

# PROPOSED

## JOURNAL OF THE COMMISSION

### CHARTER COUNTY OF WAYNE

#### STATE OF MICHIGAN

#### NO. 14

#### EQUALIZATION SESSION

---

#### SEVENTH DAY

---

Commission Chamber, Room 400, 4th Floor, Wayne County Building, Detroit, Michigan

Wednesday, July 9, 2008

11:00 a.m.

The Commission was called to order by the Chair of the Commission, Jewel Ware at 11:07 a.m.

The roll of the Commission was requested by the Acting Clerk of the Commission, Joyua A. Bouldes:

<b>Bell</b>	<b>- present</b>	<b>Leland</b>	<b>- present</b>	<b>Williams</b>	<b>- present</b>
<b>Blackwell</b>	<b>- present</b>	<b>McNamara</b>	<b>- present</b>	<b>Woronchak</b>	<b>- present</b>
<b>Bowman</b>	<b>- present</b>	<b>Palamara</b>	<b>- present</b>	<b>Cox</b>	<b>- present</b>
<b>Cavanagh</b>	<b>- present</b>	<b>Parker</b>	<b>- excused</b>	<b>Boike</b>	<b>- present</b>
<b>Killeen</b>	<b>- present</b>	<b>Varga</b>	<b>- present</b>	<b>Ware</b>	<b>- present</b>

14 present, a quorum

# **PROPOSED**

## **INVOCATION**

The Acting Clerk of the Commission gave the following Invocation:

“Lord we thank You for this day because this is the day that You have made and we will rejoice and be glad in it. We thank You for waking us up this morning. We thank You for giving us our right minds. We ask that You would lead us and guide us in the path that You would have us to take. In Jesus name we pray. We give You the glory, the honor and praise. Amen.”

## **READING, CORRECTING AND APPROVAL OF THE JOURNAL**

**Vice-Chair Pro Tempore Cox, supported by Commissioner Killeen, moved approval of the proposed Journal of the Sixth Day Equalization Session held June 19, 2008, as presented with any necessary additions, deletions or corrections as appropriate, to be submitted to the Clerk of the Commission within five days.**

**The Commissioners voted as follows:**

Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Vice-Chair Boike, Chairwoman Ware -- 14  
Nay -- None  
Abstain -- None  
Not Voting -- None  
Excused -- Commissioner Parker -- 1

## **REPORT FROM THE CHAIRWOMAN**

The Acting Clerk of the Commission advised there was no Report from the Chairwoman.

## **UNFINISHED BUSINESS**

The Acting Clerk of the Commission advised there was no Unfinished Business.

## **PRESENTATION OF PETITIONS, ORDINANCES AND RESOLUTIONS**

- A. A resolution by Commissioner McNamara that the sum of \$3.4 million be and is hereby appropriated for use by the Roads Division to avert immediate layoffs. (2008-66-026)

# PROPOSED

**Commissioner Williams, supported by Commissioner Bell, moved approval of foregoing item A., and adoption of the resolution.**

There being no discussion, **Chairwoman Ware requested a vote on adoption of the resolution, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Boike, Chairwoman Ware -- 13  
Nay -- None  
Abstain -- Vice-Chair Pro Tempore Cox -- 1  
Not Voting -- None  
Excused -- Commissioner Parker -- 1

[Resolution No. 2008-358]<sup>1</sup>

## **COMMUNICATIONS FROM GOVERNMENTAL OFFICIALS AND AGENCIES**

### **A. Communications from Wayne County Executive Robert A. Ficano:**

To Committee on  
Environment, Drains  
and Sewers  
6/17/2008

1. Dated April 9, 2008 (received May 16th) requesting Commission approval of a contract between the Charter County of Wayne and Hinshon Environmental Consulting, Inc. (of Okemos) not to exceed \$15,000 to provide professional engineering services for the planning and implementation of a Total Residual Chlorine (TRC) Minimization program for selected Wayne County operated Combined Sewer Overflow (CSO) Retention Basins; the CEO advises that the Michigan Department of Environmental Quality permit for operation of these facilities requires the implementation of new procedures to minimize the TRC levels in the Rouge River; the term of the contract will commence upon Commission approval and terminate September 1, 2010; the cost of the contract will be charged to Account Nos. 596 54019 817000 (\$2,500-Redford CSO Basin), 596 54017 817000 (\$2,500-Inkster CSO Basin), 596 54018 817000 (\$2,500-Dearborn Heights CSO Basin), 596 54016 817000 (\$2,500-River Rouge CSO Basin), 830 54458 817000 (\$2,500-Milk Rvr Dr Int/Co), and 821 54706 817000 (\$2,500-Southgte-Wyn O&M). (2008-37-116)

Firm: Hinshon Environmental Consulting, Inc.  
Address: 2111 University Park Drive, Ste. 200, Okemos, MI 48864  
Contact: Richard Hinson (517) 372-1470

To Committee on  
Environment, Drains  
and Sewers  
6/17/2008

2. Dated May 14, 2008 (received May 28th) requesting Commission approval of a retroactive amendment to the Downriver Joint Management Committee Memorandum of Understanding for the operation and management of the Downriver Sewage Disposal System (Downriver SDS); the CEO advises that this amendment will extend the MOU for an additional two-years; Wayne County is the entity responsible for the operation and management of the Downriver Sewage Disposal System, while the 13 member communities of the Downriver SDS are responsible for funding the operation, maintenance, expansion, renovation, rehabilitation and capital improvements to the

---

<sup>1</sup> Resolution No. 2008-358 was later reconsidered and amended. See Page 338.

# PROPOSED

System; the JMC allows the communities more involvement in the operation, management and control of the system as desired by the County and the 13 member communities of the Downriver SDS; the term of the extension is from January 1, 2007 through December 31, 2008. (2008-70-026)

To Committee on  
Ways and Means  
6/16/2008

3. Dated April 29, 2008 (received May 21st) requesting Commission approval of a proposed amendment to the 2007-2008 Appropriations Ordinance (Enrolled Ordinance No. 2007-496) in accordance with Budget Adjustment No. 08-35-236 certifying additional revenue of \$500,000 in the Health and Family Services Fund (225); the CEO advises that the US Department of Health and Family Services, Administration of Children and Families has awarded a grant in the amount of \$500,000 per year over a five year period to fund a Healthy Marriage Initiative Project; there is a 20% non-federal (in-kind) match of \$125,000 per award; the Head Start delegate agencies and local community groups have committed to providing the non-federal match through the use of their facilities and staff; there will not be an impact to the General Fund. (2008-35-236)

To Committee on  
Public Services  
6/18/2008

4. Dated April 14, 2008 (received May 22nd) requesting Commission approval of a one-year contract renewal between the Charter County of Wayne and Tri-County International Trucks, Inc. (of Dearborn) not to exceed \$150,000 to provide International/Navistar (OEM) parts and repairs for the Department of Public Services Equipment Division; the CEO advises that the original one-year contract expires July 31, 2008 and contains a one-year option to renew and the department wishes to exercise the option with the same prices, terms and conditions in effect; this renewal increases the total contract amount from \$150,000 to \$300,000; the term of the renewal is from August 1, 2008 through July 31, 2009; the cost of the contract renewal will be charged to Account Nos. 201 44900 745000 (Parts-\$125,000) and 201 44900 933000 (Repairs-\$25,000). (2007-37-199R)

Firm: Tri County International Trucks, Inc.  
Address: 5701 Wyoming, Dearborn, MI 48126  
Contact: Kevin Clark (313) 584-7090

To Committees on  
Audit and Health and  
Human Services  
6/20/2008

5. Dated June 17, 2008 (received June 19th) transmitting 21 copies of the Detroit-Wayne County Community Mental Health Agency Federal Awards Supplemental Information for the year ended September 30, 2007, with Independent Auditors' Report. (2008-31-026)

To Committee on  
Government  
Operations  
6/19/2008

6. Dated April 14, 2008 (received May 19th) requesting Commission approval of a second retroactive modification to a one-year contract renewal between the Charter County of Wayne and Bodman, LLP (of Detroit) not to exceed \$140,000 to provide legal services in connection with the Wayne County v Metro Emergency Services (MES) matter; the CEO advises that Bodman, LLP is necessary because of their expertise in a companion case to another matter involving the same parties and MES, who has been involved in litigation with both Detroit Central City and Wayne County over contractual claims; Attorney Thomas Bruetsch is assigned to this matter at a blended hourly rate of \$220 and the rate for a paralegal or law clerk shall be \$75 per hour; this modification increases the total contract amount from \$280,000 to \$420,000; the term of the renewal remains December 1, 2007 through November 30, 2008; the cost of the modification will be charged to Account No. 222 64900 817000 (Mental Health). (2006-37-255RM2)

# PROPOSED

Firm: Bodman, LLP  
Address: 1901 St., Antoine, 6th Flr. Ford Field, Detroit, MI 48226  
Contract: F. Thomas Lewand (313) 259-7777

To Committee on  
Government  
Operations  
6/23/2008

7. Dated April 14, 2007 (received May 19, 2008) requesting Commission approval of a retroactive one-year contract with a one-year option to renew between the Charter County of Wayne and Nemeth Burwell, P.C. (of Detroit) not to exceed \$75,000 to provide legal services in the Baker v Wayne County matter; the CEO advises that this firm is necessary because of their expertise in employment litigation; Linda Burwell, Thomas Schramm and Terry W. Bonnette are the attorneys assigned to this matter at a blended hourly rate of \$220 per hour, and the rate for a paralegal or law clerk under this agreement shall be \$75 per hour; the term of the contract is from February 13, 2008 through February 12, 2009; the cost of the contract will be charged to Account No. 101 64800 814000 (Medical Examiner). (2008-37-139)

Firm: Nemeth Burwell, P.C.  
Address: 200 Talon Center Dr. Ste. 200, Detroit, MI 48207  
Contact: Linda G. Burwell (313) 567-5921

To Committee on  
Public Services  
6/25/2008

8. Dated April 22, 2008 (received June 2nd) requesting Commission approval of a three-year contract between the Charter County of Wayne and National Industrial Maintenance, Inc. (of Dearborn) not to exceed \$418,800 to provide manpower and equipment to vacuum debris behind construction crews for the Department of Public Services Roads Division; the CEO advises that National Industrial Maintenance, Inc. was the only responsive bidder to respond to advertisements and four direct solicitations; the contract will commence for three-years upon Commission approval; the cost of the contract will be charged to Account No. 201 44900 111010 (Roads). (2008-37-096)

Firm: National Industrial Maintenance, Inc.  
Address: 4400 Stecker, Dearborn, MI 48126  
Contact: Peter La Grela (313) 945-2464

To Committee on  
Public Services  
6/25/2008

9. Dated May 22, 2008 (received June 3rd) requesting Commission approval of a one-year contract renewal between the Charter County of Wayne and Bill Jones Enterprises, Inc. d/b/a Metro Airport Truck (of Taylor) not to exceed \$100,000 to provide medium and heavy duty truck equipment, brake parts and repair service on an as needed basis for the Department of Public Services Equipment Division; the CEO advises that the original contract in the amount of \$100,000 expires September 30, 2008 and contained a one-year option to renew; this renewal increases the contract from \$100,000 to \$200,000; the term of the renewal is from October 1, 2008 through September 30, 2009; the cost of the renewal will be charged to Account Nos. 201 44900 745000 (Parts-\$35,000) and 201 44900 933000 (Repair & Main-\$65,000). (2007-37-242R)

Firm: Bill Jones Enterprises, Inc. d/b/a Metro Airport Truck  
Address: 13385 Inkster Road, Taylor, MI 48180  
Contact: Doug Jones (734) 941-1801

# PROPOSED

- To Committees on Audit and Economic Development  
7/3/2008
10. Dated January 17, 2008 (received June 26th) forwarding the Economic Development Corporation of the Charter County of Wayne Annual Report for the years ended September 30, 2007, pursuant to the requirements of P.A. 338 of 1974. (2008-23-010)
- To Committee on Environment, Drains and Sewers  
7/7/2008
11. Dated May 22, 2008 (received June 18th) requesting Commission approval of a resolution authorizing the publication of the Notice of Intent to issue revenue bonds for the Downriver Sewage Disposal System; the publication of the notice is required under Act 94, Public Acts of Michigan, 1933, as amended; the notice is being published in anticipation of the issuance of revenue bonds in the amount of \$3,000,000; on May 1, 2008 the Commission approved Resolution No. 2008-219 authorizing the publication of Notice of Intent to issue revenue bonds for the Downriver Sewage Disposal system, however due to increased costs for the Clarifier Project and the Solids Project, a new Notice of Intent must be published to reflect the proposed issuance of additional revenue; the revenue from the bonds will be deposited to Account No. 590 various (Downriver Sewage Disp System). (2008-70-027)
- To Committee on Government Operations  
7/7/2008
12. Dated May 15, 2008 (received June 9th) requesting Commission approval of a retroactive, one-year contract with a one-year option to renew between the Charter County of Wayne and Deloitte Consulting, LLP (of Chicago, IL) not to exceed \$15,875.70 to provide Wayne County Worker's Compensation Actuarial Analysis for Fiscal Year 2007-2008; the CEO advises that Deloitte Consulting, LLP has been assisting the County with Wayne County's self-insured workers' compensation actuarial study for the past 10 years, which makes them uniquely qualified to perform the actuarial analysis services requested by the County and meet the County's timeline; the term of the contract is from October 1, 2007 through September 30, 2008; the cost of the contract will be charged to Account No. 677 87100 815000 (Workmen's Comp.). (2008-37-167)
- Firm: Deloitte Consulting, LLP  
Address: 111 S. Wacker, Chicago, IL 60606-4301  
Contact: Michael D. Green (312) 486-3075
- To Committee on Government Operations  
7/7/2008
13. Dated May 28, 2008 (received June 11th) requesting Commission approval of a proposed settlement in the matter of Andrew Lawrence Construction, Inc. (ALC) v. Wayne County (Case No. 06-635288-CK) not to exceed \$59,900 to settle for an alleged breach of contract for wrongful termination of Plaintiff from a construction project at Elizabeth Park; the CEO advises that ALC was awarded the contract for building construction and renovation in Elizabeth Park and Lola Valley; ALC failed to meet key milestones, failed to pay its subcontractors, and failed to properly provide adequate supervisory staff; there was disagreement between the County and ALC as to whether substantial completion had been met and to whom the delays were attributable to; the County terminated the contract and ALC sued the County for breach of contract; although Wayne County has defenses to liability, the financial risk of proceeding to trial versus the amount Plaintiffs are willing to accept weigh in favor of settlement; Corporation Counsel has discussed this tentative settlement agreement with James Jackson, Director of Department of Public Services and Beverly Watts, Director of Parks, and they concur with this recommendation to settle this case in the amount of \$59,900; the cost of the settlement will be charged to Account No. 208 44935 817000 (Parks). (2008-42-038)

# PROPOSED

- To Committee on  
Government  
Operations  
7/7/2008
14. Dated June 3, 2008 (received June 11th) requesting Commission approval of a proposed settlement in the matter of Joan Hannak, et al v City of Dearborn Heights and Wayne County (Case No. 07-708877-NZ) not to exceed \$85,000 to settle for the alleged flooding of Plaintiffs basements following rain storms on May 21-23, 2004; the CEO advises that on May 21, 2004 an intense rainstorm struck several communities along Ecorse Creek in Wayne County; the storm was considered a 100 Year Storm and continued throughout the weekend, resulting in record rainfall across the area; a number of rivers rose above flood stage; although Wayne County has defenses to liability, the financial risk of proceeding to trial versus the amount Plaintiffs are willing to accept weigh in favor of settlement; there is also the risk for class action certification which could potentially expose Wayne County to further basement flooding claims; the Plaintiffs on behalf of the 136 class members are willing to settle for a total of \$485,000, to be paid by the City of Dearborn Heights (\$400,000) and by Wayne County (\$85,000); Corporation Counsel has discussed this tentative settlement agreement with Butler Benton, Deputy Director of the Department of Environment, and he concurs with this recommendation to settle this case in the amount of \$85,000; the cost of the settlement will be charged to Account No. 801 54238 931060 (Regular Drain Fund-Main). (2008-42-039)
- To Committee on  
Government  
Operations  
7/7/2008
15. Dated February 1, 2008 (received June 2nd) requesting Commission approval of a retroactive, one-year contract with a one-year option to renew between the Charter County of Wayne and Kilpatrick & Associates (of Detroit) not to exceed \$250,000 to provide legal services in connection with bankruptcy matters for the Wayne County Treasurer's Office; the CEO advises that this firm is necessary due to their expertise in bankruptcy law related to commercial franchise corporations; Richardo Kilpatrick, Lenora Baughman and Craig Rule are the designated attorneys to work on this matter at a blended hourly rate of \$150 and the rate for a paralegal or law clerk shall be \$75 per hour; the term of the contract is from January 26, 2008 through January 25, 2009; the cost of the contract will be charged to Account No. 101 25300 814000 (Treasurer). (2008-37-072)
- Firm: Kilpatrick & Associates, PC  
Address: 615 Griswold, Ste. 1004, Detroit, MI 48226  
Contact: Richardo Kilpatrick (313) 963-2581
- To Committee on  
Economic  
Development  
6/18/2008
- B.** Communication dated June 16, 2008 (received June 18th) from Janice M. Winfrey, Detroit City Clerk, regarding the request of Community Service Community Development Corporation for the establishment of the "Triangle Housing Development" Neighborhood Enterprise Zone in accordance with Public Act 147 of 1992; a public hearing will be held Wednesday, June 25, 2008 at 10:15 a.m. on the 13th Floor of the Coleman A. Young Municipal Center. (2008-69-089)
- To Committee on  
Health and Human  
Services  
6/18/2008
- C.** Communication dated May 26, 2008 (received June 5th) from the State of Michigan Department of Human Services forwarding the Wayne County Child Care Fund program review report. (2008-69-090)

# PROPOSED

Vice-Chair Pro Tempore Cox, supported by Commissioner McNamara, moved to refer and/or place on file the foregoing communications as indicated.

## The Commissioners voted as follows:

- Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Vice-Chair Boike, Chairwoman Ware -- 14
- Nay -- None
- Abstain -- None
- Not Voting -- None
- Excused -- Commissioner Parker -- 1

## REPORTS FROM COMMITTEES

### A. Report from the COMMITTEE ON ENVIRONMENT, DRAINS AND SEWERS recommending the following:

1. Approval of a retroactive amendment to the Downriver Joint Management Committee Memorandum of Understanding for the operation and management of the Downriver Sewage Disposal System (Downriver SDS); the CEO advises that this amendment will extend the MOU for an additional two-years; Wayne County is the entity responsible for the operation and management of the Downriver Sewage Disposal System, while the 13 member communities of the Downriver SDS are responsible for funding the operation, maintenance, expansion, renovation, rehabilitation and capital improvements to the System; the JMC allows the communities more involvement in the operation, management and control of the system as desired by the County and the 13 member communities of the Downriver SDS; the term of the extension is from January 1, 2007 through December 31, 2008. (2008-70-026)
2. Approval of a contract between the Charter County of Wayne and Hinshon Environmental Consulting, Inc. (of Okemos) not to exceed \$15,000 to provide professional engineering services for the planning and implementation of a Total Residual Chlorine (TRC) Minimization program for selected Wayne County operated Combined Sewer Overflow (CSO) Retention Basins; the CEO advises that the Michigan Department of Environmental Quality permit for operation of these facilities requires the implementation of new procedures to minimize the TRC levels in the Rouge River; the term of the contract will commence upon Commission approval and terminate September 1, 2010; the cost of the contract will be charged to Account Nos. 596 54019 817000 (\$2,500-Redford CSO Basin), 596 54017 817000 (\$2,500-Inkster CSO Basin), 596 54018 817000 (\$2,500-Dearborn Heights CSO Basin), 596 54016 817000 (\$2,500-River Rouge CSO Basin), 830 54458 817000 (\$2,500-Milk Rvr Dr Int/Co), and 821 54706 817000 (\$2,500-Southgte-Wyn O&M). (2008-37-116)

Firm: Hinshon Environmental Consulting, Inc.  
Address: 2111 University Park Drive, Ste. 200, Okemos, MI 48864  
Contact: Richard Hinson (517) 372-1470

3. Approval of a resolution authorizing the publication of the Notice of Intent to issue revenue bonds for the Downriver Sewage Disposal System; the publication of the notice is required under Act 94, Public Acts of Michigan, 1933, as amended; the notice is being published in anticipation of the issuance of revenue bonds in the

# PROPOSED

amount of \$3,000,000; on May 1, 2008 the Commission approved Resolution No. 2008-219 authorizing the publication of Notice of Intent to issue revenue bonds for the Downriver Sewage Disposal system, however due to increased costs for the Clarifier Project and the Solids Project, a new Notice of Intent must be published to reflect the proposed issuance of additional revenue; the revenue from the bonds will be deposited to Account No. 590 various (Downriver Sewage Disp System). (2008-70-027)

**B.** Report from the **COMMITTEE ON GOVERNMENT OPERATIONS** recommending the following:

1. Approval of a one-year contract with a one-year option to renew between the Charter County of Wayne and B&D Supplies (of Detroit) not to exceed \$299,000 to provide xerographic and laser printer paper for the Management and Budget, Purchasing stockroom; the CEO advises that six bids were received in response to advertisements and 19 direct solicitations; after review, the Purchasing Division recommends award to B&D Supplies as the lowest responsive bidder; the contract will commence upon Commission approval; the cost of the contract will be charged to Account No. 635 00000 111010 (Central Services). (2008-37-086)

Firm: B&D Supplies  
Address: 2727 Second Avenue, Ste. 329, Detroit, MI 48201  
Contact: Kelli Johnson (313) 342-5976

2. Approval of a second retroactive modification to a one-year contract renewal between the Charter County of Wayne and Bodman, LLP (of Detroit) not to exceed \$140,000 to provide legal services in connection with the Wayne County v Metro Emergency Services (MES) matter; the CEO advises that Bodman, LLP is necessary because of their expertise in a companion case to another matter involving the same parties and MES, who has been involved in litigation with both Detroit Central City and Wayne County over contractual claims; attorney Thomas Bruetsch is assigned to this matter at a blended hourly rate of \$220 and the rate for a paralegal or law clerk shall be \$75.00 per hour; this modification increases the total contract amount from \$280,000 to \$420,000; the term of the renewal remains December 1, 2007 through November 30, 2008; the cost of the modification will be charged to Account No. 222 64900 817000 (Mental Health). (2006-37-255RM2)

Firm: Bodman, LLP  
Address: 1901 St., Antoine, 6th Flr. Ford Field, Detroit, MI 48226  
Contact: F. Thomas Lewand (313) 259-7777

3. Approval of a retroactive one-year contract with a one-year option to renew between the Charter County of Wayne and Nemeth Burwell, P.C. (of Detroit) not to exceed \$75,000 to provide legal services in the Baker v Wayne County matter; the CEO advises that this firm is necessary because of their expertise in employment litigation; Linda Burwell, Thomas Schramm and Terry W. Bonnette are the attorneys assigned to this matter at a blended hourly rate of \$220 per hour, and the rate for a paralegal or law clerk under this agreement shall be \$75 per hour; the term of the contract is from February 13, 2008 through February 12, 2009; the cost of the contract will be charged to Account No. 101 64800 814000 (Medical Examiner). (2008-37-139)

Firm: Nemeth Burwell, P.C.  
Address: 200 Talon Center Dr. Ste. 200, Detroit, MI 48207  
Contact: Linda G. Burwell (313) 567-5921

# PROPOSED

4. Approval of a proposed settlement in the matter of Joan Hannak, et al v City of Dearborn Heights and Wayne County (Case No. 07-708877-NZ) not to exceed \$85,000 to settle for the alleged flooding of Plaintiffs basements following rain storms on May 21-23, 2004; the CEO advises that on May 21, 2004 an intense rainstorm struck several communities along Ecorse Creek in Wayne County; the storm was considered a 100 Year Storm and continued throughout the weekend, resulting in record rainfall across the area; a number of rivers rose above flood stage; although Wayne County has defenses to liability, the financial risk of proceeding to trial versus the amount Plaintiffs are willing to accept weigh in favor of settlement; there is also the risk for class action certification which could potentially expose Wayne County to further basement flooding claims; the Plaintiffs on behalf of the 136 class members are willing to settle for a total of \$485,000, to be paid by the City of Dearborn Heights (\$400,000) and by Wayne County (\$85,000); Corporation Counsel has discussed this tentative settlement agreement with Butler Benton, Deputy Director of the Department of Environment, and he concurs with this recommendation to settle this case in the amount of \$85,000; the cost of the settlement will be charged to Account No. 801 54238 931060 (Regular Drain Fund-Main). (2008-42-039)
  
5. Approval of a proposed settlement in the matter of Andrew Lawrence Construction, Inc. (ALC) v. Wayne County (Case No. 06-635288-CK) not to exceed \$59,900 to settle for an alleged breach of contract for wrongful termination of Plaintiff from a construction project at Elizabeth Park; the CEO advises that ALC was awarded the contract for building construction and renovation in Elizabeth Park and Lola Valley; ALC failed to meet key milestones, failed to pay its subcontractors, and failed to properly provide adequate supervisory staff; there was disagreement between the County and ALC as to whether substantial completion had been met and to whom the delays were attributable to; the County terminated the contract and ALC sued the County for breach of contract; although Wayne County has defenses to liability, the financial risk of proceeding to trial versus the amount Plaintiffs are willing to accept weigh in favor of settlement; Corporation Counsel has discussed this tentative settlement agreement with James Jackson, Director of Department of Public Services and Beverly Watts, Director of Parks, and they concur with this recommendation to settle this case in the amount of \$59,900; the cost of the settlement will be charged to Account No. 208 44935 817000 (Parks). (2008-42-038)
  
6. Approval of a retroactive, one-year contract with a one-year option to renew between the Charter County of Wayne and Deloitte Consulting, LLP (of Chicago, IL) not to exceed \$15,875.70 to provide Wayne County Worker's Compensation Actuarial Analysis for Fiscal Year 2007-2008; the CEO advises that Deloitte Consulting, LLP has been assisting the County with Wayne County's self-insured workers' compensation actuarial study for the past 10 years, which makes them uniquely qualified to perform the actuarial analysis services requested by the County and meet the County's timeline; the term of the contract is from October 1, 2007 through September 30, 2008; the cost of the contract will be charged to Account No. 677 87100 815000 (Workmen's Comp.). (2008-37-167)  
  
Firm: Deloitte Consulting, LLP  
Address: 111 S. Wacker, Chicago, IL 60606-4301  
Contact: Michael D. Green (312) 486-3075
  
7. Approval of a retroactive, one-year contract with a one-year option to renew between the Charter County of Wayne and Kilpatrick & Associates (of Detroit) not to exceed \$250,000 to provide legal services in connection with bankruptcy matters for the Wayne County Treasurer's Office; the CEO advises that this firm is necessary due to their expertise in bankruptcy law related to commercial

# PROPOSED

franchise corporations; Richardo Kilpatrick, Lenora Baughman and Craig Rule are the designated attorneys to work on this matter at a blended hourly rate of \$150 and the rate for a paralegal or law clerk shall be \$75 per hour; the term of the contract is from January 26, 2008 through January 25, 2009; the cost of the contract will be charged to Account No. 101 25300 814000 (Treasurer). (2008-37-072)

Firm: Kilpatrick & Associates, PC  
Address: 615 Griswold, Ste. 1004, Detroit, MI 48226  
Contact: Richardo Kilpatrick (313) 963-2581

**C. Report from the COMMITTEE ON PUBLIC SERVICES recommending the following:**

1. Approval of a one-year contract renewal between the Charter County of Wayne and Tri-County International Trucks, Inc. (of Dearborn) not to exceed \$150,000 to provide International/Navistar (OEM) parts and repairs for the Department of Public Services Equipment Division; the CEO advises that the original one-year contract expires July 31, 2008 and contains a one-year option to renew and the department wishes to exercise the option with the same prices, terms and conditions in effect; this renewal increases the total contract amount from \$150,000 to \$300,000; the term of the renewal is from August 1, 2008 through July 31, 2009; the cost of the contract renewal will be charged to Account Nos. 201 44900 745000 (Parts-\$125,000) and 201 44900 933000 (Repairs-\$25,000). (2007-37-199R)

Firm: Tri County International Trucks, Inc.  
Address: 5701 Wyoming, Dearborn, MI 48126  
Contact: Kevin Clark (313) 584-7090

2. Approval of a three-year contract between the Charter County of Wayne and National Industrial Maintenance, Inc. (of Dearborn) not to exceed \$418,800 to provide manpower and equipment to vacuum debris behind construction crews for the Department of Public Services Roads Division; the CEO advises that National Industrial Maintenance, Inc. was the only responsive bidder to respond to advertisements and four direct solicitations; the contract will commence for three-years upon Commission approval; the cost of the contract will be charged to Account No. 201 44900 111010 (Roads). (2008-37-096)

Firm: National Industrial Maintenance, Inc.  
Address: 4400 Stecker, Dearborn, MI 48126  
Contact: Peter La Grela (313) 945-2464

3. Approval of a one-year contract renewal between the Charter County of Wayne and Bill Jones Enterprises, Inc. d/b/a Metro Airport Truck (of Taylor) not to exceed \$100,000 to provide medium and heavy duty truck equipment, brake parts and repair service on an as needed basis for the Department of Public Services Equipment Division; the CEO advises that the original contract in the amount of \$100,000 expires September 30, 2008 and contained a one-year option to renew; this renewal increases the contract from \$100,000 to \$200,000; the term of the renewal is from October 1, 2008 through September 30, 2009; the cost of the renewal will be charged to Account Nos. 201 44900 745000 (Parts-\$35,000) and 201 44900 933000 (Repair & Main-\$65,000). (2007-37-242R)

Firm: Bill Jones Enterprises, Inc. d/b/a Metro Airport Truck  
Address: 13385 Inkster Road, Taylor, MI 48180  
Contact: Doug Jones (734) 941-1801

# PROPOSED

D. Report from the **COMMITTEE ON HEALTH AND HUMAN SERVICES** recommending the following:

1. Approval of a retroactive grant contract between the Michigan Department of Human Services-Temporary Assistance to Needy Families (TANF) and the Charter County of Wayne in the amount of \$2,000,000 for the Department of Children and Family Services; the CEO advises that this Federal Grant provides reimbursements to the County for home-based services programs that assist adjudicated, abused and neglected youth residing in Wayne County; the term of the grant is from April 1, 2008 through September 30, 2008; the revenue from the grant will be deposited to Account Nos. 292 35612 529350 (\$1,000,000-Program Development) and 292 67005 529350 (\$1,000,000-FIA). (2008-04-088)
  
2. Approval of a retroactive, one-year renewal contract between the Charter County of Wayne and United Way for Southeastern Michigan (of Detroit) not to exceed \$826,976 to sustain, intensify and/or expand prevention services to at risk youth between 10 and 17 years of age; these services include truancy reduction, substance abuse services and conflict resolution training; United Way shall make a deposit into the County's Child Care Fund in the amount of \$413,488 (50% of the contract budget); United Way will subcontract \$57,801/7% to Arab-American Chaldean Council (of Lathrup Village) for youth prevention/substance abuse, \$94,375/11% to Children' Aid Society (of Detroit) for family youth programming, \$69,168/8% to Don Bosco Hall (of Detroit) for youth development, \$50,000/6% to Family Service, Inc. (of Detroit) for family youth programming and \$100,000/12% to Wayne Mediation Center (of Detroit) for mediation services; the term of the renewal is from October 1, 2007 through September 30, 2008; the cost of the renewal will be charged to Account No. 292 35612 844990 (Juv. Justice and Abuse). (2006-37-122AR)

Firm: United Way for Southeastern Michigan  
Address: 1212 Griswold, Detroit, MI 48226  
Contact: Dara T. Munson (313) 226-9273

3. Approval of a retroactive, one-year contract between the Charter County of Wayne and Southwest Counseling Solutions (of Detroit) not to exceed \$156,479 to provide housing and support services to individuals and families in Detroit with serious and persistent mental illness who are homeless; the CEO advises that the D-WCCMHA Board approved this contract with Board Action No. 08-01 on April 18, 2007; funds for this contract are provided by \$125,183 in federal funds and a \$31,296 Wayne County match; the term of the contract is from April 1, 2008 through March 31, 2009; the cost of the contract will be charged to Account No. 222 64931 822103 (Mental Health). (2008-37-117)

Firm: Southwest Counseling Solutions  
Address: 1700 Waterman Avenue, Detroit, MI 48209  
Contact: John Van Camp (313) 841-2595

## **TESTIMONIAL RESOLUTIONS AND CERTIFICATES OF APPRECIATION**

1. By Commissioner Killeen honoring **June Teisan** for being Michigan's 2008 State Teacher of the Year.
  
2. By Commissioner Killeen honoring the **True Love Christian Ministries** upon the celebration of its Grand Opening on July 20, 2008.

# PROPOSED

3. By Commissioner Ware honoring **Reverend Mary Washington** upon the celebration of her 100<sup>th</sup> Birthday.
4. By Commissioner Ware honoring **Diana C. Jones** upon the celebration of her retirement from Blue Cross Blue Shield after 34 years of service.
5. By Commissioner Ware honoring **St. John's Christian Methodist Episcopal Church** upon the celebration of its 91<sup>st</sup> Anniversary.
6. By Commissioner Ware honoring the following individuals for receiving a Community Service Award:  
  
**Cora E. Collins**  
**Brenda Tidwell**  
**Willie Bell**  
**James W. Collins, M.D.**  
**Aqua-Raven Davis**  
**Naice Bell**  
**Kendra Alison Cook**  
**Dr. Ella J. Davis, Ph. D**
7. By Commissioner Boike honoring **Senior Master Sergeant Andrew Allen Carson** upon the celebration of his retirement.
8. By Commissioner McNamara honoring **Rory L. Gamble, UAW Region 1A Director** for his outstanding commitment as a leader in the labor movement.
9. By Commissioner McNamara honoring **IDEAS PLUS** upon the celebration of its new business in Canton Township.
10. By Commissioner Boike honoring **Steven Derry II** upon the celebration of his graduation from John F. Kennedy.
11. By Commissioner Ware honoring the **Tyus-Jones Family Reunion** upon the celebration of their Family Reunion.
12. By Commissioner Ware honoring the **Detroit Red Wings** as they celebrate their milestone achievement of being the 2008 Stanley Cup Champions.
13. By Commissioner Ware honoring **AARP** upon the celebration of its 50 years of service for Older Citizens.
14. By Commissioner Ware honoring **Officer Tom Philips** upon the celebration of his retirement from the Detroit Police Department.
15. By Commissioner Ware honoring **Sergeant Robert Bulgarelli** upon the celebration of his retirement from the Detroit Police Department.
16. By Commissioner McNamara honoring **The Girlstown Foundation of Belleville** upon the celebration of its 50 years of service to the community.
17. By Commissioner McNamara honoring **Dereka Humphrey** for her accomplishment of Student of the Week at Franklin Middle School.
18. By Commissioner McNamara honoring **Alexa Porcaro** for being the "Top Elementary School Speller" in the Van Buren School District.

# PROPOSED

19. By Commissioner McNamara honoring **Linda Gable** for receiving “Court Administrator of the Year” Award from the 29<sup>th</sup> District Court in Wayne.
20. By Commissioner McNamara honoring the following Van Buren Public Schools Bus Drivers for winning the Wayne County Bus Driving Championship:  
  
**Linda Shoats**  
**Freddie Patterson**  
**Anne Davis**  
**Mary Johnston**  
**Patricia Ayres**  
**Elaine Richardson**  
**Karen Krzackowski**
21. By Commissioner Williams honoring **James Carson** upon the celebration of his retirement from ABD Federal Credit Union after 28 years of service.
22. By Commissioner Williams honoring the following individuals for being recognized as the State of Michigan’s Interscholastic State Track and Field Champions:  
  
**Dr. Adolf Weinacker**  
**Michelle Batten**  
**Francie Kraker Goodridge**  
**Louis C. Scott**
23. By Commissioner Blackwell honoring **Earnest & Janice Bennett** upon the celebration of their 80<sup>th</sup> Birthday and 60<sup>th</sup> Anniversary.
24. By Commissioner McNamara honoring **Sam Loggans** for being appointed as President of the Michigan State Council of Senior Citizens.
25. By Commissioner McNamara honoring the following Belleville High School students for winning First Place Victory at the 2008 Robofest:  
  
**T.J. Bowman**  
**William Wortinger**
26. By Commissioner McNamara honoring the following individuals for being the Student of the Month for June at Van Buren Public Schools:  
  
**Jenna Sleiman**  
**Bailey Kreher**  
**Kelli McIntosh**  
**Timothy Hughes**  
**Victoria Southers**  
**Kendyl Zantop**  
**Lauryn Peugh**  
**Mariah Cushing**  
**Haley Sewell**  
**Marquell Ganter**  
**Franchesca Peralta**  
**Avonna Washington**  
**Cordell Willoughby**  
**Nichole Alfeche**  
**Kendall Acho**
27. By Commissioner Ware honoring **Idella White** upon the celebration of her 72<sup>nd</sup> Birthday.

# PROPOSED

28. By Commissioner Ware honoring **Alice Dent** for her unwavering commitment to volunteerism and positive service in the community.

29. By Commissioner Cavanagh honoring the following individuals on the Garden City High School Girls Softball for being the 2008 State Champions:

**Kristina Susalla  
Naomi Oxendine  
Carley Shattleroe  
Shannon Pietruszka  
Amanda Quartz  
Tricia York  
Karen Greficz  
Hallie Minch  
Katie Torok  
Allison Chiti  
Melisa Dimitrijevic  
Jennifer Leone  
Katelyn Shattleroe  
Breannea King  
Stacey Brickan  
Christina Seward**

30. By Commissioner Bowman honoring **Ashlee Baracy** for winning Miss Michigan.

31. By Commissioner Bowman honoring **Thelma Lemmons** upon the celebration of her 100<sup>th</sup> Birthday.

32. By Commissioner McNamara honoring **Linda Hall** for being an outstanding citizen.

33. By Commissioner McNamara honoring the following individuals for receiving the 2008-2009 Woman of Achievement from the Belleville Professional Women's Club:

**Susanne Oakley  
Robert and Agnes Cook**

34. By Commissioner Cox honoring **Commander Jerome Panackia** for graduating from the Wayne County Sheriff's Mounted Patrol Unit Program.

35. By Commissioner Cox honoring **Dr. Tom Morse** upon the celebration of his 40 years of business in Plymouth.

36. By Commissioner Cox honoring **Jordan Allen** for earning his MIAC Champion distinction at the MIAC.

37. By Commissioner Cox honoring **Ethan Monaghan** for receiving the Boy Scout's Heroism medal from Boy Scouts of America.

38. By Commissioner Cox honoring **Dorothea Ross** upon the celebration of her 90<sup>th</sup> Birthday.

39. By Commissioner Cox honoring the following individuals for completing the "2008 Madonna University and Neighborhood Centers Inc. Bridge Camp":

**Bianca Loving  
Tiana Cuevas**                      **Vanessa Vela  
Silvester Olivares**

# PROPOSED

Alejandra Gomez  
Terry White  
Marleen Rubio  
Vanessa Varela  
Alison Garcia  
Mayra Saldana  
Ana Olivares  
Karina Rubio  
Emily Guzman

Miguel Rodriguez  
Armando Rodriguez  
Eugene Harris III  
Jose Gomez  
Joe C. Varela  
Marquise Vega  
Joseph Verge  
Cristian Rubio  
Faith-Cailaa Harris

**Vice-Chair Boike, supported by Commissioner Varga, moved approval of foregoing Report A items 1 thru 3, Report B items 1 thru 7, Report C items 1 thru 3, Report D items 1 thru 3, the Testimonial Resolutions and Certificates of Appreciation, and adoption of the 16 resolutions.**

Following discussion by the Commissioners with Kevin Kavanagh, Corporation Counsel; Lavonda Jackson, Corporation Counsel and Victoria Holland, Department of Public Services, **Chairwoman Ware requested a vote on adoption of the resolutions, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Calls:**

REPORT A ITEMS 1 THRU 3, REPORT B ITEMS 1 THRU 7, REPORT C ITEMS 1 AND 3, REPORT D ITEMS 1 THRU 3, AND TESTIMONIAL RESOLUTIONS AND CERTIFICATES OF APPRECIATION

Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Vice-Chair Boike, Chairwoman Ware – 14  
Nay -- None  
Abstain -- None  
Not Voting -- None  
Excused -- Commissioner Parker -- 1

[Resolution Nos. 2008-359 thru 2008-369 and Resolution Nos. 2008-371 thru 2008-375]

REPORT C ITEM 2

Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Chairwoman Ware – 13  
Nay -- Vice-Chair Boike -- 1  
Abstain -- None  
Not Voting -- None  
Excused -- Commissioner Parker -- 1

[Resolution No. 2008-370]

At this point in the proceedings, Chairwoman Ware recognized Al Garrett, President of AFSCME for the State of Michigan, who was in attendance.

# PROPOSED

Following which, Chairwoman Ware indicated the Wayne County Commission would recess until the Call of the Chair in order for the Committee on Public Safety, Judiciary and Homeland Security to have its 11:30 a.m. Committee meeting, the time being 11:19 a.m.

Chairwoman Ware reconvened the Wayne County Commission meeting at 11:42 a.m.

- E. Report from the **COMMITTEE ON PUBLIC SAFETY, JUDICIARY AND HOMELAND SECURITY** recommending approval of a retroactive grant agreement between the Charter County of Wayne and the Michigan Department of Community Health, Office of Drug Control Policy in the amount of \$785,600 to provide funding for the Wayne County Sheriff's Department programs, "SPOTCHECK", Fresh Start" and "Operation REACH" along with a continuation of a subcontract with Reggie McKenzie Foundation for a fourth and final year; \$314,239 is provided by the grant and a \$471,361 (60%) match is required for a total of \$785,600; SPOTCHECK has successfully completed nearly 7,000 home inspections of parolees or probationers resulting in nearly 250 arrests; Fresh Start has graduated 25 of 166 participants in its alternative treatment program for prostitutes; Wayne County acts as a pass-through for funding to Reggie McKenzie Foundation; REACH through the Reggie McKenzie Foundation offers children who are considered "at risk" in Highland Park access to social, academic, recreation and employment support; the term of the grant agreement is from October 1, 2007 through September 30, 2008; the revenue from the grant will be deposited into Account Nos. 266 various 529000 (Law Enforcement). (2008-71-011)

**Commissioner Blackwell, supported by Commissioner Bell, moved approval of foregoing Report E, and adoption of the resolution.**

There being no discussion, **Chairwoman Ware requested a vote on adoption of the resolution, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Vice-Chair Boike, Chairwoman Ware -- 14  
Nay -- None  
Abstain -- None  
Not Voting -- None  
Excused -- Commissioner Parker -- 1

[Resolution No. 2008-375]

At this point in the proceedings, **Commissioner Williams, supported by Commissioner Palamara, moved to reconsider Agenda item VI. A.**

## **PROPOSED**

**Commissioner Williams, supported by Commissioner Palamara, moved to amend the resolution to add the words “as a loan” on the second line of the RESOLVED paragraph between the words “appropriated” and “for use by”.**

Following discussion by the Commissioners with Carla Sledge, Chief Financial Officer, Department of Management and Budget, **Chairwoman Ware requested a vote on adoption of the resolution as amended, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

Yea -- Commissioners Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Vice-Chair Boike, Chairwoman Ware -- 14  
Nay -- None  
Abstain -- None  
Not Voting -- None  
Excused -- Commissioner Parker -- 1

[Resolution No. 2008-358]

## **ANNOUNCEMENTS**

The Acting Clerk of the Commission advised of the next Committee and Commission meetings.

## **PUBLIC COMMENTS**

Pursuant to the County Commission’s Rules of Procedure, Chairwoman Ware invited comments from the public. There were no public comments.

## **NEW BUSINESS**

The Acting Clerk of the Commission advised there was no New Business.

## **RESOLUTIONS IN MEMORIAM**

The Acting Clerk of the Commission advised there were no Resolutions in Memoriam.

# PROPOSED

## RECONSIDERATIONS

As no other business was presented, **Chairwoman Ware** thereupon requested a **Quorum Call**, and the **Acting Clerk of the Commission** reported that the following **Commissioners** were in attendance:

**PRESENT:** Commissioners **Bell, Blackwell, Bowman, Cavanagh, Killeen, Leland, McNamara, Palamara, Varga, Williams, Woronchak, Vice-Chair Pro Tempore Cox, Vice-Chair Boike, Chairwoman Ware -- 14**

**EXCUSED:** Commissioner **Parker -- 1**

A quorum being present, **Commissioner Killeen**, supported by **Commissioner Bell**, moved adjournment. The motion prevailed, the time being **11:59 a.m.**, and **Chairwoman Ware** declared the **Commission** adjourned until **Thursday, July 24, 2008**.

Joyua A. Bouldes  
Acting Clerk of the Commission

JB:dl

# PROPOSED