



WASHTENAW COUNTY BOARD OF COMMISSIONERS

August 3, 2022

RECORD OF PROCEEDINGS

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

A session of the Washtenaw County Board of Commissioners was held at the Administration Building, in the City of Ann Arbor, Michigan, on August 3, 2022.

The meeting was called to order at 07:02 PM by Comm. Shink, Chair of the Board of Commissioners.

Members Present: Comms. Shannon Beeman, Justin Hodge, Ricky Jefferson, Andy LaBarre, Jason Maciejewski, Jason Morgan, Caroline Sanders, Katie Scott, Sue Shink

Members Absent: None.

Others Present County Administrator, Greg Dill; Diane Heidt, Deputy County Administrator; Michelle Billard, Corporation Counsel; Alize Asberry Payne, Racial Equity Office; Tina Gavalier, Catherine Jones-Alther, and Brady Peck, Finance; Monica Boote, Human Resources; Teresa Gillotti and Nathan Voght, OCED; Jeff Rose & Justin Vidaurri, ITS; Andrew DeLeeuw, Crystal Campbell, Peter Lindeman, and Candace Reum, County Administration; Robert Mulcahy, Clerk's Office; and members of the public.

III. PUBLIC PARTICIPATION

Monica Martin-Holman from Ann Arbor spoke about issues with her son receiving CMH services.

Tabitha Harris from Ypsilanti spoke about the state of the mental health system.

An unidentified associate of Monica Martin-Holman and Tabitha Harris spoke about the lack of CMH services in Washtenaw County.

Shannon Polk, President & CEO of the Ann Arbor Area Community Foundation, introduced herself and thanked the Board of Commissioners for their work with creating affordable housing via the proposed Brownfield Plan for 220 N. Park.

Harvey Somers from Scio Township, thanked Commissioner Hodge, Commissioner Shink, Commissioner Morgan, Administrator Dill, Racial Equity Officer Alize Asberry Payne, and Prosecutor Eli Savit for attending the CJCC meeting and stated he looks forward to maximizing criminal justice fairness in Washtenaw County.

1. Written Public Comment

IV. COMMISSIONER FOLLOW-UP TO PUBLIC PARTICIPATION

Commissioner LaBarre stated he will follow up with CMH administrative staff to address the concerns voiced in public comment and thanked President Polk for her introduction.

Commissioner Morgan thanked President Polk for her introduction.

Commissioner Scott thanked President Polk for her introduction, spoke about pay for frontline workers, and noted that Ypsilanti Township, not Washtenaw County, spent money on license plate readers.

Commissioner Hodge thanked President Polk for her introduction, thanked Harvey Somers for attending the CJCC meeting, and voiced concerns about Ypsilanti Township's license plate readers.

Administrator Dill thanked President Polk for her introduction.

Commissioner Shink thanked President Polk for her introduction and voiced appreciation for Commissioner LaBarre's follow up to the CMH issues from public comment.

V. LIAISON REPORTS

None.

VI. SPECIAL ORDER OF BUSINESS

1. **22-144** Comm. Andy LaBarre, seconded by Comm. Caroline Sanders, moved that the resolution to set a public hearing to receive comment on a proposed Brownfield Plan for 220 N. Park in the City of Ypsilanti for September 7, 2022 from the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 8 NAYS 1 (Jefferson) ABSENT 0 Motion carried.
2. Comm. Shink opened (and closed) a public hearing to receive comment on a proposed brownfield plan for 303 North Fifth and 312-314 Detroit Street in Ann Arbor, Michigan at 7:19 pm.

Ken Garber from Ann Arbor voiced concerns regarding the proposed brownfield plan's climate impact.

VII. APPOINTMENTS

1. **22-145** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution appointing a member to the Washtenaw County Emergency Communications Millage POC be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
2. **22-146** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution appointing members to the Local Emergency Planning Committee be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
3. **22-147** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution appointing a member to the Homeland Security Task Force be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
4. **22-148** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution appointing a member to the Emergency Telephone District Board 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 July 6, 2022 meeting of the Board of Commissioners be approved. Voice vote - 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. Voice vote - motion carried. (Complete report is on file in the County Clerk/Register's Office.)

R-0042 RECEIVED: July 11, 2022. Mecosta County Board of Commissioners – Resolution #2022-11, Resolution Amending Fee Cap for Home Health Providers Under No-Fault. Received and filed.

R-0043 RECEIVED: July 20, 2022. Oceana County Board of Commissioners – Resolution to Request Change to Michigan's No-Fault Insurance. Received and filed.

R-0044 RECEIVED: July 20, 2022. Allegan County Board of Commissioners – Resolution to Support Amendment to the Michigan Auto Insurance Reform Act. Received and filed.

3. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the following reports be received: Report of Standing Committees: Working Session (7/6/22). Voice vote - 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: Washtenaw County Board of County Road Commissioners and Washtenaw County Food Policy Council. Voice vote - 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 June 30, 2022 through July 28, 2022. Voice vote - motion carried. (Complete report is on file in the County Clerk/Register's Office.)
 - B. Comm. Andy LaBarre, seconded by Comm. Katie Scott, moved that the following reports be received: A report from the Washtenaw County Road Commission on the summary of service requests for the month of June, 2022. Voice vote - motion carried. (Complete report is on file in the County Clerk/Register's Office.)
6. Report of the Treasurer - None.

IX. RESOLUTIONS

1. Final Reading
 - A. Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution to obligate a portion of the County's American Rescue Plan Act funds to various programs and projects from the County Administrator be approved.

Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the 6th resolved clause of the resolution to obligate a portion of the County's American Rescue Plan Act funds to various programs and projects from the County Administrator be amended to state: "BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners obligates up to \$3,600,000 of the County's unobligated American Rescue Plan Act State and Local Fiscal Recovery Funds as recovered Lost Revenues, and that those same \$3,600,000 then be obligated to provide housing access." Voice vote - motion carried.

Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the 7th resolved clause of the resolution to obligate a portion of the County's American Rescue Plan Act funds to various programs and projects from the County Administrator be amended to strike the words "and sewerage." Voice vote - motion carried.

Comm. Justin Hodge, seconded by Comm. Jason Morgan, moved to consider the 6th and 13th resolved clauses of the resolution to obligate a portion of the County's American Rescue Plan Act funds to various programs and projects from the County Administrator separately. Voice vote - motion carried.

Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the remaining clauses of the resolution to obligate a portion of the County's American Rescue Plan Act funds to various programs and projects from the County Administrator be postponed to the September 7th Board of Commissioners Meeting. Voice vote - motion carried.

22-149 Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the Washtenaw County Board of Commissioners obligates up to \$3,600,000 of the County's unobligated American Rescue Plan Act State and Local Fiscal Recovery Funds as recovered Lost Revenues, and that those same \$3,600,000 then be obligated to provide housing access be approved. Roll Call Vote: YEAS 8 NAYS 1 (Jefferson) ABSENT 0 Motion carried.

22-150 Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the Washtenaw County Board of Commissioners authorize the creation of one position to lead the American Rescue Plan Evaluation activities for Washtenaw County. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

2. Single Reading

- A. **22-151** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution accepting the Michigan Public Health Institute Health Equity Backbone Grant in the amount of \$500,000 for the period of July, 11 2022 through May 31, 2023 from the Health Department be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- B. **22-152** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the signature of the Chair of the Board on the 2022-23 State Child Care Fund Budget Summary Form 2091 to the State of Michigan Department of Health and Human Services, Office of Federal Compliance, Child Care Fund Monitoring Unit for the Trial Court, Children's Services, and the Washtenaw County Department of Health and Human Services in the amount of \$11,848,282 for the period of October 1, 2022 through September 30, 2023 be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- C. MAVD Vice President Greg Copp and OCED Economic Development Specialist Nathan Voght answered questions about the proposed Brownfield Plan for 303 N. Fifth Ave and 312/314 Detroit Street.

22-153 Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution adopting the Brownfield Plan for 303 N. Fifth Ave. and 312/314 Detroit Street, Ann Arbor, MI 48104 from the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- D. **22-154** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the grant application to the Cities for Financial Empowerment Fund and to provide matching funds to establish a Washtenaw county Financial Empowerment Center from the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- E. **22-155** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the grant application to the Michigan State Housing Development Authority Housing Opportunities Promoting Energy Efficiency grant for up to \$500,000 from the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- F. **22-156** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorization the Weatherization Assistance Program Grant from the Michigan Department of Health and Human Services to the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- G. **22-157** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the above midpoint hire of Maria Militizer as a Data and Evaluation Manager from Administration be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- H. **22-158** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the above midpoint hire of Abigail Sekar as a Data and Evaluation Manager from Administration be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- I. Commissioners LaBarre, Morgan, Sanders, Scott, Hodge, Jefferson, Maciejewski, and Shink discussed the proposed resolution to allocate \$500,000 of the County's General Fund balance to the Barrier Busters Unmet Needs Fund for use by 2024. Discussion topics included the effectiveness of Barrier Busters, jurisdictions receiving Barrier Busters funds without contributing to the program, and the desire to structurally fund Barrier Busters.

OCED Director Teresa Gillotti answered questions about the differences between Barrier Busters and Hawk. County Administrator Greg Dill asked for time to address the commissioner's concerns in writing.

Comm. Caroline Sanders, seconded by Comm. Katie Scott, moved that the 1st resolved clause of the resolution to allocate \$500,000 of the County's General Fund fund balance to the Barrier Busters Unmet Needs Fund for use by 2024 be amended to allocate \$250,000 through December 2022.

Comm. Andy LaBarre, seconded by Comm. Justin Hodge, moved that the proposed

amendment to the resolution to allocate \$500,000 of the County's General Fund fund balance to the Barrier Busters Unmet Needs Fund for use by 2024 be amended to allocate \$400,000 through December 2023. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

Roll Call Vote on the amended amendment: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

22-159 Roll Call Vote on amended resolution to allocate \$400,000 of the County's General Fund fund balance to the Barrier Busters Unmet Needs Fund for use by 2023: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- J. **22-160** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing the County Administrator's signature on a Cooperation Agreement with the City of Chelsea for Fiscal Year 2023-24 and approving the City of Chelsea's Request to join the Washtenaw Urban County from the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- K. **22-161** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution urging State Elected Officials to Fund the Governor's Brownfield Bridge Fund from the Office of Community and Economic Development be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- L. **22-162** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution authorizing an exemption to the County's Living Wage Ordinance for certain Community Mental Health service providers from Administration be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- M. **22-163** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution to amend the Emergency Telephone District Board and Homeland Security Task Force's establishing resolutions from the Sheriff be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- N. Comm. Shannon Beeman, seconded by Comm. Jason Maciejewski, moved that the resolution to oppose Michigan Senate Bills 429, 430, and 431 which would strip local township authority and oversight of sand and gravel mining operations be amended with two friendly amendments: 1. In the 1st resolved clause, adding the words sand and gravel, so that the 1st resolved clause reads as follows: "NOW, THEREFORE, BE IT RESOLVED, that the Washtenaw County Board of Commissioners opposes Senate Bills, 429, 430, 431, and supports local governments maintaining authority over how sand and gravel mining operations impact their communities." 2. In the 2nd resolved clause, add that the resolution be shared with the Governor of the State of Michigan, so that the 2nd resolved clause reads as follows: "BE IT FURTHER RESOLVED that a copy of this resolution be shared with the Governor of the State of Michigan and the Washtenaw County delegation in the State House and State Senate." Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.
- 22-164** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the amended resolution to oppose Michigan Senate Bills 429, 430, and 431 which would strip local township authority and oversight of sand and gravel mining operations be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- O. The Washtenaw County Board of Commissioners honored Mary Kerr with a proclamation of recognition for her service to Washtenaw County. Commissioners Sanders, Morgan, LaBarre, Beeman, Jefferson, and Shink thanked Mary Kerr for her service at Destination Ann Arbor.

22-165 Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the proclamation of recognition for Mary Kerr's service to Washtenaw County and to congratulate her upon her retirement be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- P. **22-166** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution supporting the passage of the Creating a Respectful and Open World for Natural Hair (CROWN) Act of 2019 be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

- Q. **22-167** Comm. Katie Scott, seconded by Comm. Andy LaBarre, moved that the resolution supporting the passage of the Drug Policy Reform (DPR) Act of 2021 be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

3. Approval of Claims

- A. **22-168** 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 July 27, 2022 be approved. Roll Call Vote: YEAS 9 NAYS 0 ABSENT 0 Motion carried.

X. REPORT FROM THE COUNTY ADMINISTRATOR

1. County Administrator Greg Dill provided an update on county security measures.

Washtenaw County Emergency Operations Manager Ben Pinette provided an update on Tribar Technologies' hexavalent chromium spill in the Huron River.

Andrew DeLeeuw, Director of Strategic Planning, provided an update on the countywide space plan, noting a full plan will be brought to the Board of Commissioners in early 2023.

XI. REPORT OF THE CHAIR OF THE BOARD OF COMMISSIONERS

Commissioner Shink thanked County Clerk Larry Kestenbaum, county staff, and clerks across the county for administering a successful election on August 2nd.

XII. ITEMS FOR CURRENT/FUTURE DISCUSSION

Commissioner Jefferson informed the Board of Commissioners that the Substance Use Disorders Oversight Committee requested to have a Working Session to discuss the opioid settlement funds being received and how they should be allocated. Commissioner Hodge noted this Working Session is planned for October. Corporation Counsel Michelle Billard informed the Board of Commissioners the county will receive \$450,000 annually for 18 years.

Commissioner Maciejewski noted that the party responsible for the Huron River spill, Tribar Technologies, is the same polluter who contributed to the PFAS problem in the Huron River. Commissioner Maciejewski stated he would like to have a resolution prepared at the next

Board of Commissioners meeting requesting that the state punish the company for their role in polluting the Huron River.

XIII. PENDING

None.

XIV. ADJOURN TO NEXT SESSION

Comm. Katie Scott, seconded by Comm. Ricky Jefferson, moved to adjourn. Voice vote - motion carried.

The meeting adjourned at 09:15 PM.

Sue Shink, Chair

Lawrence
Kestenbaum,
Clerk/Register
By: Robert Mulcahy, Deputy Clerk

Board Approved: September 7, 2022