



WASHTENAW COUNTY BOARD OF COMMISSIONERS

December 1, 2021

RECORD OF PROCEEDINGS

I. ROLL CALL

A session of the Washtenaw County Board of Commissioners was held virtually (due to the coronavirus COVID-19 pandemic) using Zoom videoconferencing on December 1, 2021.

The meeting was called to order at 09:17 PM by Comm. Shink, Chair of the Board of Commissioners.

Members Present: Comms. **Shannon Beeman** (Village of Manchester, Washtenaw County, MI), **Justin Hodge** (Ypsilanti Township, Washtenaw County, MI), **Ricky Jefferson** (Ypsilanti Township, Washtenaw County, MI), **Andy LaBarre** (City of Ann Arbor, Washtenaw County MI), **Jason Maciejewski** (Dexter Township, Washtenaw County, MI), **Jason Morgan** (Washington D.C., District of Columbia County, DC), **Caroline Sanders** (Pittsfield Township, Washtenaw County, MI), **Katie Scott** (City of Ann Arbor, Washtenaw County, MI), **Sue Shink** (Northfield Township, Washtenaw County, MI)

Members Absent: None

Others Present County Administrator, Greg Dill; Diane Heidt, Deputy County Administrator; Michelle Billard and Choi Portis, Corporation Counsel; Alize Asberry Payne and Crystal Campbell, Racial Equity Office; Tina Gavalier, Catherine Jones-Alther, and Brady Peck, Finance; Jimena Loveluck, Public Health; Jason Fee, Facilities; Judy Kramer, OIM; Monica Boote, Human Resources; Teresa Gillotti, OCED; Jeff Rose and Faye Jasman, ITS; Andrew DeLeeuw, Peter Lindeman, and Candace Reum, County Administration; Robert Mulcahy, Clerk's Office; and members of the public.

II. PLEDGE OF ALLEGIANCE

III. CITIZEN PARTICIPATION

Gail Summerhill spoke about the urgency with which the Board of Commissioners are allocating American Rescue Plan funds.

IV. COMMISSIONER FOLLOW-UP TO CITIZEN PARTICIPATION

None.

V. LIAISON REPORTS

Commissioner Hodge updated the Board of Commissioners that the Community Action Board updated their bylaws. Commissioner Hodge reminded the Board of Commissioners about the upcoming Youth Commission event in January 2022.

VI. SPECIAL ORDER OF BUSINESS

None.

VII. APPOINTMENTS

1. **21-201** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Agricultural Lands Preservation Advisory Committee (ALPAC) be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
2. **21-202** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing a member to the Area Agency on Aging 1-B Executive Board be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
3. **21-203** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Board of Public Works be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
4. **21-204** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Brownfield Redevelopment Authority be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
5. Building Authority - No appointment.
6. **21-205** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Community Action Board be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
7. **21-206** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Emergency Communications Millage POC be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
8. **21-207** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Food Policy Council be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
9. **21-208** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Historic District Commission be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
10. **21-209** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the Natural Areas Technical Advisory Committee be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
11. **21-210** Comm. Katie Scott, seconded by Comm. Jason Morgan, moved that the resolution appointing members to the River Raisin Watershed Council be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
12. **21-211** Comm. Justin Hodge, seconded by Comm. Andy LaBarre, moved that the SUPPLEMENTAL - A resolution appointing a BOC liaison to the Parks and Recreation Commission be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

VIII. CONSENT AGENDA

1. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the minutes of the November 17, 2021 meeting of the Board of Commissioners be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried. (Complete report is on file in the County Clerk/Register's Office.)
2. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the communications be received and dealt with as recommended. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried. (Complete report is on file in the County Clerk/Register's Office.)

R-0073 RECEIVED: November 19, 2021. Menominee County – Resolution Supporting American Rescue Plan State Match Programs

R-0074 RECEIVED: November 15, 2021. Roslund Prestage & Company – Michigan Works! Southeast Consortium Auditor Statement

R-0075 RECEIVED: November 12, 2021. Vincent York's JAZZistry – Letter of Thanks for Support

R-0076 RECEIVED: December 1, 2021. SUPPLEMENTAL - Commissioner Jason Morgan Resignation from the Washtenaw County Parks and Recreation Commission

3. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the following reports be received: Report of Standing Committees: Ways & Means (11/17/21) and Working Session (11/18/21). Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried. (Complete report is on file in the County Clerk/Register's Office.)
4. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the following reports be received: Report of Special Committees: Board of Public Works, Food Policy Council, Historic District Commission, Environmental Council. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried. (Complete report is on file in the County Clerk/Register's Office.)
5. Other Reports
- A. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the following reports be received: A report on contracts in the amount of \$25,000 and under from November 10, 2021 through November 24, 2021. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried. (Complete report is on file in the County Clerk/Register's Office.)
6. Report of the Treasurer - None.

IX. RESOLUTIONS

1. Ways & Means - November 17, 2021
- A. **21-212** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution ratifying a grant application to the Michigan State Policy Emergency Supplemental Funding program for reimbursement of recording system expenditures from the Trial Court be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- B. **21-213** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution ratifying a grant application to the Michigan State Policy Emergency Supplemental Funding program for reimbursement of recording system expenditures from the District Court be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- C. **21-214** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution approving the receipt of funding from the City of Ypsilanti to provide assistance to individuals seeking marijuana-related expungement from the office of the Prosecuting Attorney be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- D. **21-215** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution amending the service contract and fiduciary agreement between the County and the Washtenaw Regional Resource Management Authority from Public Works be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- E. Comm. Katie Scott, seconded by Comm. Justin Hodge, moved that the resolution approving the 2021 Remonumentation Program grant application from the Water Resources Commissioner be amended to include the budget inadvertently left out when presented at the November 17th 2021 Ways and Means Committee meeting. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

21-216 Comm. Katie Scott, seconded by Comm. Justin Hodge, moved that the amended resolution approving the 2021 Remonumentation Program grant application from the Water Resources Commissioner be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- F. Comm. Katie Scott, seconded by Comm. Justin Hodge, moved that the resolution approving the 2021-2022 Clean Sweep Program grant application from the Michigan Department of Agriculture and Rural Development to the office of the Water Resources Commissioner be amended to include the budget inadvertently left out when presented at the November 17th 2021 Ways and Means Committee meeting. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

21-217 Comm. Katie Scott, seconded by Comm. LaBarre, moved that the amended resolution approving the 2021-2022 Clean Sweep Program grant application from the Michigan Department of Agriculture and Rural Development to the office of the Water Resources Commissioner be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- G. **21-218** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution approving the issuance of refunding bonds in an amount not to \$12,275,000 to refinance bonds issued by the County in 2014 and 2015 from the Finance Department be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- H. Comm. Katie Scott, seconded by Comm. Justin Hodge, moved that the resolution approving certain 2021 non-general fund budget adjustments be amended to include the budgets inadvertently left out when presented at the November 17th 2021 Ways and Means Committee meeting. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

21-219 Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the amended resolution approving certain 2021 non-general fund budget adjustments be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- I. Comm. Jason Morgan, seconded by Comm. Andy LaBarre, moved that the resolution approving and adopting the 2022-2025 quadrennial budget be amended to reallocate \$150,000 from the BOC undesignated allocation to support the Barrier Busters program and fund a Barrier Busters FTE.

Comm. Ricky Jefferson, seconded by Comm. Justin Hodge, motioned to call the question. Roll Call Vote: YEAS 4 NAYS 5 (Beeman, Hodge, Maciejewski, Sanders, Shink) ABSENT 0 Motion failed. Deliberation continued.

Comm. Katie Scott, seconded by Comm. Ricky Jefferson, moved that the resolution approving and adopting the 2022-2025 quadrennial budget be amended to allocate \$75,000 directly to the Barrier Busters program. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

21-220 Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the amended resolution approving and adopting the amended 2022-2025 quadrennial budget be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

2. Ways and Means - December 1, 2021

- A. **21-221** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution approving the above mid-point hire of Choi T. Portis as Assistant Corporation Counsel be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- B. **21-222** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution to approve 6-month transition grants for previous Coordinated Funding Grantees be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- C. **21-223** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution adopting an employee COVID vaccination and testing policy be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

3. Postponed from Board of Commissioners - November 17, 2021

- A. Comm. Hodge discussed an alternative proposed calendar holding Working Session at 5:30 on the first and third Wednesday of every month and the Board of Commissioners meetings at 7:00 pm on the first and third Wednesday of every month.

Comm. Justin Hodge, seconded by Comm. Jason Maciejewski, moved that the resolution approving the 2022 Calendar of the Washtenaw County Board of Commissioners be amended by substitution to adopt Commissioner Hodge's alternative proposed calendar. Roll Call Vote: YEAS 7 NAYS 2 (Jefferson, LaBarre) ABSENT 0 Motion carried.

21-224 Comm. Katie Scott, seconded by Comm. Ricky Jefferson, moved that the amended resolution approving the 2022 Calendar of the Washtenaw County Board of Commissioners be approved. Roll Call Vote: YEAS 7 NAYS 2 (Jefferson, LaBarre) ABSENT 0 Motion carried.

4. Board of Commissioners - December 1, 2021

- A. **21-225** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the entry of a State Local Government Intrastate Agreement concerning the allocation of settlement proceeds in the national opioids litigation be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- B. **21-226** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing entry of Participation Agreements in partial settlement of the national prescription opiate litigation be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- C. **21-227** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the **SUPPLEMENTAL** - A resolution requesting that the Michigan legislature provide adequate funding for COVID-19 testing to local school districts be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

5. Approval of Claims

- A. **21-228** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the payment of claims commencing with the last previously approved claim and continuing through the date of November 19, 2021 be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

X. REPORT FROM THE COUNTY ADMINISTRATOR

Administrator Dill and CFO Tina Gavalier provided an overview of a memo that answered the county commissioner's questions regarding the budget.

XI. REPORT OF THE CHAIR OF THE BOARD OF COMMISSIONERS

Commissioner Shink thanked her fellow commissioners for her year as Chair of the Board of Commissioners.

XII. ITEMS FOR CURRENT/FUTURE DISCUSSION

1. Comm. Justin Hodge, seconded by Comm. Andy LaBarre, moved that the BOC enter into a Closed Session regarding pending litigation to discuss possible settlement with the county's pending claims against Johnson & Johnson, AmerisourceBergen, Cardinal Health Inc., and McKesson Corp. for involvement in the manufacturing and distribution of opioids. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried (the BOC recessed at 9:44 pm and reconvened at 10:22 pm).

Commissioner Scott discussed local reporter Lisa Barry passing away unexpectedly. Commissioner Beeman recognized the four students who passed away in the shooting at Oxford High School.

Commissioner Maciejewski congratulated the Chelsea Football Team for winning the Division IV state championship.

Commissioner Hodge thanked the Board of Commissioners for their discussion regarding the 2022 calendar.

Commissioner LaBarre highlighted the email he sent describing OMA requirements for in-person meetings in 2022.

XIII. ADJOURN TO NEXT SESSION

Comm. Katie Scott, seconded by Comm. Shannon Beeman, moved to adjourn. Motion carried.

The meeting adjourned at 12:31 AM.

Sue Shink, Chair

Lawrence
Kestenbaum,
Clerk/Register

By: Robert Mulcahy, Deputy Clerk

Board Approved: