

PROPOSED

JOURNAL OF THE COMMISSION

CHARTER COUNTY OF WAYNE

STATE OF MICHIGAN

NO. 22

EQUALIZATION SESSION

FOURTEENTH DAY

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

Thursday, September 5, 2002

10:00 a.m.

The Commission was called to order by the Chair of the Commission, Ricardo A. Solomon, at 10:46 a.m.

The roll of the Commission was requested by the Clerk of the Commission, Joyce D. Williams:

Banks	- present	Cushingberry	- excused	Sullivan	- present
Blackwell	- present	Hall	- present	Varga	- present
Boike	- present	Hubbard	- present	Ware	- present
C. Cavanagh	- present	Palamara	- present	Beard	- present
P. Cavanagh	- present	Parker	- present	Solomon	- present

14 present, a quorum

e.d.s. = entered during session

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INVOCATION

Chairman Solomon delivered the following invocation:

“Dear Heavenly Father we come this morning giving thanks for all the many blessings that you have bestowed upon us, and we ask that you continue to shine your light upon us and the people of Wayne County. As we deliberate today to do the will of the people, help us to keep in mind our overall responsibility. Help us to note that we are trusted with the power to watch over those who cannot watch over themselves and we are Stewards for taxpayer dollars, so help us to make the appropriate decisions, help us to put aside our personal issues and always be concerned about the masses rather than our individual wants, needs or desires. These things we ask in thy gracious matchless name, Our Lord Jesus Christ. Amen.”

READING, CORRECTING AND APPROVAL OF THE JOURNAL

The Clerk of the Commission advised there was no Journal available.

REPORT FROM THE CHAIRMAN

CHAIRMAN SOLOMON: “I’m going to be very brief. I’m going to do two things. One, after we go through the agenda I’d like to call for Committee of the Whole to take place, recess this meeting until the Committee of the Whole is over, and I’d like for us to go across the hall in order for us to have this Committee of the Whole so that we can hear what I consider to be and what I know what you consider to be some very important presentations. Secondly, normally this is done at the end of the meeting but I feel compelled to do it at the beginning of the meeting and I will allow any latitude that you have for any comments that any of you might have. On Sunday or Monday, Detroit and this community lost a great person in Brenda M. Scott. I’ve known Brenda M. Scott for 20 plus years. She and I were in Graduate School together at the University of Detroit. She wanted to be an elected official since her days of being in High School. She was a person who was very tenacious, who believed in helping people and who always stood firm on her principals. She always wanted to be on the Detroit City Council. As a matter of fact she ran three times for the City Council before she finally became a member of that honorable body. During her tenure she spearheaded many initiatives and many programs. I think I remember Brenda most of all because she was active at a very young age, having served as Chair of the Young Democrats, having been involved with labor leaders like Buddy Battle, elected officials like Coleman Young, having worked for Herb McFadden and Mel Ravitz. She was a great spirit and I considered her a great friend. And finally Brenda was a person who really affirmed in my mind that you stand on the principals that you believe in. Its been said about her, and I believe this because I’ve worked with her over the years, that when she took a particular position, if she believed in it no matter what the circumstances were, she fought for it. And I’m going to miss her. She used to take my son and her nephew on various trips and she was a contemporary of mine in my political life and she was someone who I think this city will miss, but more importantly I think what it shows about life is how fragile life is and how

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sudden things can occur and how we must treasure not only our lives but how we must treasure those who are close to us and remember that we are not immortal but that we are mortal people and children of God who can go at any given time. And so I simply want to in my own way bid her goodbye and acknowledge the fact that not only was she a great fighter for Detroit but she was a great fighter for people throughout this community. She stood up for the issues, and the principals and the beliefs that were deeply within her. And so I just want to congratulate her, to wish her well, to pray for her family and to acknowledge the fact that on this day we lifted the name of Brenda M. Scott, Councilwoman for the City of Detroit, a great spirit and a great leader. Are there any others who would like to say something about Brenda at this particular time?"

COMMISSIONER PARKER: "Thank you. I'd like to echo all that you've said about her because she was an outstanding individual and one that contributed a lot to Detroit, and to the entire Wayne County region, because she always recognized the importance of the region. But on a level of the community, she was probably the greatest advocate that was there on the council, pushing for neighborhood organizations, block clubs, community groups, to be involved and to have some resources and do what they needed to do. She was always going to come out and be involved in the activities both that I had at my organization Operation Get Down, but as well as many other organizations that she was involved in and she was really dedicated to that purpose and recognized the importance of the community in trying to move Detroit forward. It's going to be a great loss for the city and for all of us who knew her personally. We're going to miss her counsel and being able to just have discussions with her on various issues because she was always willing to talk to you and to share her thoughts and views and they were not restrained. There was not a situation where she just did what was popular but she took positions that many times were not popular but many times she was proven to be correct. And I'm going to really miss her."

VICE CHAIR PRO TEMPORE WARE: "Brenda and I had a special relationship. We called one another sisters. As you all know, a couple of years ago her mother passed. It was a lengthy illness and we would talk to each other on the phone to lift each other up. During that period in time my mother was also sick, so as I had no sisters and brothers she often called me her sister and we would talk from time to time about our parents, and especially after the death of our mothers. As for working for her on community projects I found her to work on those projects with the highest integrity. She was a woman of her word and she worked hard to deliver what she promised her community, good city services. And she would go beyond the City of Detroit with trying to branch and work with other branches of Government. I for one will truly, truly miss Brenda. I have good memories about her but I will miss our late night conversations as we both lifted each other up in prayer. "

UNFINISHED BUSINESS

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

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PRESENTATION OF PETITIONS, ORDINANCES AND RESOLUTIONS

The Clerk of the Commission advised there was one item to be considered at this time. The item was a resolution introduced by Commissioner Ware supporting International Literacy Day.

Commissioner Ware, supported by Commissioner Parker, moved approval of the foregoing resolution.

There being no discussion, Chairman Solomon requested a vote on adoption of the resolution, which prevailed, a majority of Commissioner's serving having voted therefore by the following Roll Call:

Yea -- Commissioners Bankes, Blackwell, Boike, C. Cavanagh, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 14
Nay -- None
Abstain -- None
Not Voting -- None
Excused -- Commissioner Cushingberry -- 1

[Resolution No. 2002-786]

COMMUNICATIONS FROM GOVERNMENTAL OFFICIALS AND AGENCIES

A. Communications from Wayne County Executive Edward H. McNamara:

- | | | |
|--|----|---|
| To Committee on
Public Safety and
Judiciary
8/29/02 | 1. | Dated August 12, 2002 (received August 29th) requesting Commission approval of a Fiduciary Agreement between the Charter County of Wayne (Wayne County Commissary Trust Fund and Wayne County Care Corp) and the Downriver Community Conference (of Southgate) in the amount of \$380,000; the CEO advises that this agreement is an extension of an ongoing agreement since October 1999; the contractor will provide fiduciary and fiscal management service for the entire Care Core Grant; the term of the contract is from November 1, 2001 through October 31, 2002; the cost of the contract will be charged to Account No. 575 35101 961000 (Jail Commissary Fund). 92002-37-523)

Firm: Downriver Community Conference
Address: 15100 North Line Rd., Southgate, MI 48195
Contact: Kimberly Tharp (734) 362-7005 |
| To Committee on
Health and
Human Services
8/28/02 | 2. | Dated July 29, 2002 (received August 28th) requesting Commission approval of a modification to a contract between the Charter County of Wayne and Growth Works, Inc. (of Plymouth) to capitate payment for services and termite the contractor's obligation to deposit money into a Trust; the CEO advises that the term of the contract and compensation of the contract are not modified; the term of the contract is from April 1, 2002 through September 30, 2002. (2002-37-484)

Firm: Growth Works, Inc.
Address: 271 S. Main, Plymouth, MI 48170
Contact: Dale Yagiela (734) 455-4095 |
| To Committee on
Ways and Means
8/29/02 | 3. | Dated August 28, 2002 (received August 28th) submitting technical changes to the 2002-2003 Comprehensive Budget recommendation; this technical amendment changes the total amount of the proposed 2002-2003 Appropriation Ordinance in the General Fund (101), the Parks Fund (208), the Juvenile Justice and |

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Abuse/Neglect Fund (292) and the Probate Court Fund (838); it redistributes funding and related expenditures between the Circuit Court Fund (835) and the Friend of the Court Fund (836); additionally it modifies the Capital Improvement Plan (CIP) for Public Services – Parks and Capital Projects Fund (401). (2002-31-217)

To Committee on
Government
Operations
8/30/02

4. Dated July 23, 2002 (received August 29th) requesting Commission approval of a one-year parking operations and use agreement between the County of Wayne and Greektown Casino, Inc. (of Detroit); the term of the agreement is from September 1, 2002 through August 31, 2002; the CEO advises that this agreement will allow the County to secure 110 parking spots in the Casino's parking structure (located at 1001 Brush Street for daytime parking for County employees, in exchange for allowing the Casino to use the 110 spaces in our County-owned parking lot (located at 400 East Fort Street, behind the Wayne County Building) during the evenings and weekends; the CEO further advises there is no monetary compensation involved in this agreement; this agreement will allow the County to sell additional daytime parking at a reasonable monthly rate to County employees, and use the revenue to offset the debt service costs from the purchase of the last portion of the Brush Street parking lot. (2002-01-032)

To Committee on
Economic
Development
8/30/02

5. Dated August 27, 2002 (received August 29th) requesting Commission approval to participate in the University of Michigan's Jobs for Michigan Program for 2002 for a total contribution of \$25,000; the CEO advises that their participation will assist the Institute of Labor and Industrial Relations in continuing its research on local and regional economic forecasting; the cost of the program shall be charged to Account No. 280 17211 901000. (2002-20-002)

To Committee on
Ways and Means
8/30/02

6. Dated August 14, 2002 (received August 30th) requesting Commission approval of a proposed amendment to the 2001-2002 Appropriations Ordinance (Enrolled Ordinance No. 2001-630) in accordance with Budget Adjustment No. 02-35-306, certifying additional revenue of \$380,000 in the Enterprise, Internal Services, Fiduciary and Special Assessment Fund; the CEO advises that the Jail Commissary will be providing funding of \$380,000 to the Downriver Community Conference (DCC) who shall act as the fiduciary and fiscal manager for Wayne County Care Corp; the funding for the DCC contract will come from the Jail Commissary Fund through the appropriation of fund balance; after taking a 6% fiduciary fee for their services, DCC will provide funding to Care Corp for the establishment of support services for inmates and their families while in the jail facility and immediately upon their release; services provided include counseling, church visits by inmates, employment training and job opportunities; the program is designed to give the inmates a second chance by providing education and skills; this use of fund balance was not anticipated when the budget was sent to the Commission. (2002-35-306)

To Committee on
Ways and Means
8/30/02

7. Dated August 15, 2002 (received August 30th) requesting Commission approval of a proposed amendment to the 2001-2002 Appropriations Ordinance (Enrolled Ordinance No. 2001-630) in accordance with Budget Adjustment No. 02-35-363, certifying additional revenue of \$996,200 in the County Park Fund; the CEO advises that the additional revenue results from funds received from the United States Department of Commerce, Division of the National Oceanographic and Atmospheric Administration; these funds will be used to purchase the former Daimler-Chrysler Trenton Plant located in Trenton, Michigan, on West Jefferson; the County will use this site to create an international wildlife refuge along the Detroit River; these funds were not anticipated when the Fiscal Year 2001-2002 Budget was adopted. (2002-35-363)

To Committee on
Ways and Means
9/3/02

8. Dated August 15, 2002 (received August 30th) requesting Commission approval of a proposed amendment to the 2001-2002 Appropriations Ordinance (Enrolled Ordinance No. 2001-630) in accordance with Budget Adjustment No. 02-35-361,

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certifying additional revenue of \$121,968 in the County Park Fund; the CEO advises that the additional revenue results from funds received from the United States Department of the Interior National Parks Services; these funds will be used for the renovation of Cicotte Park located in the City of River Rouge; these funds were not anticipated when the Fiscal Year 2001-2002 budget was adopted. (2002-35-361)

To Committee on
Ways and Means
9/3/02

9. Dated June 27, 2002 (received August 30th) requesting Commission approval of a proposed amendment to the 2001-2002 Appropriations Ordinance (Enrolled Ordinance No. 2001-630) in accordance with Budget Adjustment No. 02-35-279, certifying additional revenue of \$351,505 in the JEDD 21st Century Fund; the CEO advises that the additional revenue results from funds received from the Michigan Department of Environmental Quality; these funds from MDEQ are to be used for contractual services for site assessment activities as specified in Resolution No. 2001-246; these funds were not included in the adopted budget. (2002-35 279)

To Committee on
Health and
Human Services
9/3/02

10. Dated August 1, 2002 (received August 29th) requesting Commission approval of a grant contract between the Charter County of Wayne and the Michigan Family Independence Agency in the amount of \$768,828; the CEO advises that for FY 2002-2003, the Third Judicial Circuit Court is required to submit both an application and signed contract to the Office of Child Support for grant funding; due to program changes, this contract amount represents a lower amount than the prior year grant amount; historically, Wayne County FOC has administered both the State and Local MSES activities; the statewide activities will transfer to the State of Michigan effective September 1, 2002; this action results in a change to the Court's scope of services and a related reduction to program funding; the revenue from the grant will be deposited to Account No. 836 13240 541020 (FOC). (2002-95-001)

To Committee on
Public Services
8/30/02

11. Dated July 23, 2002 (received August 30th) requesting Commission approval of a one year renewal contract between the Charter County of Wayne and Unistrut Detroit Service Company (of Wayne) in the amount of \$88,351 to provide various quantities of tubing, tee fittings and caps for the Department of Public Services Stores Control Division; the CEO advises that the original contract in the amount of \$81,416 was approved November 1, 2001, and included a one year renewal option; the term of the contract is from October 1, 2002 through September 30, 2003; the cost of the contract will be charged to Account No. 201 00000 111111 (Stores). (2001-37-294A)

Firm: Unistrut Detroit Service Company
Address: 4045 Second St., Wayne, MI 48184
Contact: Thomas J. Dobrowolski (734) 722-1400

To Committee of the
Whole
9/4/02

12. Dated August 30, 2002 (received September 3rd) requesting Commission approval of an amendment to Ordinance No. 331 in anticipation of the expiration of the Letters of Credit on October 28, 2002 related to the Series 1996 Detroit Wayne County Metropolitan Airport Revenue Refunding Bonds; this ordinance is necessary to obtain and provide an Alternate Letter of Credit pursuant to Section 802 of Ordinance No. 331 and to avoid a mandatory tender of the 1996 Series Bonds. (2002-31-218)

To Committee of the
Whole
9/4/02

13. Dated August 28, 2002 (received August 29th) requesting Commission emergency approval of an intergovernmental agreement between the Charter County of Wayne and the Wayne County Airport Authority for treasury and cash management services; the agreement will allow the County Treasurer to establish and maintain a segregated investment pool in the name of the Airport Authority, accept monies on behalf of the Airport Authority, process Airport Authority check batches for payroll and vendor disbursement, record all investment earnings of the segregated investment pool and allocate such investment earnings to the various accounts based on the average daily invested balances of the accounts, maintain records of

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all transactions in a manner consistent with the other County pooled funds, and provide additional ancillary or incidental treasury and cash management services to the Airport Authority; the Airport Authority will timely transfer the amounts necessary to provide for vendor check batches, timely transfer the amounts necessary to provide for the gross amount of Airport Authority payrolls, hold the County harmless with respect to any penalties and interest for the underpayment of late payment of taxes owed by the Airport Authority, and compensate the Treasurer for its pro-rata share of treasury and cash management services provided to the Airport Authority; this agreement will commence upon Commission approval and continue on a month-to-month basis until terminated by either party as provided herein; this agreement may be terminated by either party with sixty days notice provided to either the County Treasurer, if at the option of the Airport Authority, or the Chief Financial Office of the Airport Authority, if at the election of the County Treasurer. (2002-31-216)

To Committee on
Ways and Means and
To Committee on
Economic
Development
9/23/02

B. Dated August 27, 2002 (received August 30th) from Jackie L. Currie, Detroit City Clerk, regarding the petition of RFP Development (#503) for the establishment of an Obsolete Property Rehabilitation District at 1529 Broadway (Hartz Building) in the City of Detroit; the Detroit City Council will hold a Public Hearing on Friday, September 13, 2002 at 10:15 a.m. in the City Council's Committee Room, 13th Floor CAYMC (2002-69-086); regarding the petition of Southwest Detroit Business Association (#287) for the establishment of an Obsolete Property Rehabilitation District at 8701 W. Vernor (Odd Fellows Hall) in the City of Detroit; the Detroit City Council will hold a Public Hearing on Friday, September 13, 2002 at 10:00 a.m. in the City Council's Committee Room, 13th Floor CAYMC (2002-69-087); and regarding an application from American Axle & Manufacturing for an Industrial Facilities Exemption Certificate at 1840 Holbrook in the City of Detroit. (2002-69-088)

Place on File

C. Dated September 5, 2002 from Joyce D. Williams, Clerk of the Commission, regarding the status of Summary Review Authorization (Sec. 120.7102) of the Wayne County Procurement Ordinance (No. 2001-233) for item 2002-37-449 for the period of August 29, 2002 through September 4, 2002. (2002-58-015)

I. COMMUNICATIONS FROM SOURCES OTHER THAN GOVERNMENTAL AGENCIES

The Clerk advised there were no Communications From Sources Other Than Governmental Agencies.

Vice-Chair Kay Beard, supported by Commissioner Hubbard, moved to refer and/or place on file the foregoing communications as indicated.

The Commissioners voted as follows:

Yea -- Commissioners Bankes, Blackwell, Boike, C. Cavanagh, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 14
Nay -- None
Abstain -- None
Not Voting -- None
Excused -- Commissioner Cushingberry -- 1

REPORTS FROM COMMITTEES

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

1. Approval of a settlement in the lawsuit of Andrew Keith v Wayne County (Case No. 01-125285 NZ) in the amount of \$77,000; the CEO advises that Plaintiff was allegedly assaulted by deputies while an inmate at the Wayne County Jail; plaintiff was in the Registry area of the jail when he yelled to deputies that he wanted something to eat and became loud and

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belligerent; deputies arrived on the scene and attempted to handcuff the plaintiff, who struggled and during the struggle, sustained a right orbital fracture and a bruised left eye; although deputies gave statements that they did not hit plaintiff, medical evidence supports that an orbital fracture is caused by a direct blow to the eye; in addition, inmate witnesses state that the one of the deputies struck the right side of the plaintiff's face; based upon the facts of this case, a jury question existed as to plaintiff's allegations and injuries, therefore a settlement is recommended; Undersheriff Donald Watts was contacted and concurred in this settlement recommendation; the cost of the settlement shall be charged to Account No. 101 92501 911140 (Liability Payments). (2002-42-026)

2. Approval of a settlement in the lawsuit of David Matney v Wayne County (Case No. 01-132103NI) in the amount of \$50,000; the CEO advises that Plaintiff was driving northbound on Wayne Road at or near Pinetree Road in the City of Livonia on September 21, 1999 at 5:30 a.m.; at some point, plaintiff struck a chuckhole and/or rough pavement on Wayne Road which caused him to lose control of his vehicle and collide with a parked pick up truck; plaintiff sustained severe injuries and was hospitalized for three weeks, missed approximately two months of work, and totaled his vehicle, which was not covered by insurance; in Wayne County's defense, plaintiff has not been able to establish any eyewitness testimony to this accident, and the Roads Division had not received reports of any large or small potholes on Wayne Road around September 21, 1999; given the severity of plaintiff's injuries, there remains a very strong likelihood that a verdict in excess of \$250,000 could be returned along with mediation sanctions and costs should this case proceed; Corporation Counsel believes it to be in the County's best interest to settle this matter for \$50,000; Earl D. Ollila, Executive Engineer of the Roads Division, has been contacted and concurs with this recommendation; the cost of the settlement shall be charged to Account No. 201 44907 911140 (Liability Payments). (2002-42-027)
3. Approval of the appointment of Richard Walker (of Oak Park) as Chief Deputy Financial Officer for the Department of Management and Budget. (2002-01-034)
4. Approval of the appointment of Patrice McKinnon (of Detroit) as Chief Deputy Financial Officer for the Department of Management and Budget. (2002-01-033)
5. Approval of a one-year parking operations and use agreement between the County of Wayne and Greektown Casino, Inc. (of Detroit); the term of the agreement is from September 1, 2002 through August 31, 2002; the CEO advises that this agreement will allow the County to secure 110 parking spots in the Casino's parking structure (located at 1001 Brush Street for daytime parking for County employees, in exchange for allowing the Casino to use the 110 spaces in our County-owned parking lot (located at 400 East Fort Street, behind the Wayne County Building) during the evenings and weekends; the CEO further advises there is no monetary compensation involved in this agreement; this agreement will allow the County to sell additional daytime parking at a reasonable monthly rate to County employees, and use the revenue to offset the debt service costs from the purchase of the last portion of the Brush Street parking lot. (2002-01-032)

Commissioner Hubbard, supported by Commissioner Hall, moved approval of the foregoing Report A, and adoption of the five resolutions.

Commissioner Parker, supported by Commissioner Hubbard moved to refer item 5 to Committee of the Whole immediately following the Commission meeting. With no objection by Commissioner Hubbard, Chairman Solomon deferred the item to Committee of the Whole.

Following discussion by the Commissioners with Mary Zuckerman, Deputy Wayne County Executive, **Chairman Solomon requested a vote on adoption of the resolutions, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll**

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Call:

REPORT A ITEMS 1 through 4

- Yea -- Commissioners Bankes, Boike, C. Cavanagh, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 13
- Nay -- None
- Abstain -- None
- Not Voting -- Commissioner Blackwell -- 1
- Excused -- Commissioner Cushingberry-- 1

[Resolution Nos. 2002-787 through 2002-790]

At this point in the proceedings, **Commissioner Hubbard, supported by Commissioner Parker, moved to Recess the meeting**, the time being 10:59 a.m.

Motion to Recess

- Yea -- Commissioners Bankes, Blackwell, Boike, C. Cavanagh, P. Cavanagh, Hall, Palamara, Parker, Sullivan, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 12
- Nay -- None
- Abstain -- None
- Not Voting -- Commissioners Hubbard, Varga -- 2
- Excused -- Commissioner Cushingberry -- 1

The meeting was reconvened by Chairman Solomon, the time being 1:29 p.m.

Commissioner Bankes, supported by Commissioner Hubbard, moved to suspend the rules to consider item VII. A. 12 as follows:

Dated August 30, 2002 (received September 3rd) requesting Commission approval of an amendment to Ordinance No. 331 in anticipation of the expiration of the Letters of Credit on October 28, 2002 related to the Series 1996 Detroit Wayne County Metropolitan Airport Revenue Refunding Bonds; this ordinance is necessary to obtain and provide an Alternate Letter of Credit pursuant to Section 802 of Ordinance No. 331 and to avoid a mandatory tender of the 1996 Series Bonds. (2002-31-218)

Motion to Suspend the Rules

- Yea -- Commissioners Bankes, Blackwell, Boike, C. Cavanagh, P. Cavanagh, Hall, Palamara, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Chairman Solomon -- 11
- Nay -- Vice-Chair Beard, Commissioner Parker --2
- Abstain -- None
- Not Voting -- Commissioner Hubbard -- 1
- Excused -- Commissioner Cushingberry -- 1

Following discussion with Dennis Pollard and Patricia Cwiek, Attorneys at Law, **Commissioner Varga, supported by Commissioner C. Cavanagh requested a vote on the motion, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

- Yea -- Commissioners Bankes, Blackwell, Boike, C. Cavanagh, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Chairman Solomon -- 13

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Nay -- None
Abstain -- Vice-Chair Beard -- 1
Not Voting -- None
Excused -- Commissioner Cushingberry -- 1

[Resolution No. 2002-791]

Chairman Solomon requested the Clerk of the Commission read into the record a letter from Miller Canfield to the Wayne County Airport Authority dated September 3, 2002, Re: Elimination of County General Fund Exposure after Substitution of Credit Enhancement for Series 1996 Bonds, as further assurance of non obligation:

The Clerk of the Commission read the following into the record:

"This letter will confirm that if the letters of credit currently securing the Airport Revenue Refunding Bonds (Detroit Metropolitan Wayne County Airport), Series 1996 (the "Series 1996 bonds"), which expire by their terms on October 28, 2002, are replaced with alternative credit enhancement in the form of a bond insurance policy as proposed by Ambac Assurance Corporation ("Ambac") and a standby bond purchase agreement with Bayerische Landesbank Girozentrale and Landesbank Hessen-Thuringen Girozentrale (collectively, the "Banks"), any exposure that the Wayne County general fund presently has under the existing Reimbursement Agreement between the County and the Banks under which the letters of credit have been issued will be extinguished. Further, the proposed credit arrangements with Ambac and the Banks expressly state that no pledge of the County credit is required nor will any County credit be granted to secure the obligations of the Airport to either Ambac or the Banks, or to the holders of the Series 1996 Bonds. Such obligations will be secured instead by the pledge of Net Revenues of the Airport. This letter assumes that proposed Ordinance No. 331A is adopted by the Wayne County Commission in the form previously communicated. The Wayne County Commission may rely upon this letter as if it were addressed to them. Very truly yours, Miller, Canfield, Paddock and Stone, PLC."

Commissioner Hubbard, supported by Vice-Chair Pro Tempore Ware, moved to suspend the Rules in order to terminate all legal services contracts between the Charter County of Wayne and the law firm of Miller, Canfield as bond counsel, retroactively to August 9, 2002. Following discussion, the Commissioners voted as follows:

MOTION TO SUSPEND

Yea -- Commissioners Blackwell, Boike, P. Cavanagh, Hall, Hubbard, Parker, Sullivan, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 10
Nay -- None
Abstain -- Commissioners Bankes, Palamara, Varga -- 3
Not Voting -- Commissioner C. Cavanagh -- 1
Excused -- Commissioner Cushingberry -- 1

Following discussion, **Commissioner Hubbard, supported by Commissioner**

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Blackwell 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 Blackwell, Boike, C. Cavanagh, P. Cavanagh, Hall, Hubbard, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 12
Nay -- None
Abstain -- Commissioners Bankes, Palamara -- 2
Not Voting -- None
Excused -- Commissioner Cushingberry -- 1

[Resolution No. 2002-792]

Commissioner Hubbard, supported by Commissioner Varga, moved to adopt a resolution authorizing the Wayne County Treasurer to enter into a temporary intergovernmental agreement with the Detroit-Wayne County Airport Authority only to process the payroll for the Airport Authority for the payroll period ending Sunday, September 1, 2002, provided that there is no advance of Wayne County funds for any purpose and provided that the County will be reimbursed in full for all support services provided to the Airport Authority since and after August 9, 2002. (2002-66-077).

Following discussion by the Commissioners with Ben Washburn, Commission Counsel, and Tom Naughton, Airport Authority Chief Financial Officer, **Chairman Solomon requested a vote on the adoption of the resolution, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

Yea -- Commissioner Bankes, Blackwell, Boike, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon-- 13
Nay -- None
Abstain -- None
Not Voting -- None
Excused -- Commissioners C. Cavanagh, Cushingberry -- 2

[Resolution No. 2002-793]

Commissioner Varga, supported by Commissioner Blackwell, moved to Rescind Enrolled Ordinance No. 2002-782, dated August 29, 2002, approving the Fiscal Year 2002/2003 Appropriations and Budget Ordinance (2002-31-214).

Following discussion, **Chairman Solomon requested a vote on the adoption of the resolution, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

Yea -- Commissioners Bankes, Blackwell, Boike, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon-- 12
Nay -- None
Abstain -- Commissioner Sullivan -- 1
Not Voting -- None
Excused -- Commissioners C. Cavanagh, Cushingberry -- 2

[Resolution No. 2002-794]

PROPOSED

PUBLIC COMMENTS

Pursuant to the County Commission's Rules of Procedure, Chairman Solomon invited comments from the public. There were no public comments.

NEW BUSINESS

At this point in the proceedings, **Commissioner Hubbard, supported by Vice-Chair Beard**, moved to amend the previously adopted Resolution No. 2002-792 to include language terminating all legal services contracts currently in effect and being performed between the Charter County of Wayne and the law firm of Miller, Canfield.

Following discussion, **Chairman Solomon requested a vote on the adoption of the resolution, which prevailed, a majority of Commissioners serving having voted therefore by the following Roll Call:**

Yea -- Commissioners Blackwell, Boike, P. Cavanagh, Hall, Hubbard, Parker,
Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman
Solomon -- 10
Nay -- Commissioner Bankes -- 1
Abstain -- Commissioners Palamara, Sullivan -- 2
Not Voting -- None
Excused -- Commissioners C. Cavanagh, Cushingberry --2

[Resolution No. 2002-792]

Testimonial Resolutions and Certificates of Appreciation

1. By Commissioner C. Cavanagh honoring **Willie Mae Williams** in recognition of her retirement from the Wayne County Family Independence Agency.
2. By Commissioner C. Cavanagh honoring **Cozella M. Gilmore** in recognition of her retirement from the Wayne County Family Independence Agency.
3. By Commissioner Ware honoring **Mother Yvonne White** in recognition of her 66th birthday celebration, August 29, 2002.
4. By Commissioner Beard honoring **Morse Brown**, Director of the Wayne County/MSU Cooperative Extension in recognition of his retirement celebration, September 20, 2002 at 640 Temple.
5. By Commissioner Solomon honoring **Bishop Donald R. Jones**, Pastor of the Original Church of God, in recognition of his 45th anniversary celebration September 15, 2002.
6. By Commissioner Ware honoring **New Bethel MBC** in recognition of its 50th anniversary celebration August 25, 2002.
7. By Commissioner Varga honoring **Tim and Harriet Fortman** in recognition of their 50th wedding anniversary celebration, August 31, 2002.

PROPOSED

Commissioner Parker, supported by Vice-Chair Beard, moved approval of the foregoing Testimonial Resolutions and Certificates of Appreciation.

The Commissioners voted as follows:

Yea -- Commissioners Bankes, Blackwell, Boike, Hubbard, Palamara, Parker,
Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman
Solomon -- 11
Nay -- None
Abstain -- None
Not Voting -- Commissioners P. Cavanagh, Hall -- 2
Excused -- Commissioners C. Cavanagh, Cushingberry -- 2

Resolutions in Memoriam

1. By Commissioner Ware in memory of **Rosietta Adams** who passed away on May 6, 2002 at the age of 87.
2. By Commissioner Ware in memory of **Thelma Mae Stewart** who passed away on March 8, 2002.
3. By Commissioner Ware in memory of **Latrell Antonio Graham** who passed away on August 7, 2002 at the age of 37.
4. By Commissioner Ware in memory of **Henry Levi Wilson** who passed away on March 8, 2002 at the age of 80.
5. By Commissioner Ware in memory of **Johnnie Mae Rozier** who passed away on July 22, 2002 at the age of 66.
6. By Commissioner Ware in memory of **Deacon Robert Samuel Riley** who passed away on July 3, 2002 at the age of 81.
7. By Commissioner Beard in memory of **Alberta E. Whatley**.
8. By Commissioner Ware in memory of **Weldon Davis** who passed away on August 22, 2002 at the age of 59.
9. By Commissioner P. Cavanagh in memory of **Bruce Nowlin**.
10. By all Commissioners in memory of **Detroit City Council Member Brenda Scott**, who passed away on September 2, 2002.

Chairman Solomon requested all to stand for a moment of silence in honor of the individuals, following which he declared the Resolutions in Memoriam adopted.

ANNOUNCEMENTS

The Clerk of the Commission advised of the next scheduled Committee and Commission

PROPOSED

meetings.

RECONSIDERATIONS

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

PRESENT: Commissioners **Bankes, Blackwell, Boike, P. Cavanagh, Hall, Hubbard, Palamara, Parker, Sullivan, Varga, Vice-Chair Pro Tempore Ware, Vice-Chair Beard, Chairman Solomon -- 13**

EXCUSED: Commissioners **C. Cavanagh, Cushingberry -- 2**

A quorum being present, **Commissioner Parker**, supported by **Commissioner Boike**, moved adjournment. The motion prevailed, the time being 2:09 p.m., and **Chairman Solomon** declared the Commission adjourned until **Thursday, September 19, 2002**.

JOYCE D. WILLIAMS
Clerk of the Commission

JDW:JAB:tg