



WASHTENAW COUNTY BOARD OF COMMISSIONERS

WAYS & MEANS COMMITTEE

February 21, 2007

Chair Bergman 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, Grewal, Gunn, Irwin, Ping Mills, Ouimet, Lovejoy Roe, Schwartz, Sizemore and Smith

MEMBERS ABSENT: Comm. Peterson

OTHERS PRESENT: County Administrator Robert Guenzel, Deputy County Administrators David Behen and Verna McDaniel, Corporation Counsel Curt Hedger; Catherine McClary, Treasurer; Judy Foy, Consultant; Amy Klinke, Community Development; Deborah Shaw, Courts; Peter Ballios, Finance; Diane Heidt, Monica Boote, Human Resources; Ken Schrader, Information Technology; Patricia Denig, Planning and Environment; Alan Israel, Prosecuting Attorney's Office; Gordon Burger, Support Services; Mark Lindke, Veteran Services; Kerry Sheldon, Administration; Jason Brooks, Clerk's Office; various citizens; and members of the press.

Roll Call

Citizen Participation

John Whitman, attorney representing Salem and Ypsilanti Townships, stated that his resolution contains a deadline. He added that this is a time of potential reconciliation. He stated that it has come to his attention that the Board may reject this proposal due to the inclusiveness of only 2 Townships. He laid out the options of the Board, and stated that this is a time that demands leadership.

Fred Roperti Salem Township Supervisor, stated that he is tired of how the lawsuit is ripping apart this County. He added that the litigation has to be resolved. He stated that he wants time, energy and money to be put toward better things.

Bill Manty, Augusta Township Trustee, stated that there is give and take in this dispute. He stated that no one can be jerked around on this issue.

Commissioner Follow-Up to Citizens' Participation

Comm. Lovejoy Roe stated that she appreciates the citizen comments. She stated that both resolutions that have been presented deserve more time. She added that she would never support two tiered contracts. She stated that communities cannot afford large tax increases to pay for police services. Comm. Lovejoy Roe commented the Ypsilanti Township brought a good proposal to the table. She stated that Ypsilanti Township included good terms in their proposal. She added that the Ypsilanti Twp proposal could be fed into the budget. She stated that this proposal is also long term. She added that the proposal offered is an 8% rate raise. She added that the status of the community needs to be considered. Comm. Lovejoy Roe added that she would like to solve this in a fair and equitable manner.

Comm. Schwartz stated that he is concerned about resolutions being brought at the last minute. He stated that he would like to see how this proposal would affect the budget. He stated that he thinks negotiating in public can be difficult and that more time is needed. He requested more time.

Comm. Sizemore stated that \$1 million in attorney's has been spent on both sides. He asked if legal counsel could brief the Board on the resolution. Comm. Bergman stated that time will be set aside at the time the resolution was discussed in the meeting.

Comm. Gunn stated that the offer must be dealt with tonight, because it has a deadline.

Comm. Irwin thanked the Township representatives. He added that the County is the defendant, and that the County is the only party that can be let out of this. He stated that the resolutions passed by Salem and Ypsilanti look like an attempt to posture. He stated that his attitude is that it is important to put this issue on the agenda. He stated that thankfully deputies are out on the road.

New Business:

Comm. Irwin seconded by Comm. Gunn moved the agenda through item E. 1. and E. 2. Comm. Irwin divided the question on E1 and E2.

Comm. Lovejoy Roe separated out item D.

Housing and Homelessness Community of Interest:

Office of Community Development:

2007 Emergency Shelter Grant (ESG)

Comm. Grewal asked how these agencies were paid and how funds were divided. Amy Klinke responded that each agency applies as one grant, and the MSHDA determines the funding.

Comm. Ouimet asked how many organizations in the County deal with housing. Klinke responded that off the top of her head she would estimate over 50 if this is all encompassing. Ouimet asked for a report on the organizations and the market they serve.

Comm. Smith stated that New Center provides a comprehensive list on these organizations. He added that the question of overlap is one of competition.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the Resolution ratifying the Administrator's signature on the application on the 2007 Emergency Shelter Grant, submitted to the Michigan state Housing Development Authority (MSHDA) in the amount of \$334,905 for the period of June 1, 2007 to May 31, 2008; authorizing the Administrator to sign the Notice of Grant Award, amending the budget; and authorizing the Administrator to sign delegate contracts.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Land Use and Environment Community of Interest:

Office of Community Development:

2007 Ypsilanti Healthy Food Access Initiative

Comm. Grewal asked if not receiving the 2007 Ypsilanti Health Food Initiative grant will affect the program. Klinke responded that more options for funding will be looked at. Comm. Grewal asked if the item would be pursued through another source of funding. Klinke responded that this would be done.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the Resolution ratifying the Administrator's signature on the application on the 2007 Ypsilanti Healthy Food Access Initiative, submitted to the Michigan State University Land Policy Institute in the amount of \$25,000 for the period of May 1, 2007 to April 30, 2008; authorizing the Administrator to sign the Notice of Grant Award, amending the budget; and authorizing the Administrator to sign delegate contracts.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Planning and Environment:

Farm-to-School Demonstration Project

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the Resolution ratifying the Administrator's signature on the application on the Farm-to-School Demonstration Project, submitted to the Community Foundation of Southeastern Michigan in the amount of \$62,535 for the period of April 1, 2007 to March 31, 2008; authorizing the Administrator to sign the Notice of Grant Award, amending the budget; and authorizing the Administrator to sign delegate contracts.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Brownfield Supplemental Revolving Loan Fund Grant

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the Resolution ratifying the Administrator's signature on the application on the Brownfield Supplemental Revolving Loan Fund Grant, submitted to the United States Environmental Protection Agency in the amount of \$1,000,000; authorizing the Administrator to sign the Notice of Grant Award, amending the budget; and authorizing the Administrator to sign delegate contracts.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Public Safety and Justice Community of Interest:

Prosecutor:

Grants to Encourage Arrest Policies Program

Comm. Grewal asked if this is very different from what is already being done. Isreal responded that this is a continuation of work that is already being done. He stated that this proposal has been tweaked to allow the prosecutor to focus on pressing issues.

Comm. Grewal asked if there is a database that tracks cases. Isreal responded that there was.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the Resolution ratifying the Administrator's signature on the application on the Grants to Encourage Arrest Policies Program, submitted to the Violence Against Women Grants Office of the U.S. Department of Justice in the amount of \$400,000 for the period of August 1, 2007 to July 31, 2009; authorizing the Administrator to sign the Notice of Grant Award, amending the budget; and authorizing the Administrator to sign delegate contracts.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Trial Court – Juvenile Court:

National CASA Expansion Grant, Year Two

Comm. Grewal asked Shaw if the purpose of this grant is to increase staffing levels. Comm. Grewal also asked the criteria used to select children for the program. Shaw responded that it depends on the judge.

Comm. Grewal asked how long the follow through continues. Shaw responded that follow through continues until the children are returned home or are adopted.

Comm. Schwartz asked if the sheriff exercises Section 7 when domestic violence is involved if there is a system of notification. Comm. Bergman stated that Sheriff can be asked for clarification on this issue.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the Resolution ratifying the Administrator's signature on the application on the National CASA Expansion Grant, Year Two, submitted to the National Court Appointed Special Advocate Association (National CASA) in the amount of \$29,624 for the period of July 1, 2007 to June 30, 2008; authorizing the Administrator to sign the Notice of Grant Award, amending the budget; and authorizing the Administrator to sign delegate contracts.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Support Services Community of Interest:

Hiring a Director of Project Management Above the Mid-Point Salary Range

Burger introduced James Zwolensky. Burger stated that he is excited about having Zwolensky on board, and added that this position is not just for the jail, but that there are many needs to be filled. Zwolensky thanked the BOC for the invitation to speak. He stated that his background is in architecture. He described some of his career projects.

Comm. Sizemore asked about Zwolensky's rehab work. Zwolensky stated that he worked on an 1960's library that was being refurbished. Zwolensky's resume was distributed (On file in County Clerk's Office).

Comm. Sizemore stated that he is not really sure if he would support anyone else to do further work. He stated that he wanted Zwolensky in front of the Working Session meetings every two weeks. Zwolensky stated that program management needs to be evaluated.

Comm. Schwartz stated that Zwolensky is qualified for the job. He asked why Zwolensky would like to work for the County. Zwolensky stated that he has two young children, and commuting to Detroit is difficult, and he started to look for opportunities in the County. He stated that this was a matter of circumstance. He added that he sees the need for the County to have someone report back in this area. Zwolensky stated that the better you plan up front, the more change orders are reduced.

Comm. Lovejoy Roe added that she would like to know the total cost of this position. Verna McDaniel stated that generally benefits are about 31% of the salary. She asked if there is a need to fill this position, and at a higher rate. She asked if he would be an at will employee. Comm. Lovejoy Roe stated that his qualifications are very high compared to the work that the County has. She asked if the position needs to be filled.

Guenzel stated that Zwolensky would be a County employee and have those rights and responsibilities. Guenzel stated that his position is in the budget. He added that the County is getting someone that can do more than construction projects. Comm. Lovejoy Roe asked why there is a change in timeframe. Guenzel stated that he would like to have Zwolensky up and running as soon as possible.

Comm. Smith asked if there is a Board rule on approving an employee hired above the midpoint of the salary range. Guenzel stated that there is a budget resolution in place that requires approval.

Comm. Schwartz stated that he agrees with Comm. Sizemore. He added that he would view this person as a full time employee, and would be subject to be on call.

Comm. Sizemore thanked Administration and hopes Zwolensky will be proactive.

Comm. Lovejoy Roe asked if an owners rep was hired on the Saline Count. Guenzel responded not yet.

Comm. Lovejoy Roe asked if Zwolensky has worked with owners reps. Zwolensky stated that he has done smaller projects in addition to some of his other projects. He stated that the same checks and balances are in place.

She asked about his role vs. the role of an owners rep. Zwolensky responded that his understanding is that some additional help may be needed, but that it may not be as expensive as some of the project management services that have been considered.

Comm. Lovejoy Roe stated that she would hope that filling this position would alleviate the need to spend the owner's rep dollars. Gordon responded that someone with Zwolensky's experience is hoped to bring costs down in the long run. He stated that many man hours are needed on upcoming projects in the coming two years. She asked what the amount of dollars is for the owners rep. Gordon responded that they vary across the board. Comm. Lovejoy Roe asked why Zwolensky is being hired above the midpoint of the salary range. Gordon responded that he was happy to find someone with Zwolensky's experience.

Comm. Sizemore stated that he wants staff to be trained.

Comm. Ouimet asked if the management system is going to be divided three ways: architect, builder, and project manager. Gordon responded that this was his anticipation, but the Oversight Committee has the final say in the matter.

Comm. Ouimet asked how it will be ensured that people will understand and take ownership for areas that they are responsible for. Gordon responded that Zwolensky is responsible.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the resolution hiring a Director of Project Management Above the Mid-Point Salary Range.

Roll call vote: YEAS: 9. NAYS: 1 (Comm. Lovejoy Roe) ABSENT: 1 (Comm. Peterson). Motion carried.

Accepting Augusta Township's Affirmative Response to Undergo Facilitative Mediation

Comm. Gunn thanked Augusta Township.

Comm. Smith thanked Augusta Twp. and Comm. Schwartz. He asked if the cost of facilitative mediation exceeded \$25,000 it would come before the Board. Hedger stated that this was on contracts. Comm. Smith asked if this would be contracted. Hedger stated that it was in the Terms and Conditions.

Comm. Ping Mills asked the status of choosing a mediator. Hedger stated that some mediators have been looked at. He added that this is a joint process. He added that he wants things to move quickly.

Comm. Lovejoy Roe stated that she recalled the figure \$25,000. Guenzel stated that he would expect the end goal to be settlement. Comm. Lovejoy Roe stated that Salem and Ypsilanti Twp proposals were not all inclusive. Hedger stated that any positive result from mediation would have to be brought back to the Board.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the resolution accepting Augusta Township's affirmative response to undergo facilitative mediation.

Roll call vote: YEAS: 10. NAYS: 0 ABSENT: 1 (Comm. Peterson). Motion carried.

Rejecting the proposal from Ypsilanti Township and Salem Township

Comm. Lovejoy Roe seconded by Comm. Schwartz moved that an invitation be offered to Ypsilanti Township and Salem Township for facilitative mediation, and that the framework of the resolutions passed by Ypsilanti Township and Salem Township be a starting point of the mediation.

Comm. Smith stated that it would make more sense to enter mediation with a clean slate on both sides.

Comm. Lovejoy Roe stated that she would like to see the results of mediation, if her motion passes, that the terms be applied to all communities contracting with the County for police services.

Comm. Grewal stated that if Ypsilanti Township and Salem Township wanted to negotiate in good faith they would have entered into facilitative mediation, not made a counter offer.

Roll call vote: YEAS: 2. NAYS: 8 (Comms. Bergman, Grewal, Gunn, Irwin, Ping Mills, Ouimet, Sizemore, and Smith) ABSENT: 1 (Comm. Peterson). Motion failed.

Comm. Lovejoy Roe seconded by Comm. Ping Mills moved to table the resolution (07-0054) until the next regular Board of Commissioners meeting (March 7, 2007, 6:45 p.m.).

Roll call vote: YEAS: 3. NAYS: 7 (Comms. Bergman, Grewal, Gunn, Irwin, Schwartz, Sizemore, and Smith) ABSENT: 1 (Comm. Peterson). Motion failed.

Curtis Hedger stated that on 1/17 a resolution was passed offering facilitative mediation. He stated that last week Augusta accepted, and Ypsilanti Township and Salem Township rejected the offer. Hedger outlined the Ypsilanti and Salem Township proposals. He added that the offer appears to revert to old methodology on pricing. He communicated that there will be financial consequences for the County if the offer is accepted. Hedger stated that non-mandated vs. mandated police services will also remain an issue if the offer is accepted.

Comm. Irwin stated that WC has deputies to be put on the road at substantially lower costs than townships would pay otherwise. He stated the public service is in place while this debate goes on. Comm. Irwin pointed out that the downfall to the public is the amount spent on legal service. He added that he is disappointed to reject their offer, but he does not feel that Salem Township and Ypsilanti Township have met half way.

Comm. Lovejoy Roe seconded by Comm. Ping Mills moved to table the resolution (07-0054) until the next regular Board of Commissioners meeting (March 7, 2007, 6:45 p.m.).

Roll call vote: YEAS: 4. NAYS: 6 (Comms. Bergman, Grewal, Gunn, Irwin, Sizemore, and Smith) ABSENT: 1 (Comm. Peterson). Motion failed.

Comm. Ouimet stated that the Board may be better served to have another committee view the item.

Comm. Schwartz stated that since 3/1 is a flexible deadline. He added that more information is needed in order to make an informed decision. He stated that agrees with Comm. Ouimet that this should go before a committee.

Comm. Lovejoy Roe stated that she did not feel that the resolution was presented to the Board in an adequate amount of time. She added that Comm. Peterson should be present when taking action on the Ypsilanti and Salem Township resolutions.

Comm. Lovejoy Roe seconded by Comm. Ouimet moved to refer the Ypsilanti Township and Salem Township resolution to the Police Services Committee for review, and that the Board of Commissioners will review both the resolution and comments of the Police Services Committee at their March 7, 2007 meeting.

Comm. Gunn stated that the resolution presented to the Board came with a deadline. She asked Hedger what the impact of sending the resolution to the Police Services Committee would be. Hedger stated that the way the amendment appeared the resolution would get comments from the Police Services Committee, and return to the Board.

Comm. Irwin stated that sending the resolution to Police Services seems odd to him. He added that the Committee does not take votes, and did not know how information can be referred if votes are not taken. Comm. Irwin stated that the next Police Services Committee meeting does not take place until immediately before the next Board meeting.

Comm. Smith stated that he will vote against sending the resolution to the Police Services Committee. He added that there are only two parties in the lawsuit, and that he now supports the facilitative mediation.

Comm. Lovejoy Roe stated that more needs to occur in the relationship between the Townships and the County, or litigation will continue.

Comm. Grewal stated that she would vote no on sending the resolution to the Police Services Committee. She added that facilitative mediation was meant to sit down and dialogue with communities directly, and that she feels that the resolution offered by Salem Township and Ypsilanti Township sets the process back.

Comm. Schwartz asked Hedger if the figures offered earlier were based only on Ypsilanti Township and Salem Township. Hedger responded that this was the case.

Roll call vote: YEAS: 4. NAYS: 6 (Comms. Bergman, Grewal, Gunn, Irwin, Sizemore, and Smith) ABSENT: 1 (Comm. Peterson). Motion failed.

Comm. Smith seconded by Comm. Gunn moved to call the question on the resolution rejecting the proposal from Salem Township and Ypsilanti Township.

Roll call vote: YEAS: 9. NAYS: 1 (Comm. Lovejoy Roe) ABSENT: 1 (Comm. Peterson). Motion carried.

Comm. Irwin seconded by Comm. Gunn moved to recommend that the Board of Commissioners approve the resolution rejecting the proposal from Ypsilanti Township and Salem Township.

Roll call vote: YEAS: 9. NAYS: 1 (Comm. Lovejoy Roe) ABSENT: 1 (Comm. Peterson). Motion carried.

Office of the Administrator:

County Administrator Planning Process Presentation:

Orientation to County Services

Labor Relations Overview

Report of the Administrator:

McDaniel gave a presentation on the Planning Process (On file in County Clerk's Office).

Diane Heidt gave a presentation on Labor Relations (On file in County Clerk's Office).

Comm. Sizemore stated that he was reading the newsletter. He stated that the letter addressed Wireless Washtenaw and positive health steps an organization may take.

Comm. Ouimet asked why the bargaining units are expanding from 15 to 17. Heidt responded that supervisors will be pulled from the ranks. She indicated that the County initiated.

Comm. Grewal thanked Heidt for the presentation. She asked if the negotiating team (9:00:40). Comm. Grewal asked why some groups get the multiplier. Heidt explained the multiplier in a defined benefit plan. She also explained contributions in a DC plan.

Report of the Chair of the Board

Comm. Irwin stated that there would be a ten minute break between the Ways and Means Committee meeting and the Board of Commissioners meeting.

Items for Current/Future Discussion

None

Citizen Participation

None

Commissioners Follow-up to Citizen Participation

None

Pending

None

Adjournment

Comm. Irwin seconded by Comm. Lovejoy Roe moved that the meeting be adjourned until March 7th, 2007 at 6:30 p.m. Motion carried.

The meeting adjourned at 9:03 p.m.

Barbara Levin Bergman, Chair

Lawrence Kestenbaum, Clerk/Register
By: Jason Brooks, Deputy Clerk

APPROVED: