



**CONFERENCE OF WESTERN WAYNE
REGULAR MEETING MINUTES
March 9, 2018**

1. CALL TO ORDER – BURCROFF

The CWW board meeting was hosted by Van Buren Charter Township. Mayor Burcroff called the meeting to order at 9:30 a.m. Supervisor McNamara welcomed everyone to Van Buren Township and invited all in attendance to join in saying the Pledge of Allegiance.

2. ROLL CALL – CONLEY

Mayor Conley called the roll: Mayor Kerreen Conley, City of Belleville; Supervisor Pat Williams, Canton Charter Township; Mayor Jack O'Reilly, City of Dearborn; Mayor Pro Tem Jaylee Lynch, City of Garden City; Supervisor David Glaab, Huron Charter Township; Mayor Byron Nolen, City of Inkster; Dave Varga, alternate, City of Livonia; Mayor Ken Roth, City of Northville; Supervisor Robert Nix, Northville Charter Township; Mayor Oliver Wolcott, City of Plymouth; Jerry Vorva, alternate, Plymouth Charter Township; Mayor LeRoy Burcroff, City of Romulus; Karen Armatis, alternate, Sumpter Township; Supervisor Kevin McNamara, Van Buren Charter Township; and Lisa Nocerini, alternate, City of Wayne.

CWW board member/voting alternate of record not present: Dearborn Heights, Redford Charter Township, and City of Westland.

Others present: Members of the audience.

3. INTRODUCTIONS AND AUDIENCE REMARKS – BURCROFF

Mayor Burcroff asked CWW board members and members of the audience to introduce themselves to one another. Jason Maciejewski with TSA invited everyone to TSA's upcoming annual luncheon.

4. ADOPTION OF AGENDA – BURCROFF

Motion by Glaab, supported by O'Reilly to approve the March 9, 2018 agenda.

AYES: All. Motion carried.

5. TREASURER'S REPORT – WILLIAMS

Motion by Williams, supported by Lynch to approve the Treasurer's Report from 02/28/18.

AYES: All. Motion carried.

6. APPROVAL OF MINUTES – CONLEY

Motion by Conley, supported by O'Reilly to approve the February 9, 2018 CWW board meeting minutes.

AYES: All. Motion carried.

7. DIRECTORS' REPORTS

A. EXECUTIVE DIRECTOR'S REPORT

NEXT GENERATION 911 AND SB 400

SB 400 was signed by Governor Snyder on Tuesday, March 6, 2018. The House passed SB 400 98-11 and the Senate concurred on the final House version with a vote of 35-1. All CWW House members supported the legislation unanimously and all but one CWW Senator supported SB 400.

Ms. Sellek explained that since funding has been secured for NG911, CWW has begun the in-depth process of moving our 911 infrastructure from copper to fiber. CWW is partnering with DCC, and the project will take at least one year to complete and will likely take longer.

CWW is hosting an informational meeting at Westland City Hall on Tuesday, March 20 from 10:00 a.m. to 12:00 p.m. The project managers and consultants will be in attendance to give an overview of what will be needed from communities and PSAPs and also to answer questions. Chiefs, CEOs, IT and PSAP personnel are all invited. Ms. Sellek asked board members to invite whomever they deem appropriate to attend from their communities. Approximately 50 people had already RSVP'd for the meeting.

Some PSAPs have aging equipment that may need to be upgraded during this process. As the project continues, CWW will keep communities well-informed on what may be needed in the future.

Ms. Sellek thanked Wayne County Commissioner Raymond Basham along with all Wayne County Commissioners for supporting this project.

SMALL CELLS

SB 637, Hune (R-Whitmore Lake) had a second committee hearing last week in which an updated version was discussed, but not voted on. The telecom industry

testified in favor of the bill while MTA and MML testified in opposition. However, MML and MTA indicated that they were still working with the bill sponsor on some changes.

As the process continues and further information is received on the possible changes, CWW staff will inform the board.

Ms. Sellek provided a verbal update in addition to her written report. After the Executive Director's report was sent to the Board, MML and MTA testified in support of SB 637. The changes both groups were seeking were made and they agreed to support the bill.

ROAD FUNDING SUPPLEMENTAL

Cox (R-Livonia) sponsored HB 4321 that gave an additional \$175 million of General Fund to Act 51-eligible communities. The supplemental appropriation was passed by the House and Senate and sent to the Governor on March 8, 2018. The one-time increase was recommended in the Governor's 18/19 budget, but the legislature chose to use lapsed funds from 17/18 and send the influx of funding now.

The \$175M is meant to be emergency funding, to make repairs to the treacherous roads that were uncovered as Michigan experienced repeated freezes and thaws. CWW Act 51-eligible communities will receive about \$3.2M to help make those emergency repairs.

RIGHT-OF-WAY FEES

Ms. Sellek reviewed that HB 5097 sponsored by Rep. Beth Griffin (R-Mattawan), would set limits on fees county road agencies can charge for projects within the right-of-way of a county road. HB 5097 passed the House and continued to be opposed by MTA.

From MTA: Currently, county road agencies can charge government entities doing work in the right-of-way no more than \$300 per permit, or \$1,000 total for all permits per project. However, there is no cap on fees for internet service providers and other utilities. HB 5097 would apply the existing limit to providers, allowing counties with a population of more than 250,000 to charge \$600 per permit or \$2,000 total for all permits per project. It would also ban road commissions from requiring providers to have more than one security bond or right-of-way bond, except if a claim is made against that bond. A security bond or right-of-way bond could not exceed \$20,000, except in counties of more than 250,000, which could require \$40,000 in bonding. Additionally, the county road commission could not require that a study or survey be completed. MTA opposes this intervention in local authority and will provide members with the latest updates.

HB 5098, Hoitenga (R-Manton), a bill that CWW also opposed, and was passed out of committee with HB 5097, has not been passed by the House. CWW sent a

letter to House Minority Leader Singh regarding our opposition to HB 5098. Ms. Sellek included a copy of HB 5098 in her report.

Ms. Sellek advised that currently the legislation does not seem to have the votes to pass, but CWW will continue to monitor. HB 5098 would directly affect local governments more than HB 5097. The bill would make it very difficult to recoup permitting and inspection costs in relation to right-of-ways.

WAYNE COUNTY JAIL

After years of trying to make the best of a poor and inherited situation, Wayne County has reached an agreement with Dan Gilbert's Rock Financial to build a justice center. The center will include a 2,280 bed jail, a criminal courthouse, a juvenile detention facility, as well as offices for the sheriff's department, prosecutor's staff, and administration.

The center is expected to be finished by the spring/summer of 2022 and will be located between the I-75 Service Drive and East Warren Ave. The property is being acquired from the City of Detroit.

Wayne County will use remaining funds from the original jail bond as well as some general fund monies to invest \$380M into the project. Rock is responsible for about \$153M and all cost overruns. Both the county and Rock will share any cost savings. The deal must be approved by the county commission before any work begins.

Other highlights:

- Rock will operate and collect net parking revenues capped at \$30 million present value for various parking sites around the criminal justice center, after which the County will take over operation and collection of parking revenues. The County, however, retains complete control of 119 secured parking spaces for County use at no cost;
- Rock has agreed to invest at least \$250 million into a mixed-use development on the properties it acquires from the County, while utilizing at least 51% of Wayne County residents in the jobs required for development of the properties;
- Rock agrees to perform outreach to County-based businesses for their participation; and
- Rock will contribute \$500,000 to parks located in Wayne County and \$250,000 to support career and technical education programs for previously incarcerated citizens.

CITIZENS RESEARCH COUNCIL

The Citizens Research Council (CRC) of Michigan recently completed a study on other states and how their local governments' revenue systems benefit from full employment, business growth, and tourism.

A snapshot of the study:

- In Michigan, the current local government revenue structure is largely disconnected from the local economy, leaving them vulnerable to macroeconomic trends and unable to provide the services needed. Communities need more mechanisms to capture the economic activity taking place within their boundaries.
- Many other states afford their local units of government a number of tax options – general and selective sales, income, transportation, various tourism options, and others – to capture economic activity and to create diverse revenue streams.
- Expanding access to local-option taxes in Michigan requires the state to authorize local units to levy different taxes, but would not be levied unless acted upon by the local government and submitted to the voters for approval. Expansion of local-option taxes could be offered to cities and townships, but may be best suited to the regional level of government (e.g., counties or larger regions).

Ms. Sellek included a copy of the Detroit News editorial from the President of CRC on the study.

MAY 1 CWW LANSING DAY

Ms. Sellek asked CWW board members to attend the scheduled Lansing luncheon on May 1. Meetings with Representatives will be scheduled in the morning starting at 8:30 a.m., and meetings with Senators will be scheduled in the afternoon concluding around 4:00 p.m. She is encouraging board members to use this time to discuss issues specific to their communities. CWW staff will also have CWW legislative priorities to present to the Senators and Representatives.

CWW is actively seeking sponsorships for the event. Included in the Executive Director's report was a copy of the sponsorship flyer. CWW will also be emailing the flyer to the board to distribute. Ms. Sellek asked that board members share the sponsorship opportunities with companies or individuals they believe could benefit from a relationship with CWW. Board members are free to bring any staff members they wish.

CSX

The next CSX railroad issues meeting is scheduled as follows:

Date: Thursday, April 19th
Time: 3:00 to 4:00 pm
Location: Huron Charter Township Hall, 22950 Huron River Dr., New Boston,
MI 48164

Please RSVP to (734) 753-4466.

B. LEGISLATIVE UPDATE

WATER SHUT OFF STATISTICS

SB 790—Stamas, (R-Midland) requires water providers to file a report each year with the Department of Health and Human Services.

The report must include:

- Categories of ratepayers (commercial, residential, nonprofit, and exempt)
- Rates charged for water, sewerage, and storm water service
- Average monthly bill for customers that have 2, 4, and 6 individuals in that household
- Process by which those water and sewerage rates were determined
- Total number of shutoffs that year
- Number of shutoffs broken down by census tract and zip code
- Number of shutoffs broken down by residential, commercial, senior citizen, emergency medical condition, disability, children less than one year old, less than six years old, and customers who are pregnant

The report must also include the provider's policies and procedures regarding shutoffs and any assistance programs available.

This legislation will be discussed with DPW and DPS directors at their quarterly meeting this afternoon.

TRANSPORTATION INFRASTRUCTURE COUNCIL

Implementing a recommendation of the 21st Century Infrastructure Commission, House Bills 5335, 5406, and 5408 were recently introduced. These bills create a statewide asset management approach to water, energy, transportation, and communications infrastructure and creates interrelated councils to coordinate planning at the local, regional, and state level. This builds upon the Regional Infrastructure Asset Management Pilot Program currently being piloted in the Detroit prosperity region and west Michigan.

HB 5335—VerHeulen, (R-Walker) creates the Michigan Infrastructure Council and details who is on it and the duties of the council. The council will be made up of nine voting members, five appointed by the Governor, one each by the senate majority leader, senate minority leader, the speaker of the house, and the house minority leader.

There will also be eight non-voting members:

- The state treasurer
- The chairperson of the Water Asset Management Council (House bill 5406)
- The chairperson of the Transportation Asset Management Council created in Act 51
- The director of DTMB
- The director of MDOT
- The director of DEQ
- The director of DNR
- The director of the Department of Agriculture and Rural Development
- The chairperson of the PSC

HB 5406—Victory, (R-Hudsonville) creates a sub-council under the Michigan Infrastructure Council, called the Water Asset Management Council. This council will have nine voting members appointed by the Michigan Infrastructure Council, serving three year staggered terms. The council will be responsible for creating a template for an asset management plan for use by water, sewer, and storm water agencies.

This template must include:

- An asset inventory
- A level of service analysis
- A risk of failure analysis
- Anticipated revenues and expenses
- A performance outcomes analysis
- Plans to coordinate with other asset owners
- Proof of acceptance of the local asset management plans by the jurisdiction's governing body

HB 5408—Cole, (R-Mancelona) ties Act 51 funding with submitting the annual asset management report as referenced in HBs 5335 and 5406. A copy of the analysis for this package was included in the Legislative Report.

Ms. Haynes noted that MML feels that water, sewer, and stormwater are all different and need to be treated differently, versus the changes that are being proposed.

TOWNSHIP ROAD AGENCIES

HB 5490—Yaroch, (R-Richmond) would allow townships to become road agencies and take possession of their roads currently under the jurisdiction of county road commissions. This would include building and maintaining roads.

As written, the bill currently allows a township to pick and choose which roads it would take over. This is not the intent of the bill and CWW expects a substitute bill to be presented soon. The legislation also does not specify who is responsible if sub-par work was done on a road before the township took it over.

MAC testified in opposition. Since there is still work to be done on the bill, it has not passed out of the House Transportation and Infrastructure Committee yet. CWW will keep the board updated.

PLANNING COMMISSION CONFLICT OF INTEREST

HB 4968, sponsored by Rep. Gary Glenn, (R-Larkin Township) requires a planning commission member to abstain from voting on a matter in which the member has a direct financial interest.

This bill was introduced because of issues in the Thumb and other areas with wind farms. The bill allows alternates to vote if needed, but concerns were expressed in committee that no alternates may be available in certain areas. This bill is currently in the House Energy Policy Committee.

Ms. Haynes gave the example of a large farm owner who, being on the Planning Commission, may get preferential treatment on a proposed wind farm on his property, so an alternate would be in his place.

REHABILITATION CERTIFICATES

From MTA:

Taxpayers could get out of rehabilitation certificates if they are locked into a higher taxable value under HBs 5435 and 5436. The bills, sponsored by Rep. Eric Leutheuser (R-Hillsdale) and Rep. Ben Frederick (R-Owosso), were passed by the House this week. Together, they would create a process to revoke a rehabilitation certificate at the request of the taxpayer.

The way this tax benefit works is that a property's taxable value is frozen at the level prior to rehabilitation for a certain period, assuming that the frozen rate would mean lower property taxes. The problem is when property values fall below the frozen value, the taxpayer is stuck with higher taxes. Current law only allows for local units to revoke a certificate if the project does not meet the specified timeframe, or the certificate holder is not operating in good faith.

HBs 5435-5436 would allow local units to revoke the certificate by resolution if they received a request from the holder. Local units would have the option to reinstate a revoked certificate if the previous holder or a new owner of the property applied for the transfer. The legislation will next be considered in the Senate.

BREED BAN PROHIBITION

SB 741, Robertson, (R-Grand Blanc) prohibits municipalities from enacting or enforcing anything which regulates dogs based on their breed or perceived breed. This legislation would not grandfather in existing ordinances.

Ms. Haynes advised this was another attempt at taking away local control. Canton and Dearborn have ordinances that prohibit the discrimination against any breed. Mayor O'Reilly said that Dearborn used a consultant in crafting their ordinance.

Ms. Haynes asked if the board wished to oppose SB 741. After some discussion, no motion was made to oppose SB 741.

VEHICLE WINDOW TINT

Current law prohibits tinting on the front windshield, the driver's or front passenger's side windows, or the sidewings next to and in front of the driver or passenger. HB 5634—Alexander (R-Hanover) removes this prohibition and allows vehicles to have tint on the windshield and front side windows. First responder safety could be at risk if tinting is allowed on all windows.

Ms. Haynes said that CWW may wish to oppose this legislation.

Mayor O'Reilly stated that making an officer approach a vehicle cold that has tinted windows is not acceptable.

Motion by Williams, supported by O'Reilly in support of opposition to HB 5634.

AYES: All. Motion carried.

LEAD AND COPPER RULE HEARING

On March 1, the DEQ held their one required public hearing in Lansing on the proposed Lead and Copper rule changes. CWW was present at the hearing where all sides were heard and comments recorded.

The following day, DEQ made a substantial change to the proposed rule by allowing some lead pipes to stay in the ground longer. The original draft rules required five percent of the known lead pipes to be replaced yearly. The new draft only requires “those that find, through regular testing, that 10 percent or more of those lines are leaching the heavy metal at levels of five parts per billion or more.” (Source: Gongwer.) It will still be expected that lead service lines are addressed, but municipalities will be allowed to do so through their asset management plan.

It would be required of municipalities to certify to the state by 2024 that their water systems have replaced or inventoried all lead service lines.

Mayor O’Reilly asked if this requirement refers to inside or outside pipes; Ms. Haynes advised both. Mayor O’Reilly said this would be a huge burden on some homeowners. Supervisor McNamara wondered about the need for these rule changes, as there is already a law on the books. Ms. Haynes stated that this new DEQ rule would lower the acceptable level of lead leaching out of pipes.

SEMCOG, MTA, MML, GLWA, and others have formed a coalition to submit comments on the proposed rules. CWW has contacted SEMCOG about joining as well. The comments will be submitted by March 21, 2018 at 5:00 p.m.

Ms. Haynes advised that CWW may wish to sign on to the coalition’s comments.

Motion by McNamara, supported by Nix to sign on to the comments submitted by SEMCOG on DEQ’s proposed changes to the lead and copper rules.

AYES: All. Motion carried.

LOCAL GOVERNMENT LABOR REGULATORY LIMITATION ACT

Senate Bill 353 has passed both the House and Senate and is currently being prepared for the Governor’s signature. This legislation will bar municipalities from enacting policies regulating information an employer can request or exclude from a potential employee during the interview process.

For example, a community would not be able to pass an ordinance or resolution barring employers from inquiring about criminal records during the interview process or asking prior pay rates.

This bill was sponsored by Senator Proos (R-St. Joseph) whose staff person stated there have been no cases in Michigan where this has happened, but it needs to be prevented from happening. Ms. Haynes likened the bill to a solution looking for a problem.

OTHER BILLS BEING TRACKED

HB 5535—Hoitenga (R-Manton) allows a person 21 or older, to carry and reasonably use a stun gun.

HB 4919—Barrett (R-Potterville) provides motorcycle processions the right of way over nonemergency vehicles in an intersection. *(Ms. Haynes noted that this legislation would supersede any local ordinance.)*

HB 5644—Barrett (R-Potterville) provides a procedure to spoil an absentee ballot. (The analysis was included in the Legislative Report.)

SB 521—Jones (R-Grand Ledge) creates a law stating that an intersection that has a malfunctioning traffic light defaults to a four-way stop instead of a four-way yield as it is currently.

8. PRESENTATION

A. GROWTH WORKS

Brian Spitsbergen, Director of Community Relations with Growth Works said that he has worked with every CWW community, and he appreciated being able to speak at this morning's meeting.

He mentioned that Growth Works has had people coming to their office for assistance with drug/opioid addiction, as they were referred to Growth Works by an emergency room. In light of this, Growth Works is working to establish proper connections between public safety and healthcare directly to the appropriate agency under the Growth Works umbrella. This will include immediate access to care and follow-up care for the patient.

Mr. Spitsbergen said that when a hospital releases a patient, they are at their lowest point. Depression can set in, and the patient may not make it to the proper care. Another concern is that the hospital may put the person on an inappropriate medication; subsequently, suicides have occurred.

There is a non-narcotic medication called Vivitrol which eliminates a person's cravings for, and the effects of, opioids for up to 28 days. The caveat to this medical assistance is that the patient must be clean of drugs for at least 5 days.

Growth Works' first step in the opioid program is to utilize peer recovery coaching. Mr. Spitsbergen is not aware of anyone else utilizing a program quite like the Growth Works program.

Mayor O'Reilly said Dearborn is seeing a large increase in overdoses and suicides. He feels they have just been spinning their wheels; the treatment that is currently approved has been mentioned by experts as not being enough to help the patient.

Mr. Spitsbergen noted that there is only a small window of time that assistance can be offered where the person is willing to accept it; Growth Works does not want to lose that window. He has solicited many organizations looking for startup money that would help Growth Works assist those in need of care.

Pat Stropes, Peer Recovery Coach Supervisor with Growth Works, told the board that he is a recovering drug addict and alcoholic. He went through the 35th District Court's recovery program many years ago.

Mr. Stropes explained that through the St. Mary Hospital and Growth Works program, once contact is made with a patient, they are asked if they want a peer recovery coach. The patient is required to sign a document whether or not they agree to be coached; this enables staff to have a phone number for the individual. For 10 consecutive days, the coach will call the person. Somewhere in that timespan, the individual may have enough clarity whereby they agree to a peer coach. There is also support for up to a year in recovery. They are working on getting residential units for patients to utilize during that year of support. Mr. Stropes also noted that coaches must be at least 2 years in recovery so they have a personal experience and understand what the patient is going through.

Ms. Sellek advised the board that the first phase is expected to launch this Spring; it will start with four CWW communities. Once all communities are in the first phase, then Growth Works will continue on to the second phase.

There was a question about funding; Ms. Sellek explained that CWW will have to approach the state, as the need for funding will be ongoing.

9. STATE AND OTHER ELECTED OFFICIALS' COMMENTS

Representative Kosowski told the board that the condition of the roads is the only topic he is hearing about from his constituents right now. He handed out copies of the House Fiscal Agency's *Budget Briefing: Transportation*. He also included a copy of the *FY 2017-18 Supplemental Appropriations Summary: As Enrolled House Bill 4321 (S-1)*. He noted that even though 20% has been added onto registration fees and the gas tax, it is not enough.

Mr. Kosowski is working on obtaining revenue from sports betting to go toward school aid. He also mentioned that cyber schools should not be funded at the same level as normal schools.

Wayne County Commissioner Basham talked about truck weights. He reviewed the fact that Michigan allows trucks to carry 64,000 lbs. more than any other state. He said this is a non-partisan issue. He also said that Michigan is a donor state, as (through federal taxes) we are helping build roads out west while ours continue to deteriorate.

He also informed the board that Matty Maroun, the owner of the company that controls the Ambassador Bridge, opposes the Gordy Howe Bridge.

He mentioned frustration about the disconnect between Wayne County and its own county commissioners. He pointed to a recent Wayne County press release regarding the proposed jail deal that occurred prior to the county notifying its commissioners of it.

Wayne County Commissioner Diane Webb handed out copies of the 2016 Wayne County Road Condition map generated by SEMCOG. She appreciated Basham's update and the work Representative Kosowski is doing in Lansing. She is hoping we all continue to work together.

Ms. Webb spoke about her support of the Growth Works project covered earlier in the meeting.

Wayne County Commissioner Al Haidous spoke about his commission district having possibly the largest problem with poor road conditions. One issue is that they cannot grade dirt roads while they are wet. He knows the public's perception of the Wayne County DPS is not a good one, but he said the County DPS does a great job given what they have to work with, and he hopes people will have patience with the Wayne County DPS.

Chris Matus with Senator Peters' office reminded the board that the SAFER Grant application period will run from March 26, 2018 through April 27, 2018. Mr. Matus also mentioned that Peters' office is hoping to do more regarding the opioid crisis.

10. OTHER BUSINESS

None.

11. ADJOURNMENT

Motion by O'Reilly, supported by Lynch to adjourn the meeting at 10:52 a.m.