



BOARD OF COMMISSIONERS

1 S. Main St., 8th Floor
Mount Clemens, Michigan 48043
586.469.5125 FAX 586.469.5993
macombcountymi.gov/boardofcommissioners

BOARD OF COMMISSIONERS

REGULAR SESSION

THURSDAY, JANUARY 20, 2011, 7 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Invocation by **Commissioner Toni Mocer**
5. Adoption of Agenda, **AS AMENDED, TO INCLUDE #13**
6. Approval of Minutes dated 12-16-10 (previously distributed)
7. Presentation of Resolution to Honorable Donald Miller (**Carabelli**)
8. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)
9. **COMMITTEE REPORTS:**
 - a) Rules, January 18 (attached)
10. **RESOLUTIONS:**
 - a) Commemorating the 15th Anniversary of The Village of Peace Manor (offered by Smith; copy on file)
11. 2011-12 Committee Assignments (attached)
12. 2011 Committee Meeting Schedule (attached)

MACOMB COUNTY BOARD OF COMMISSIONERS

Kathy D. Vosburg
District 8
Chair

Marvin E. Sauger
District 2
Vice Chair

Fred Miller
District 9
Sergeant-At-Arms

Toni Mocer - District 1

David Flynn - District 4

James L. Carabelli - District 6

Roland R. Fraschetti - District 10

Bob Smith - District 12

Phillip A. DiMaria - District 3

Ray Gralowski - District 5

Don Brown - District 7

Kathy Tocco - District 11

Joe Sabatini - District 13

13. **APPOINTMENTS:**
 - a) **HEALTH DEPARTMENT HEARING BOARD**
upon appointment through 12-31-12

(letter from Board Chair is attached)
14. New Business
15. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)
16. Roll Call
17. Adjournment



BOARD OF COMMISSIONERS

9a.

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
586-469-5125 FAX 586-469-5993
macombcountymi.gov/boardofcommissioners

January 18, 2011

TO: Kathy Vosburg, Chair
FROM: Don Brown, Temporary Chair
Rules Committee
RE: **RECOMMENDATION FOR FULL BOARD**

At the January 18th meeting, the following action was taken:

MOTION

A motion was made by Flynn, supported by Sauger, to recommend to adopt the Board of Commissioners Rules of Procedure, as attached. **The Motion Carried.**

A MOTION TO ADOPT THE RECOMMENDATION WAS MADE BY TEMPORARY CHAIR BROWN.

RULES
BOARD OF COMMISSIONERS
MACOMB COUNTY

Adopted January , 2011

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RULES, BOARD OF COMMISSIONERS, MACOMB COUNTY

RULE I

ORGANIZATION, ELECTION OF OFFICERS, QUORUM

A. At the first session in January of each odd numbered year, the Board shall be called to order by the County Clerk and a roll call taken. If a majority of the elected and serving Commissioners answer the roll, a quorum shall be declared.

B. The first order of business shall be the adoption of the rules of procedure under which the Board will operate.

C. The next order of business shall be the election of a temporary Chairperson, whose sole responsibility will be to preside over the election by a majority of the elected Commissioners of a Chairperson.

D. Upon the election of the Chairperson, the Chairperson shall then preside over the election by a majority of the elected Commissioners of a Vice-Chairperson and a Sergeant-at-Arms.

E. At the first session in January of each even numbered year, the Board shall be called to order by the Chairperson and a roll call taken. If a majority of the elected and serving Commissioners answer the roll, a quorum shall be declared. The first order of business shall be the election of a Vice-Chairperson and a Sergeant-at-Arms.

RULE II

OFFICERS, DUTIES, VACANCIES AND TERMS OF OFFICE

1. Chairperson:

A. The Chairperson shall take the chair on every day that the Full Board is in session, immediately call the members to order and request a roll call. Except in the absence of a quorum, the Chairperson shall proceed to do business in the manner prescribed by these rules or required by law.

B. The Chairperson shall preserve order and decorum, may speak to points of order and shall decide questions of order subject to an appeal to the Board. When two or more members request to make a motion and/or address the Board at the same time, the Chairperson shall name the Commissioner who is first to speak.

2. Vice-Chairperson:

The Vice-Chairperson of the Board shall execute the same duties as the Chairperson in the Chairperson's absence.

3. Sergeant-at-Arms:

The Sergeant-at-Arms shall attend the Board during its sittings to maintain order under the direction of the Chairperson.

4. Vacancies:

In the event of a vacancy in any of the above offices, said vacancy shall be filled at the next regular meeting of the Full Board by a majority vote of the elected and serving Commissioners.

5. Terms of Office:

The Chairperson shall be elected to a two-year term and the Vice-Chairperson and the Sergeant-at-Arms shall be elected to a one-year term or until a successor is elected.

6. Removal of an Officer:

An officer may be removed from office upon Motion which is supported by a two-thirds vote. Provided however, that officer shall be given notice of the intent to make the Motion at least seven (7) days in advance of the Motion.

RULE III

DUTIES OF THE COMMISSIONERS

1. Presence:

Every Commissioner shall be present during the sessions of the Board and shall vote on each question put, unless he/she has a direct personal or pecuniary interest in the question. For these reasons, each abstention shall be duly recorded in the minutes of the meeting.

2. Attendance:

Every Commissioner's attendance shall be in conformity with the Board of Commissioners pay resolution.

3. Conduct in Debate:

When a Commissioner is about to speak in debate or present any matter to the Board, he/she shall respectfully address himself/herself to the Chairperson. He/she shall confine himself/herself to the question under debate and avoid debate or argument that calls into question the personality/motive of another Commissioner.

4. Time Commissioner May Speak:

Free, open and orderly debate on issues confronting a legislative body may demand that a Commissioner be privileged to speak on a matter more than once. However, a Commissioner shall not be privileged to speak or hold the floor on a matter for more than 15 minutes or more than once (on the same question) until all other Commissioners present are first given the opportunity to be heard.

RULE IV

ORDER OF BUSINESS

1. Order of Business:

A. The Order of Business of the Board at regular meetings shall be as follows:

- (1) Call to order.
- (2) Pledge of allegiance.
- (3) Roll call.
- (4) Invocation.
- (5) Adoption of agenda.
- (6) Reading, correction and approval of minutes.
- (7) Public participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda).
- (8) Reports from committees.
- (9) Correspondence from Executive
- (10) Resolutions
- (11) New business.

- (12) Public participation (five minutes maximum per speaker or longer at the discretion of the Chairperson).
- (13) Roll call.
- (14) Adjournment.

2. Regular Meetings:

Regular meetings of the Board shall be held monthly on days as designated by the Board of Commissioners, as recommended by the Chairperson upon his or her election, for the ensuing year. The Chairperson has the authority to call a regular meeting with a special agenda, in addition to the regularly scheduled meetings, provided that the notice is delivered to each Commissioner in the manner selected by each Commissioner at the first meeting of the Board.

3. Special Meetings:

A special meeting of the Board shall be held only when requested by at least one-third of the members of the Board. The request shall be in writing, shall be addressed to the County Clerk and shall specify the time, date, place and purpose of the meeting. Upon receipt of a request, the County Clerk shall immediately give notice in the manner selected by each Commissioner at the first meeting of the Board.

4. Open Meetings Act:

The provisions of the Open Meetings Act, Act No. 267 of the Public Acts of 1967, MCLA 15.26, et seq, shall be observed, and notice of all meetings shall be given in strict conformity thereto by Board of Commissioners staff and/or the Office of Macomb County Clerk.

5. Duties of the Clerk:

A. The duly elected County Clerk shall be the Clerk to the Full Board. He/she, or his/her duly appointed deputy, shall perform all duties ordinarily pertaining to such office including, but not limited to, the following duties prescribed by law:

- (1) Recording all the proceedings of the Board in a book provided for that purpose.
- (2) Making regular entries of all Board resolutions and decisions upon all questions.
- (3) Recording the vote of each Commissioner on any ordinance, resolution, appointment or election of an office submitted to the Board.
- (4) Performing such other and further duties as the Board may, from time to time, require by resolution.

B. Appointment of a Clerk Pro Tem: The Clerk, or one of his/her duly appointed deputies, shall be present and take minutes at all meetings of the Board. In the absence of the Clerk or an appointed deputy, the Chairperson, with the approval of the Board members present and voting, shall appoint a Clerk for that meeting until the Clerk or his/her duly appointed deputy arrives.

RULE V

CHANGE OR SUSPENSION OF RULES

1. Suspension of Rules:

No rule shall be suspended except by a two-thirds vote of the Commissioners present.

2. Change of Rules:

Any rule of the Board may be changed provided that the proposed change passes the Rules Committee and the change is supported by a two-thirds vote of the Commissioners.

RULE VI

NOTICE OF MEETINGS

A. At the first meeting of each year, each Commissioner shall designate a method in which that Commissioner will accept notice of all meetings.

B. Notice of regular or special meetings including a proposed agenda shall be mailed or delivered to the Commissioner at least seven (7) calendar days prior to the meeting pursuant to the method of delivery designated by the Commissioner described in paragraph A. above. Said notices shall specify the date and hour of the matters to be considered at said meeting. All members of the Board may waive the foregoing meeting requirements at any regular or special meeting.

C. Notice of regular and special meetings shall be given to the news media at the same time as the Board members.

RULE VII

MINUTES AND RESOLUTIONS

A. A copy of the minutes of each Board meeting shall be prepared and distributed by the Clerk to each member of the Board prior to the next scheduled meeting of the Board or Committee. The County Clerk or his/her designee shall prepare minutes, including those minutes taken in executive session, as required by the Open Meetings Act, 1976 P.A. 267 and these rules.

B. A Commissioner who wishes the Board to consider an item shall submit that item in the form of a resolution prepared in a standard form.

All resolutions finally adopted by the Board in each calendar year shall be consecutively numbered immediately by the Clerk of the Board in the order of their adoption, which number shall be prefixed with the last two digits of the year of its addition and a hyphen. As each resolution is adopted, the Clerk of the Board shall assign its proper number, which shall appear at the head of that resolution as adopted in the minutes.

The Clerk shall keep all adopted resolutions in a binder or booklet arranged in the order of their adoption.

RULE VIII

POWERS AND DUTIES OF TASK FORCES

1. TASK FORCES:

A. The Board Chairperson may submit a proposal to the Board for the appointment of a task force, whose members shall include three County Commissioners and also representatives of the general public. The proposal shall include a recommendation for the chairperson of the task force.

B. The proposal shall specify the mission, termination date and recommended budget, if any.

C. The proposal shall direct the task force, if approved by the Board, to the Board.

RULE IX

APPOINTMENTS

A. Applications:

A complete and notarized application (provided by the Board Office or obtained from the Board Office web-site) for an appointment to a board or commission that the Board of Commissioners shall have the authority to make shall be submitted to the Board Office at least one (1) day before the meeting in which the appointment is scheduled to take place.

B. Qualifications:

Qualifications and biographical data of applicants shall be submitted to the Board of Commissioners at least one (1) day prior to the date of voting thereon.

RULE X

CHARTER TIMELINES

The Board of Commissioners shall follow all timelines imposed by the County Charter (see attached list).

RULE XI

ROBERTS RULES OF ORDER

All situations not covered by the foregoing rules shall be determined by Roberts Rules of Order.

Adopted: January ____, 2011

CHARTER SECTIONS IMPOSING TIME LIMITS FOR THE BOARD OF COMMISSIONERS

Charter Section 2.4.2. Upon creation of an ethics ordinance, the Executive will nominate five members. The Commission will vote on approval of those members within 60 days of receipt of the nomination from the Executive. If the Commission fails to act upon a nomination within that 60-day period, the Executive's nomination is effective.

Charter Section 3.6.4 requires that the Board of Commissioners hold a public hearing on the Executive's proposed Organization Plan or any proposed amendment to the Organization Plan within 50 days of its submission to the Commission. The Commission is to approve, with or without amendment, or reject the proposed Organization Plan or any amendment within 75 days after its submission.

Charter Section 4.4 (f) provides that the Commission may override a veto by Executive within 30 days by at least a 2/3 vote of the Commissioners serving.

Charter Section 4.7 requires within 180 days of the effective date of the Charter (i.e., January 1, 2011) that the Board adopt an ordinance providing for codification of ordinances and the preservation of indexing of resolutions.

Charter Section 4.8. If a vacancy occurs in the office of a County Commissioner due to death, resignation, removal of residency from the district, or removal from office, the Board of Commissioners is required to appoint a registered and qualified elector of the district within 30 days by a majority vote of the Commissioners.

Charter Section 8.7. Prior to the beginning of each fiscal year, the Board of Commissioners is required to adopt a balanced line item operating budget and an appropriations ordinance.

Charter Section 8.11.1 and 8.11.2 require that if the Executive certifies to the Commission a reduction in estimated revenue or certifies to the Commission that expenditures have exceeded appropriated levels and submits a proposed appropriation reduction or a proposed appropriation amendment and the Commission fails to amend the appropriation ordinance within 45 days after certification of the reduced revenue or the excess expenditures, the requested appropriation amendment submitted by the Executive becomes effective.

Charter Section 11.7.1 requires that the Board of Commissioners shall determine the compensation of the initial Executive for the remainder of the term of office by ordinance within 60 days of the effective date of the Charter (i.e., January 1, 2011).

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RESOLUTION NO. _____ FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO approve the 2011-2012 committee assignments

INTRODUCED BY: Kathy Vosburg, Board Chair

COMMITTEE/MEETING DATE

Full Board 1-20-11

2011/2012 COMMITTEE ASSIGNMENTS

AUDIT COMMITTEE

Responsibilities:

- See Charter Section 8.3 to be scheduled as needed

Membership:

Chair - Frascetti
Vice-Chair – Mocerri

Don Brown
Phil DiMaria
Dave Flynn
Ray Gralewski
Joe Sabatini
Marv Sauger
Kathy Tocco
Vosburg (ex-officio)

BOARD OPERATIONS

Responsibilities:

- Boards & Commissions Appointments
- Ethics
- Codification of ordinances and preservation and indexing of resolutions (Charter Section 4.7)
- BOC office operations
- BOC Counsel
- Corporation Counsel
- Lobbyist
- Rules

Membership:

Chair - Tocco
Vice-Chair – Carabelli

Brown
DiMaria
Flynn
Fraschetti
Gralewski
Miller
Moceri
Sabatini
Sauger
Smith
Vosburg

COURTS & CLERK/REGISTER OF DEEDS

Responsibilities:

- Circuit Court
- District Court
- Probate Court
- Friend of the Court
- County Clerk/Register of Deeds
- Prosecuting Attorney
- Probation
- Community Corrections
- Public Defender

Membership:

Chair – Gralewski
Vice-Chair – Sauger

Carabelli
DiMaria
Fraschetti
Miller
Smith
Vosburg (ex-officio)

ECONOMIC DEVELOPMENT

Responsibilities:

- MSU Extension
- Parks & Recreation
- Planning, Economic Development & Research Department
- Reference and Research Center
- MI Works/ WorkForce Development
- Solid Waste Planning Committee
- Department of Roads
- Public Works

Membership:

Co-Chair - Carabelli

Co-Chair - Flynn

Miller

Moceri

Gralewski

Sabatini

Smith

Tocco

Vosburg (ex-officio)

FINANCE

Responsibilities:

- Budget
- Equalization
- Facilities & Operations
- Finance Department
- Human Resources Department
- Information Technology
- Purchasing policies and procedures (Charter Section 8.10)
- Retirement
- Treasurer
- Risk Management

Membership:

Chair – Brown
Vice-Chair - Miller

Carabelli
DiMaria
Flynn
Fraschetti
Gralewski
Moceri
Sabatini
Sauger
Smith
Tocco
Vosburg

HEALTH & HUMAN SERVICES

Responsibilities:

- Community Services Agency
- Department of Human Services
- Martha T. Berry
- Veterans Services
- Community Mental Health
- Health Department
- Prosecutor's Environmental Unit
- Senior Services

Membership:

Chair - Mocerri

Vice-Chair - Flynn

Fraschetti

Miller

Tocco

Vosburg (ex-officio)

PUBLIC SAFETY

Responsibilities:

- Juvenile Justice Center
- Emergency Management
- Sheriff's Office

Membership:

Chair - DiMaria

Vice-Chair – Sabatini

Brown

Carabelli

Sauger

Smith

Vosburg (ex-officio)

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RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO approve the 2011 Committee Meeting Schedule.

INTRODUCED BY: Kathy Vosburg, Board Chair

January 2011	
5	- 11am Organizational Meeting
14	- 9am Rules Committee Meeting
18	- 9am Rules Committee Meeting
20	- 7pm Full Board
February 2011	
7	9am Public Safety
8	10am Board Operations
9	9am Health & Human Services
10	9am Economic Development
14	9am Courts & Clerk/Register of Deeds
15	9am Finance
17	- 7pm Full Board
March 2011	
14	9am Public Safety
15	10am Board Operations
16	9am Health & Human Services
17	9am Economic Development
21	9am Courts & Clerk/Register of Deeds
22	9am Finance
24	- 7pm Full Board

Full Board 1-20-11

April 2011	
18	9am Public Safety
19	10am Board Operations
20	9am Health & Human Services
21	9am Economic Development
25	9am Courts & Clerk/Register of Deeds
26	9am Finance
28	- 7pm Full Board
May 2011	
16	9am Public Safety
17	10am Board Operations
18	9am Health & Human Services
19	9am Economic Development
23	9am Courts & Clerk/Register of Deeds
24	9am Finance
26	- 7pm Full Board
June 2011	
13	9am Public Safety
14	10am Board Operations
15	9am Health & Human Services
16	9am Economic Development
20	9am Courts & Clerk/Register of Deeds
21	9am Finance
23	- 7pm Full Board
July 2011	
18	9am Public Safety
19	10am Board Operations
20	9am Health & Human Services
21	9am Economic Development
25	9am Courts & Clerk/Register of Deeds
26	9am Finance
28	- 7pm Full Board

August 2011	
15	9am Public Safety
16	10am Board Operations
17	9am Health & Human Services
18	9am Economic Development
22	9am Courts & Clerk/Register of Deeds
23	9am Finance
25	- 7pm Full Board
September 2011	
6	9am Public Safety
6	10am Board Operations
7	9am Health & Human Services
8	9am Economic Development
12	9am Courts & Clerk/Register of Deeds
13	9am Finance
15	- 7pm Full Board
October 2011	
11	9am Public Safety
11	10am Board Operations
12	9am Health & Human Services
13	9am Economic Development
17	9am Courts & Clerk/Register of Deeds
18	9am Finance
20	- 7pm Full Board
November 2011	
1	9am Public Safety
1	10am Board Operations
2	9am Health & Human Services
3	9am Economic Development
7	9am Courts & Clerk/Register of Deeds
8	9am Finance
10	- 7pm Full Board

December 2011

5		9am Public Safety
6		10am Board Operations
7		9am Health & Human Services
8		9am Economic Development
12		9am Courts & Clerk/Register of Deeds
13		9am Finance
15	-	7pm Full Board

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January 19, 2011

MEMO TO: Honorable Commissioners
FROM: Kathy D. Vosburg, Board Chair *KV*
RE: Confirmation of Appointments –
Health Department Hearing Board

Please concur with the recommendation by Macomb County Health Department Director, Steve Gold, and confirm the following individuals to continue service on the Macomb County Health Department Advisory Board:

Mr. George Penna Citizen-At-Large
Dr. Donald Amboyer Alternate Citizen-At-Large

Further, Commissioner Toni Mocerì will serve on the Health Department Hearing Board in the position of Commissioner Representative.

The above appointments will begin immediately and extend through December 31, 2012.

Thank you.

Attachment: Memo from Health Department

MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzjy - District 1
Marvin F. Sauger - District 2
Phillip A. DiMaria - District 3
Toni Mocerì - District 4
Susan L. Doherty - District 5

Sue Rocca - District 7
David Flynn - District 8
Robert Mijac - District 9
Ken Lampar - District 10
Ed Szezepanski - District 11

James L. Cambelli - District 12
Don Brown - District 13
Brian Brjak - District 14
Keith Renger - District 15
Carey Tompe - District 16

Paul Gielegem
District 19
Chairman

Kathy Tocco
District 20
Vice Chair

Joan Flynn
District 6
Sergeant-At-Arms

Ed Bruley - District 17
Dana Camphous-Peterson - District 18
Irene M. Kepler - District 21
Frank Accavitti Jr. - District 22

William A. Crouchman - District 23
Michael A. Boyle - District 24
Kathy D. Vosburg - District 25
Jeffery S. Sprys - District 26



HEALTH DEPARTMENT

Mount Clemens Health Center

43525 Elizabeth Road
Mount Clemens, Michigan 48043
586-469-5235 FAX 586-469-5885
macombcountymi.gov/publichealth

Steven C. Gold, M.P.H.
Director/Health Officer

Kevin P. Lokar, M.D.
Medical Director

January 19, 2011

TO: KATHY VOSBURG, CHAIRPERSON
MACOMB COUNTY BOARD OF COMMISSIONERS

FROM: STEVEN C. GOLD, M.P.H. 
DIRECTOR/HEALTH OFFICER

SUBJECT: REQUEST FOR HEARINGS BOARD APPOINTMENTS

Under State law, a local health department must have an appeals process for those who are or perceive themselves to be aggrieved by some regulatory action taken by the LHD. Macomb County Health Department has such a process, implemented by a Hearing Board established by a process set forth in our Appeals Procedure Manual.

Per that process, the Hearing Board is comprised of three members: the Health Officer, a "Board of Commissioners Member designated by the Board of Commissioners as their representative to serve on the Hearing Board," and a "Citizen at Large designated by the Health Officer from the community and confirmed by the Board of Commissioners". The process also requires that alternate members shall be appointed for both the Commissioner member and the Citizen member.

I am requesting that the Board designate a Commissioner Board Member and an Alternate Commissioner Board Member at the earliest possible opportunity.

I am also requesting that the Board confirm my designees for Citizen Member and Alternate Citizen Member. These individuals are, respectively, Mr. George Penna and Dr. Donald Amboyer. Both are long-time members of our Hearing Board, and both have indicated their willingness to serve again.

Thank you very much for your attention to these requests. I am of course available to answer any questions or concerns which you or the Board may have.

cc: Office of the County Executive
P. Dib

MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzij - District 1
Marvin E. Swager - District 2
Phillip A. DiMaria - District 3
Toni Mocerri - District 4
Susan L. Doherty - District 5

Sue Roeca - District 7
David Flynn - District 8
Robert Mijac - District 9
Ken Lampar - District 10
Ed Szczepaniak - District 11

James L. Carabelli - District 12
Don Brown - District 13
Brian Brdak - District 14
Keith Rengert - District 15
Carey Terrice - District 16

Paul Gieklghem
District 19
Chairman

Kathy Tocco
District 20
Vice Chair

Juan Flynn
District 6
Sergeant At Arms

Ed Bruley - District 17
Dana Campbell-Peterson - District 18
Irene M. Kepler - District 21
Frank Accavitti Jr. - District 22

William A. Crouchman - District 23
Michael A. Boyle - District 24
Kathy D. Vestburg - District 25
Jeffery S. Sprys - District 26