



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, JUNE 23, 2011, 7 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Invocation by **Commissioner James Carabelli**
5. Adoption of Agenda
6. Approval of Minutes dated 5-26-11 (previously distributed)
7. Presentation to 2011 Volunteer Winners (mailed)
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) Special Finance, June 7 (mailed)
 - b) Board Operations, June 14 (mailed)
 - c) Economic Development, June 16 (attached)
 - d) Finance, June 21 (attached)
10. Correspondence from Executive
11. **RESOLUTIONS:**
 - a) In Support of SMART (Suburban Mobility Authority for Regional Transportation) and Their Efforts in Resolving Emerging Financial Issues (offered by Mocerì; include Flynn; recommended by Economic Development Committee on 6-16-11) (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 Mocerì - District 1

David Flynn - District 4

James L. Carabelli - District 6

Roland R. Frascchetti - District 10

Bob Smith - District 12

Phillip A. DiMaria - District 3

Ray Gralewski - District 5

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Kathy Tocco - District 11

Joe Sabatini - District 13

- b) Calling for the Creation of a Regional Transit Authority (offered by Mocerri; include Flynn; recommended by Economic Development Committee on 6-16-11) (attached)

12. **PROCLAMATIONS:**

- a) Proclaiming September 11-17, 2011 as Patriot Week in Macomb County (offered by Board Chair; recommended by Finance Committee on 6-21-11; copy on file)
- b) Thanking Doug Martz for His Years of Service on the Water Quality Board (offered by Board Chair; recommended by Finance Committee on 6-21-11; copy on file)
- c) Proclaiming Washington Street Wine House as the New Baltimore Outstanding Business of the Year for 2011 (offered by Vosburg; copy on file)

- 13. New Business
- 14. Public Participation
- 15. Roll Call
- 16. Adjournment

Winners with Organization and Commissioner

Don Brown

Robin Boeling	St. Peter Lutheran Church/School
Dobbie Kelley	The Village Assisted Living
Nancy Nevers	Shelby-Macomb Daybreakers Kiwanis
Maxine Sobetski	Head Start
Barbara Trbovich	Agape Center
Vincent Wagner	American Cancer Society Relay for Life/St. Baldricks Foundation for Juvenile Cancer Research

James L. Carabelli

Joann Burgess	Shadbush Nature Center
Michael Ward	CLT/Lions Club/Special Olympics
Edward F. Young	RACES (Radio Amateur Civil Emergency Service)

Phillip A. DiMaria

Beulah Banks	Pastor James Friedman
Judy Betts	Macomb Literacy Partners

David Flynn

Randy Crowell	Sterling Heights High Noon Kiwanis Club
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Roland Franschetti

Diane Bloch	Boy Scouts, Girl Scouts, Jobs Daughter Intl, DeMoley, Eastern Star
Michael Clancy	St. Isaac Jogues Parish/School
Madelynne Cudney	Optimist Club of St. Clair Shores
Ermira Henry	In-House Hospice & Palliative Care
Donna Liccardello	South Lake Schools
Gerald Menzel	Lighthouse Mission
Jan Windemuth	Ardmore Elementary School

Rav Gralewski

Traci Adamczyk	Bishop Foley Science Olympiad Program
Denise Hauer	Flynn Middle School
Gary Lusk	St. Lawrence Parish Community
Larry Proski	East Detroit/Roseville American Legion Post 261
James Waldrop	Friends of the Sterling Heights Public Library
Joan Waldrop	Friends of the Sterling Heights Public Library

Fred Miller

Nancy Dedenbach	Mt. Clemens Rotary Club
Sandy Dennis	Angel Food Ministries
Gail LaCroix	Graham Elementary School
Barb Parker	MCFARES, Special Olympics, Trinity Lutheran Church
Susan Silver	MSU Extension

Toni Moceri

Ward Bartlett
Sigrid Dale

Student Leadership Services, Inc.
Gray Panthers of Metro Detroit

Joe Sabatini

Mike Bates
Doreen Chorazyczewski
Randy Lentini
Bette Nebel
Michael Saigh

Dakota High School Girl's Basketball
Fox Elementary School
St. Peter's Catholic Church
Higgins Elementary School
Sterling Heights Rotary Club and St. Therese of Lisieux Church

Marvin Sauger

Louis E. Joseph
Tom Marchand
Tim Stockard

Archdiocese of Detroit
Macomb Oakland Regional Center
Hope Center in Macomb

Bob Smith

William Colaiuta
Arthur Kubiak
Lynda Locke
Doris Modrak
Jim Pinello

David L. Dawson
Meals on Wheels
Clinton-Macomb Public Library
Clinton Township Area Optimist Club
Erin Presbyterian Church

Kathy Tocco

Joann Brown
Celeste Lombardo
Deanna Mielke
Nancy Panther
April Wojciechowski

Society of St. Vincent de Paul - St. Athanasius Church
Catholic Services of Macomb - RSVP
Eisenhower Elementary School
St. Vincent De Paul Sacred Heart Conference
Thomas Edison Elementary School

Kathy D. Vosburg

Carol Gillis
Sue Grimaudo
Anne Nicolazzo

Nancy Reinke
Darla Taravella
Michelle Wypiszewski

Friends of Chesterfield Library
Chesterfield Township Beautification Committee
American Cancer Society, Carehouse, Wigs4Kids, St. Baldrick's,
Explorers-Mounted Div.
Dean A. Naldrett Elementary School
Atwood Elementary School
Turning Point

RECYCLABLE PAPER



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June 7, 2011

TO: BOARD OF COMMISSIONERS

**FROM: DON BROWN, CHAIR
FINANCE COMMITTEE**

**RE: RECOMMENDATIONS FROM SPECIAL FINANCE COMMITTEE
MEETING OF JUNE 7, 2011**

At a special meeting of the Finance Committee, held Tuesday, June 7, 2011, the following recommendations were made and are being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY CARABELLI, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE REQUEST OF THE MACOMB COUNTY PROVIDER ALLIANCE (MCPA) AND APPROVE A TWO-YEAR EXEMPTION, FOR THE PERIOD SEPTEMBER 30, 2011 THROUGH OCTOBER 1, 2013, FROM THE REQUIREMENTS OF THE LIVING WAGE POLICY FOR ALL ORGANIZATIONS THAT ARE MEMBERS OF THE MCPA AND WHICH CONTRACT WITH MACOMB COUNTY COMMUNITY MENTAL HEALTH; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY VOSBURG, SUPPORTED BY SAUGER, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR WITH THE RECOMMENDATION OF CORPORATION COUNSEL REGARDING ATTORNEY/CLIENT PRIVILEGED MEMORANDUM DATED JUNE 6, 2011, CONTINGENT UPON PRESENTATION OF ADDITIONAL CONDITIONS; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED WITH CARABELLI VOTING "NO".**

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR BROWN, SUPPORTED BY VICE-CHAIR MILLER.

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RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

***SEE BELOW**

RESOLUTION TO concur in the request of the Macomb County Provider Alliance (MCPA) and approve a permanent exemption from the requirements of the Living Wage Policy for all organizations that are members of the MCPA and which contract with Macomb County Community Mental Health

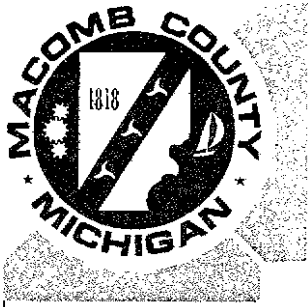
INTRODUCED BY Commissioner Don Brown, Chair, Finance Committee

***At the 6-7-11 meeting, the following friendly amendments were approved:**

Approve a two-year exemption for the period September 30, 2011 through October 1, 2013.

COMMITTEE/MEETING DATE

Finance	<u>06-07-11</u>
Full Board	<u>06-23-11</u>



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June 14, 2011

TO: BOARD OF COMMISSIONERS

**FROM: KATHY TOCCO, CHAIR
BOARD OPERATIONS COMMITTEE**

**RE: RECOMMENDATION FROM BOARD OPERATIONS
COMMITTEE MEETING OF JUNE 14, 2011**

At a meeting of the Board Operations Committee, held Tuesday, June 14, 2011, the following recommendation was made and is being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF ORDINANCES AND THE PRESERVATION AND INDEXING OF RESOLUTIONS; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. THE MOTION CARRIED.

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR TOCCO, SUPPORTED BY VICE-CHAIR CARABELLI.

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Bob Smith - District 12
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RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO adopt an ordinance to provide for the codification of ordinances and the preservation and indexing of resolutions

INTRODUCED BY: Kathy Tocco, Chair, Board Operations Committee

COMMITTEE/MEETING DATE

Board Operations 6-14-11

Full Board 6-23-11

DRAFT

DRAFT

DRAFT

**ENROLLED ORDINANCE
NO. 2011- 3**

INTRODUCED BY COMMISSIONER(S):

AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF ORDINANCES AND THE PRESERVATION AND INDEXING OF RESOLUTIONS.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CHARTER COUNTY OF MACOMB:

SECTION 1 Designation and Citation of Code

This codification of ordinances shall be known and cited as the "Code of Ordinances, County of Macomb, Michigan" or the "Macomb County Code".

SECTION 2 Definitions

In the construction of this Code and of all the ordinances of the county, the following definitions shall be observed, unless they are inconsistent with the intent of the commission or the context clearly requires otherwise:

Charter. The word "Charter" shall mean the Charter of the County of Macomb, Michigan adopted June 17, 2009 and shall include any amendment to such Charter.

Code. The expression "Code" or "this Code" shall mean the Code of Ordinances, County of Macomb, Michigan as designated in Section 1 and as modified by amendment, revision and by the adoption of new chapters, articles, divisions or sections.

Commission. The word "commission" shall mean the commission of the County of Macomb, Michigan as created by Charter section 4.1

County. The term "the county" or "this county" shall mean the County of Macomb in the state of Michigan.

County board of commissioners. The term "county board of commissioners" means the commission.

County executive. The term "county executive" means the chief executive officer as created by Charter section 3.1

SECTION 3 Codification

The Charter and all ordinances and resolutions of the Commission are adopted, enacted as, and entitled as the Code of Ordinances, County of Macomb, Michigan and shall be preserved and indexed. One book-form of the Code shall be certified as correct by the Macomb County

Clerk and kept at the Office of the Macomb County Clerk for review during normal County business hours.

All ordinances and resolutions enacted prior to January 1, 2011, which are inconsistent with any provision of the Code, are hereby repealed as of the effective date of this ordinance, except as follows:

A. The enactment of the Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment or prosecution for an act committed in violation of any such legislative provision. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

B. The repeal provided above shall not affect:

1. The grant or creation of a franchise, license, right, easement or privilege;
2. The purchase, sale, lease or transfer of property;
3. The appropriation or expenditure of money or promise or guarantee of payment;
4. The assumption of any contract or obligation;
5. The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
6. The levy or imposition of taxes, assessment or charges;

SECTION 4 Supplementation of Code

By contract or by county personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the commission. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission from reprinted pages.

When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:

1. Organize the ordinance material into appropriate subdivisions;
2. Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
3. Assign appropriate numbers to sections and other subdivisions to be inserted in the

Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

4. Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ;#rule; to ;#rule;" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and

5. Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

SECTION 5 Amendments to Code—Effect.

Any and all additions and amendments to this Code, when passed in such form as to indicate the intention of the commission to make the same a part of this Code, shall be deemed to be incorporated in this Code so that reference to the "Code of Ordinances, County of Macomb, Michigan," shall be understood and intended to include such additions and amendments.

SECTION 6 Amendment to Code—Manner.

All ordinances passed subsequent to the adoption of this Code that amend this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion in the Code. In the case of repealed chapters, sections, subsections, or parts of sections, the repealed portions may be excluded from the Code by omission from the affected reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new Code of Ordinances by the county commission.

SECTION 7 Amendment to Code—Language.

Amendments to any of the provisions of this Code should be made by amending such provisions by specific reference to the section of this Code in substantially the following language: "That section ;#rule; of the Code of Ordinances, County of Macomb, Michigan, is hereby amended to read as follows:(*Set out new provisions in full*)."

SECTION 8 Amendment to Code—New material.

If a new section is to be added to the Code, the following language may be used: "That the Code of Ordinances, County of Macomb, Michigan, is hereby amended by adding a section (or article, chapter or other designation as the case may be), to be numbered, ;#rule;, which reads as follows:(*Set out new provisions in full*)."

When the county commission desires to enact an ordinance of a general and permanent nature embracing a subject not previously existing in the Code, which the commission desires to incorporate into the Code, a provision in substantially the following language may be made part of such ordinance: "It is the intention of the county commission, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, County of Wayne, Michigan, and the sections of this ordinance may be renumbered to accomplish such intention."

DRAFT

DRAFT

DRAFT

SECTION 9 Amendment to Code—Repeal.

All sections, articles, chapters or other provisions of this Code desired to be repealed should be specifically repealed by section number, article number, chapter or other number, as the case may be.

SECTION 10 Severability

This ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses are declared to be severable and if any such part is declared invalid, the remaining portions of this ordinance shall be in full force and effect.

SECTION 12 Captions

Headings and captions used in this Code are employed for reference purposes only and shall not be deemed a part of the text of any section and do not limit the subject matter.

SECTION 13 Reference to other sections

Whenever in one section reference is made to another section of this Code, such reference shall extend and apply to the section referred to as subsequently amended, revised, recodified or renumbered, unless the subject matter is changed or materially altered by the amendment or revision.

SECTION 14 Immediate effect

This ordinance shall be effective immediately



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JUNE 16, 2011

TO: BOARD OF COMMISSIONERS

**FROM: JAMES CARABELLI AND DAVID FLYNN, CO-CHAIRS
ECONOMIC DEVELOPMENT COMMITTEE**

**RE: RECOMMENDATIONS FROM ECONOMIC DEVELOPMENT
COMMITTEE MEETING OF JUNE 16, 2011**

At a meeting of the Economic Development Committee, held Thursday, June 16, 2011, the following recommendations were made and are being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY MOCERI, SUPPORTED BY TOCCO, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE COUNTY OF MACOMB TO ACCEPT THE NICHOLSON NATURE CENTER TRUST FUND (\$275,000) GRANT FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES; \$70,000 (MATCH) FUNDS FROM PHILANTHROPIC DONATION BY JAMES B. AND ANN V. NICHOLSON AND \$205,000 (GRANT) FUNDS GRANTED BY MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND. FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY GRALEWSKI, SUPPORTED BY SMITH, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE AND AUTHORIZE THE BOARD CHAIR TO SIGN AND SUBMIT TO HUD: 1) THE 2011 CDBG ANNUAL PLAN FOR THE URBAN COUNTY OF MACOMB AND 2) THE 2011 HOME ANNUAL PLAN FOR THE MACOMB HOME CONSORTIUM. FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CO-CHAIRS CARABELLI AND FLYNN.

MACOMB COUNTY BOARD OF COMMISSIONERS

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Joe Sabatini - District 13

RESOLUTION NO. _____

FULL BOARD MEETING DATE:
AGENDA ITEM:

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorize the County of Macomb to accept the Nicholson Nature Center Trust Fund (\$275,000) Grant from the Michigan Department of Natural Resources

INTRODUCED BY: James Carabelli and David Flynn, Co-Chairs, Economic Development Committee

DESCRIPTION:

Michigan Department of Natural Resources Trust Fund

- \$ 70,000 (Match) funds from philanthropic donation by James B. and Ann V. Nicholson
- \$205,000 (Grant) funds granted by Michigan Department of Natural Resources Trust Fund

COMMITTEE/MEETING DATE

Econ. Dev. 6-16-11

Full Board 6-23-11

Approved

RESOLUTION NO. _____

FULL BOARD MEETING DATE:
AGENDA ITEM:

MACOMB COUNTY, MICHIGAN

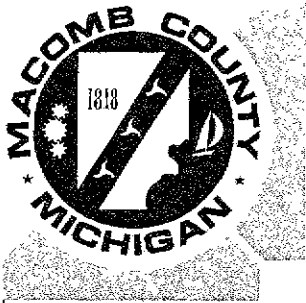
RESOLUTION TO: Approve and authorize the Board Chair to sign and submit to HUD, 1) the 2011 CDBG Annual Plan for the Urban County of Macomb, and 2) the 2011 HOME Annual Plan for the Macomb HOME Consortium

INTRODUCED BY: James Carabelli and David Flynn, Co-Chairs, Economic Development Committee

DESCRIPTION:

COMMITTEE/MEETING DATE

Econ. Dev. 6-16-11 Approved
Full Board 6-23-11



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June 21, 2011

TO: BOARD OF COMMISSIONERS

**FROM: DON BROWN, CHAIR
FINANCE COMMITTEE**

**RE: RECOMMENDATIONS FROM FINANCE COMMITTEE
MEETING OF JUNE 21, 2011**

At a meeting of the Finance Committee, held Tuesday, June 21, 2011, the following recommendations were made and are being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY FRASCHETTI, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT THE FISCAL YEAR 2011 GENERAL APPROPRIATIONS ORDINANCE RESTATING AND AMENDING THE FY 2011 BUDGET AND APPROPRIATIONS RESOLUTION, AS PROVIDED BY INDEPENDENT COUNSEL, AS AMENDED; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY FRASCHETTI, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE BUDGET AMENDMENTS AS SUBMITTED BY THE COUNTY EXECUTIVE, WITH ONE AMENDMENT: EQUALLY DISTRIBUTE THE AMOUNT FOR PROFESSIONAL SERVICES SO THE COMMISSION AND COUNTY EXECUTIVE WOULD EACH RECEIVE \$72,500; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.** (ROLL CALL VOTE: YES-BROWN, CARABELLI, DIMARIA, FLYNN, FRASCHETTI, GRALEWSKI, SABATINI, SMITH AND VOSBURG; NO-MILLER, MOCERI AND TOCCO)

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR BROWN, SUPPORTED BY VICE-CHAIR MILLER.

MACOMB COUNTY BOARD OF COMMISSIONERS

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RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO review and approve the proposed budget amendments to the original 2011 budget and the proposed Budget Ordinance for Fiscal Year 2011 as submitted by the County Executive

INTRODUCED BY: Don Brown, Chair, Finance Committee

The following amendments were made to the budget ordinance provided by Independent Counsel:

- 1) Correct section numbering
- 2) Include the figure of \$13,538,934 in Section 6, Use of Fund Balance
- 3) Add number 5 to Ordinance No.

COMMITTEE/MEETING DATE

Finance	<u>6-21-11</u>
Full Board	<u>6-23-11</u>

**BOARD OF COMMISSIONERS
COUNTY OF MACOMB**

Commissioner _____, supported by Commissioner _____, moved adoption of the following ordinance.

ORDINANCE NO. 5

FISCAL YEAR 2011 GENERAL APPROPRIATIONS ORDINANCE
RESTATING AND AMENDING THE FY 2011 BUDGET AND
APPROPRIATIONS RESOLUTION.

THE COUNTY OF MACOMB ORDAINS:

Section 1. Budget Resolution Continuation. Pursuant to Section 11.1 of the Home Rule Charter of Macomb County (the "Charter"), the appropriations within and the Fiscal Year 2011 Budget (the "FY 2011 Budget") that are on pages 20 and following and were approved by "FY 2011 General Appropriations Resolution" adopted by the Macomb County Board of Commissioners (the "Commission") on December 16, 2010, except to the extent specifically amended by this Exhibit A to this ordinance or any subsequent budget and appropriations amendments approved by the Commission, shall remain in effect.

Section 2. Tax Levies Continued. The tax levies approved by the FY 2011 General Appropriations Resolution shall remain in effect.

Section 3. Budget Amendments. The Budget Amendments attached as Exhibit A are incorporated by referenced and are approved.

Section 4. Change to Department of Roads. All references in the FY 2011 General Appropriations Resolution and FY 2011 Budget to the Macomb County Road Commission shall now mean the Macomb County Department of Roads.

Section 5. Reaffirmation of Sources and Uses of Funds.

A. \$27,515 to be generated in 2011 by Cigarette Tax Revenue as estimated by Michigan Department of Treasury is to be utilized in accordance with P.A. 264 as amended by P.A. 529 of 1998 as follows:

(1) \$19,422 or 12/17 is to be utilized by the Health Department for the funding of existing or new health related programs as outlined in Act 264.

(2) \$8,093 or 5/17ths is to be utilized in the Sheriff Department-Jail Operations.

B. \$1,888,081 to be generated in 2011 by Liquor Tax Revenue as estimated by Michigan Department of Treasury is to be utilized in accordance with 1985 PA 106, as amended, designating 50% to be used for Substance Abuse programs.

C. \$6,300,000 generated by the Delinquent Tax Revolving Fund is transferred to the General Fund in 2011.

D. \$1,000,000 generated by the Delinquent Tax Revolving Fund is transferred to the Capital Improvement Program.

E. \$1,335,000 generated by the Delinquent Tax Revolving Fund is transferred to the Capital Improvement Program to fund debt service payments as approved by the Macomb County Board of Commissioners on December 19, 1999.

F. \$16,385,000 available in the Revenue Sharing Reserve Fund and the designated annual amount allowable by the State Treasurer is transferred to the General Fund in 2011.

G. \$125,000 of drug forfeiture funds anticipated to be generated in 2011 through the Prosecuting Attorney's Office is designated for use for law enforcement supplies in combating illegal drug activities.

Section 6. Use of Fund Balance. \$13,538,934 of the County's accumulated surplus from prior budget years is transferred to the General Fund in 2011.

Section 7. Repeal. Remaining portions of the FY 2011 General Appropriations Resolution (page 1 through and including page 12) have been superseded by the Charter, are no longer appropriate under the Charter, or should be addressed by a general finance ordinance or policy. They are therefore repealed in their entirety.

Section 8. Effective Date. This ordinance shall become effective immediately upon publication of a notice of adoption as shown on Exhibit B.

YEAS: Commissioner(s) _____

NAYS: Commissioner(s) _____

ABSTAIN: Commissioner(s) _____

ABSENT: Commissioner(s) _____

Date: _____, 2011

Kathy D. Vosburg, Board Chair

Carmella Sabaugh, County Clerk

Adopted: _____, 2011

Notice Published: _____, 2011

Effective: _____, 2011

Exhibit A
[Budget Amendments by Line Item]

EXHIBIT B

COUNTY OF MACOMB

Ordinance No: _____

NOTICE OF ADOPTION OF ORDINANCE

The County of Macomb has adopted FISCAL YEAR 2011 GENERAL APPROPRIATIONS ORDINANCE RESTATING AND AMENDING THE FY 2011 BUDGET AND APPROPRIATIONS RESOLUTION. The ordinance shall be effective upon publication of this Notice of Adoption. A copy of the ordinance can be inspected or obtained from the Office of the County Clerk during normal business hours. An electronic version will be available on the Macomb County Website <http://www.macombcountymi.gov/finance/reportsdocuments.htm>.

RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO review and approve the proposed budget amendments to the original 2011 budget and the proposed Budget Ordinance for Fiscal Year 2011 as submitted by the County Executive

INTRODUCED BY: Don Brown, Chair, Finance Committee

The following amendment was made to the budget amendments:

AMENDMENT

A MOTION WAS MADE BY MOCERI, SUPPORTED BY FLYNN, TO AMEND THE BUDGET AND EQUALLY DISTRIBUTE THE AMOUNT FOR PROFESSIONAL SERVICES SO THE COMMISSION AND COUNTY EXECUTIVE WOULD EACH RECEIVE \$72,500. **THE MOTION CARRIED.**

COMMITTEE/MEETING DATE

<u>Finance</u>	<u>6-21-11</u>
<u>Full Board</u>	<u>6-23-11</u>

MACOMB COUNTY, MICHIGAN
Executive Budget Amendments
Revised June 21, 2011

	Original Budget	Amended Budget	Change	Description
Revenues				
Property Taxes	\$ 109,511,964	\$ 114,247,307	\$ 4,735,343	Adjustment to Property Tax Estimates
Public Works	964,966	1,719,567	754,601	Creation of a Waste Water Services Division. Public Works Commissioner has acquired a sanitary sewer system from the City of Detroit and also assists in the administration of the Oakland Macomb Interceptor Drain. Time and material will be billed to the member communities for the service that the Public Works employees will now be providing. There are some related expenditures involving this added responsibility. Please see the offsetting expenditures below. This is estimated to be a net gain in revenue to the county since many existing employees will perform additional duties and their time will be billed accordingly.
Other Charges for Services	2,386,858	2,444,858	58,000	Increase CCW photo fee for new jury system. Project approved by the Commission on 12/16/2010. Amount needs to be budgeted in fiscal year ending 12/31/2011.
Contribution from Other Funds	26,308,840	26,310,840	2,000	Contribution from DTE. This project will be used in the current year for the Green Schools Program. revenue needs to be budgeted in current year. See offsetting expenditure below.
Total change in Revenues			<u>\$ 5,549,944</u>	
Expenditures				
Commission: Operating Expenses	117,790	192,290	2,000 72,500	Green Schools Program. See the offsetting revenue above. Professional Services and outside council (for Commission)
Other Appropriations: Operating Expenses	1,693,788	1,783,979	50,000 40,191	Legislative Consulting Unused balance of transition funds. \$50,000 was approved by the Commission on 11/23/2010. Amount needs to be carried forward to fiscal year ending 12/31/2011. Project to be completed in 2011.
Corporation Counsel/Executive: Operating Expenses	851,261	923,781	72,500	Professional Services and Outside Counsel (for County Executive)
Jury Commission: Operating Expenses	72,156	116,121	43,965	New jury system. Approved by the Commission on 12/16/2010. Amount needs to be budgeted in fiscal year ending 12/31/2011. Project to be completed in 2011.
Capital Outlay	-	34,976	34,976	Hardware/Software for new jury system.
County Executive: Salary and Fringes	645,865	887,232	59,521 181,846	Transfer of Sheriff employee to County Executive Department. This item is cost neutral. Budget needed for the remainder of the fiscal year ending 12/31/2011.
Operating Expenses	36,442	59,126	22,684	Budget needed for the remainder of the fiscal year ending 12/31/2011.
Health and Community Services: Salary and Fringes	-	125,793	125,793	Charter requirement. Budget needed for the remainder of the fiscal year ending 12/31/2011.
Operating Expenses	-	19,100	19,100	Charter requirement. Budget needed for the remainder of the fiscal year ending 12/31/2011.

	Original Budget	Amended Budget	Change	Description
County Clerk:				
Operating Expenses	396,743	385,508	(10,941)	Transfer to Jury Commission for new jury system. Approved by the Commission on 12/16/2010. Amount needs to be budgeted in fiscal year ending 12/31/2011. Project to be completed in 2011.
			(294)	Transfer to Capital Outlay for Video Security System
Capital Outlay	-	14,674	14,674	New Clerk Security System approved by the Commission on 11/23/2010. Amount needs to be budgeted in fiscal year ending 12/31/2011. Project completed in 2011.
Risk Management:				
Operating Expenses	17,868	22,868	5,000	Balance of unused consulting fees for jail medical services RFP. Amount budgeted in fiscal year ending 12/31/2010. Unused amount needs to be carried over to fiscal year ending 12/31/2011. Bid process will be completed during 2011.
Register of Deeds:				
Operating Expenses	219,259	209,259	(10,000)	Transfer to Jury Commission for new jury system. Approved by the Commission on 12/16/2010. Amount needs to be budgeted in fiscal year ending 12/31/2011. Project to be completed in 2011.
Public Works:				
Salary and Fringes	4,292,533	4,665,136	372,603	Added expenditures for the creation of a Waste Water Services Division. Public Works Commissioner has acquired a sanitary sewer system from the City of Detroit and also assists in the administration of the Oakland Macomb Interceptor Drain. Time and material will be billed to the member communities for the service that the Public Work's employees will be providing. Please see the revenue above. This is estimated to be a net gain in revenue to the county since many existing employees will perform additional duties and their time will be billed accordingly.
Operating Expenses	258,780	277,938	19,158	
Information Technology:				
Operating Expenses	2,019,919	2,140,519	120,600	To carryover unspent funds budgeted in 2010 for upgrade to email system. Project expected to be completed in 2011.
Planning & Economic Development:				
Salary and Fringes	2,190,490	2,300,069	109,579	Transfer of Sheriff employee to Planning & Econ. Development Department. This item is cost neutral.
Sheriff Department:				
Salary and Fringes	47,938,072	47,768,972	(169,100)	Transfer of Sheriff Employees to County Executive and Planning & Econ. Development Departments. This item is cost neutral.
Total Change in Expenditures			<u>\$ 1,176,355</u>	
Net Effect of Budget Amendments			<u>\$ 4,373,589</u>	

MACOMB COUNTY, MICHIGAN
Budget Amendments
Submitted May 2011

Fund Balance- General Fund

Beginning Fund Balance at 1/1/2011 (as originally budgeted)	\$ 47,500,000
Utilization of fund balance (as originally budgeted)	(13,538,934)
Ending Fund Balance at 12/31/2011 (as originally budgeted)	33,961,066
Effect of Budget Amendments	4,373,589
Amended Ending Fund Balance at 12/31/2011	<u>\$ 38,334,655</u>

RECYCLABLE PAPER

Official Resolution of the Board of Commissioners
Macomb County, Michigan

**A Resolution in Support of SMART and
Its Efforts to Address Emerging Financial Issues,**

Commissioners Toni Mocerri, David J. Flynn and Kathy D. Vosburg,
On Behalf of the Board of Commissioners,
Offer the Following Resolution:

Whereas, SMART is the regional public transit provider serving 76 communities in southeast Michigan including all 27 communities in Macomb County; and

Whereas, SMART serves over 1,200 square miles and travels over 13 million miles annually, having the largest geographic service area in Michigan; and

Whereas, SMART provides over 12 million passenger trips per year; and

Whereas, SMART provides over one million rides annually to seniors and persons with disabilities; and

Whereas, the Gratiot Route serving Macomb County has more than 5,700 riders daily and is SMART's highest ridership route; and

Whereas, more than 63 percent of Macomb County passengers are using SMART to go to work; and

Whereas, SMART is the lowest funded transit system amongst the largest urban metro areas in the United States; and

Whereas, an efficient and thriving public transit system is critical to the development of the region; and

Whereas, SMART now receives 11 percent less revenue from the millage renewal due to reduced property tax revenue; and

Whereas, of the federal funding received, only 35 percent goes to SMART and 65 percent goes to DDOT.

Now, Therefore, Be It Resolved, By The Board Of Commissioners, Speaking For And On Behalf Of All County Citizens As Follows:

I

That By These Presents, the Macomb County Board of Commissioners supports SMART and its efforts to address emerging financial issues; and, therefore calls for the adoption of an equitable funding formula that maximizes the capturing of federal transit funding for southeast Michigan.

II

Be It Further Resolved, the Board of Commissioners urges the Governor and Michigan legislature to take action in support of such legislation in the Michigan House of Representatives and Michigan Senate and further that a copy of this adopted resolution be transmitted to the Governor, and Macomb, Oakland and Wayne County state delegations.

Official Resolution of the Board of Commissioners
Macomb County, Michigan

A Resolution in Support of the Creation of a Regional Transit Authority

Commissioners Toni Mocerri and David J. Flynn,
On Behalf of the Board of Commissioners,
Offer the Following Resolution:

Whereas, southeast Michigan is the largest region in the U.S. without high capacity rapid transit service in place or in development, which requires SMART and DDOT to run less cost-effective bus routes; and

Whereas, the southeast Michigan region spends \$75 per capita annually on transit services, while the average of the top 25 metropolitan regions is \$184 per capita annually; and

Whereas, the American Public Transportation Association projects that every \$1 spent on public transit projects generates an average of \$6 in local economic activity; and

Whereas, by 2015, nearly a half-million people aged 65 and older in Metropolitan Detroit will live in communities where public transportation service is either poor or non-existent; and

Whereas, working families earning between \$20,000 and \$50,000 are estimated to spend almost 30 percent of their household income on transportation, which is more than housing. Michigan's difficult economic times call for investment in mass transit; and

Whereas, establishing a Regional Transit Authority (RTA) allows for the capturing of federal and state funding, building projects and network expansion into other counties. The creation of an RTA is essential to following federal guidelines for developing regional transit systems; and

Whereas, southeast Michigan must demonstrate a willingness and ability to cooperate across communities to create and implement regional transit plans as well as develop reliable funding systems; and

Whereas, forming an RTA provides much-needed infrastructure funding along with cooperation among Michigan's most populous area; and

Now, Therefore, Be It Resolved, By The Board Of Commissioners, Speaking For And On Behalf Of All County Citizens As Follows:

I

Be it resolved, the Macomb County Board of Commissioners calls on both the executive and legislative elected bodies of the City of Detroit, Macomb, Oakland and Wayne County to support the establishment of a Regional Transit Authority; and calls on the Governor and the Michigan legislature to take action to ensure passage of all necessary, related legislation in the Michigan House of Representatives and Michigan Senate.

II

Be It Further Resolved, that a copy of this adopted resolution be transmitted to the Governor, and City of Detroit, Macomb, Oakland, and Wayne County governing bodies and state delegations.