three times that the county cannot make a profit on these services. Mr. Guenzel stated that there is not a contract for the services that they are providing and the townships are paying the same rates as those townships with contracts. He stated that this proposal offers options for these townships. Robert Guenzel summarized the three options. He stated that he wanted to delay moving the item in order to get feedback on these options, but this matter does need to be addressed soon. He stated that he would like an interim agreement to continue services while this issue is being appealed.

Comm. Sizemore asked why the deadline is June 21st. Robert Guenzel explained how that date was chosen. Comm. Sizemore asked about meetings with the sheriff. Mr. Guenzel responded. Comm. Sizemore asked that any decision to be put off until September.

Comm. Gunn asked if the services have been reduced. Robert Guenzel stated they are at the same level as the previous contract. Comm. Gunn asked for corporation counsel to summarize the Lucas and Brownstown cases. Curt Hedger summarized the cases. He stated that the court said the constitutional level of police services the county is required to fund is very low. Comm. Gunn asked if this case went to the Michigan Supreme Court and if it was case law. Robert Guenzel stated that it did not go to the Michigan Supreme Court and the ruling is case law.

Comm. Gunn seconded by Comm. Peterson moved to postpone this resolution to a time certain, the next Ways and Means, June 7, 2006.

Voice vote: YEAS: 8. NAYS: 1 (Comm. Smith). ABSENT: 2. [Comms. Bergman, Ouimet] Motion carried.

Comm. Kern asked what the interim cost of police services to the townships will be. Robert Guenzel stated it will be the same as other townships.

Comm. Sizemore stated that he understands that the county is losing deputies because of fear that they will lose their jobs. He asked for the unions and administration to meet to pull deputies back.

Comm. Irwin stated that because this item has been voted on discussion is closed.

### **Report of the Administrator:**

#### **Status of Boarding out inmates:**

Bob Guenzel stated that they met Monday with the under sheriff about overcrowding. He stated that this issue will be the primary item of discussion at the Criminal Justice Collaborative Council retreat on Friday, May 19th. He asked to put off the sheriff's report until the next board meeting. He stated that the sheriff said he would attend June 7<sup>th</sup>. He stated again that the sheriff will not be presenting to the Board of Commissioners and there will be an amendment to the police services contract.

Comm. Peterson asked about this amendment. Robert Guenzel clarified that there has been an amendment agreed upon that the sheriff stated enable him to sign the contract.

#### **Presentation on Space Plan History, Public Safety and Justice Needs Assessment:**

Robert Guenzel and Jim Robinson present to the board on Space plan history.

- Historical Overview
- Space Needs by Community of Interest
- PS & J Needs Assessment Update
  - Jail capacity data
  - Updated cost estimates from Administrator's Recommendation (Nov. 2004)
  - Update on court related data

Comm. Kern asked about a graph in the presentation. Jim Robinson clarified. Jim Robinson recommended creating a jail capacity coordinator to manage and monitor the jail capacity.

Comm. Gunn asked if the jail management coordinator's duties would include recommendations for early release. Jim Robinson stated that logically this person would have the information and would make the recommendation.

Comm. Grewal asked if they went back to 1995 to make their predictions. Jim Robinson stated that they went back to 1992 or 1993. Comm. Grewal asked how they decided how far back they would go. Mr. Robinson responded that the decision was made by a previous vendor.

Comm. Smith stated that it seems like there are a lot of natural inefficiencies that would affect length of stay. Comm. Smith asked about maximizing efficiencies. Gordon Burger responded. Robert Guenzel stated that this is something that could be best discussed by the Criminal Justice Collaborative Counsel. Comm. Smith stated that he appreciates the report. Jim Robinson thanked Scott Patton and Gordon Burger for their assistance.

Comm. Peterson stated that costs of facilities should be addressed. He stated that money needs to be balanced between services and updating services. He stated that he wants administration to show that the cost associated with the space plan will not affect services.

Comm. Sizemore asked if standards are different between federal, state and county facilities. Jim Robinson responded.

Comm. Peterson asked why the county varied from the course they set before the bond failures. Robert Guenzel stated that there are a lot of infrastructure needs that need to be met. Gordon Burger stated that there are mechanical systems that are aging and will need repair or replacement. Mr. Guenzel stated that they felt they should take a fresh look at their situation before acting and having the board set their priorities. Comm. Peterson suggested creating a short and long list of the Board's objectives. He stated that he is concerned that the list of needs is continuing to grow, though is glad the administrator is taking time to make long term plans. He stated that it is pertinent that the board put this issue to rest. He stated that the Saline Court and Service Center decisions have been discussed long enough and need to be addressed. He stated that he hopes at the June 7th meeting this short list can be addressed. He commended the county for planning for the future, but wants to see immediate action of some items. Robert Guenzel stated that he agrees about the courts, but he sees the jail as being a priority. Comm. Peterson stated that the jail cannot be addressed with the small amount of money that would be required to fix the other pressing issues.

Comm. Solowczuk stated that these issues come down to dollars, and the dollars are not there. He stated that they need to have the state allow them to generate the revenue to address these issues. He stated that the public needs to be involved in this issue.

Comm. Peterson stated that the money they are referring to is not additional taxes. Comm. Peterson asked what it would take to update the 14A district court. Bob responded it would cost approximately \$10 million.

Comm. Prater stated that the jail is required to be in compliance with state standards. He stated that it is his belief that the inmates are not in danger. He stated that there was a bond to address these issues but the commissioners choose to rescind the bond. He stated that the board is trying to make the necessary changes but their proposals are being rejected by the citizens. He stated that they need to continue to analyze priorities.

Comm. Irwin said that he appreciates Comm. Peterson's concerns, but he believes the path they are on is a prudent one. He explained his reasoning behind this. He stated that at the end of the day that there will be critical needs that they will not have the funds to address without cutting services.

Comm. Prater explained that there are real fiscal issues to deal with that require time and prudence.

Comm. Peterson stated that the board should be analyzing potential revenue streams as well as upcoming expenses. He said that he is used to getting things done and the 14A district court can be acted on while the space planning continues.

Comm. Gunn said that she thinks this dialogue needs to continue. She stated that they are working hard to make county government responsive to its citizens.

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

None.

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

Comm. Gunn stated that she was pleased to see the 8000 MHZ millage pass by over 60%. She stated that police, fire and EMS did great job getting word out. She thanked public for passing millage.

Comm. Irwin stated that the lawsuit has been mostly settled, and it is not reasonable to wait to act until all the townships appeals have been exhausted. He stated it is good that they delayed this issue and put it out to the public, but they need to bring this process to an end in an orderly and productive way. He stated that he hopes that these townships desire their future to involve the Washtenaw County Sheriff's Department.

**Citizen Participation**

None.

**Commissioners Follow-up to Citizen Participation**

None.

**Adjournment**

Comm. Gunn seconded by Comm. Prater moved that the meeting be adjourned until June 7, 2006.

The meeting adjourned at 8:23 p.m.

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Jeff Irwin, Chair

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Lawrence Kestenbaum, Clerk/Register  
By: Stephen D. Kirschner, Deputy Clerk

APPROVED: