



# BOARD OF COMMISSIONERS

1 S. Main St., 9<sup>th</sup> Floor  
Mount Clemens, Michigan 48043  
586.469.5125 ~ Fax: 586.469.5993  
www.macombBOC.com

## BOARD OF COMMISSIONERS

### REGULAR SESSION

THURSDAY, NOVEMBER 20, 2014, 7 P.M.

### FINAL AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Invocation by **Commissioner Bob Smith**
5. Adoption of Agenda, **AS AMENDED, TO INCLUDE #11**
6. Approval of Minutes dated 10-16-14 and 11-13-14 **(previously distributed)**
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. Correspondence from Executive **(none)**
9. Presentation of Proclamation to Rosemary Ireland Black, PanCAN (Pancreatic Cancer Action Network)
10. **COMMITTEE REPORTS:**
  - a) Finance, November 19 **(page 1)** **(attached)**

## MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair  
District 4

Kathy Tocco – Vice Chair  
District 11

Mike Boyle – Sergeant-At-Arms  
District 10

Toni Mocerì – District 1  
Don Brown – District 7

Marvin Sauger – District 2  
Kathy Vosburg – District 8

Veronica Klinefelt – District 3  
Fred Miller – District 9

Robert Mijac - District 5  
Bob Smith – District 12

James Carabelli – District 6  
Joe Sabatini – District 13

11. Item Waived by Finance Committee Chair:
  - a) Contract with Watchguard Video to Purchase and Install In-Car Video System for 53 Patrol Vehicles and Approve Transfer of Funds/Sheriff (\$329,648) (page 15) **(attached)**
12. **PROCLAMATIONS:**
  - a) Recognizing November as Pancreatic Cancer Awareness Month in Macomb County (offered by Board Chair) (page 33) **(attached)**
13. **RESOLUTIONS:**
  - a) Supporting Macomb County's Proposal to Request MDOT's Transportation Economic Development Fund for Executive Drive in Harrison Township (offered by Carabelli and Vosburg; include Miller; recommended by Finance Committee on 11-19-14) (page 34) **(attached)**
  - b) Amending the Complete Streets Policy (offered by Board Chair; recommended by Finance Committee on 11-19-14; previously provided at committee meeting)
  - c) Urging Detroit Institute of Art (DIA) to Implement Accountability Procedures to Provide Greater Transparency for Senior Executive Compensation (offered by Commissioners Mijac and Klinefelt; postponed at 11-19-14 Finance Committee meeting) (page 36) **(attached)**
14. Board Chair's Report (page 42) **(attached)**
15. Follow-up Information on Martha T. Berry
16. New Business
17. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)
18. Roll Call
19. Adjournment



# BOARD OF COMMISSIONERS

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**November 19, 2014**

**TO: BOARD OF COMMISSIONERS**  
**FROM: FRED MILLER, CHAIR, FINANCE COMMITTEE**  
**RE: RECOMMENDATIONS FROM FINANCE COMMITTEE MEETING OF 11-19-14**

At a meeting of the Finance Committee, held Wednesday, November 19, 2014, the following recommendations were made and are being forwarded to the November 20, 2014 Full Board meeting for approval:

**1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Mocerri, supported by Flynn, to recommend that the Board of Commissioners adopt an Ordinance amending Section 2 of the Macomb County Employees Retirement System Ordinance; 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 Brown, supported by Carabelli, to recommend that the Board of Commissioners approve the Michigan Department of Transportation contract outlining scope of work and funding for paving of 34 Mile Road from Campground to Fisher Road in Bruce Township at an estimated cost of \$2,501,500; 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.**

**3. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Sabatini, supported by Carabelli, to recommend that the Board of Commissioners approve the cost share agreement between the Macomb County Department of Roads and Macomb Township for the resurfacing of 24 Mile Road from Springdale to Foss at an estimated total cost of \$3,067,545; 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.**

**MACOMB COUNTY BOARD OF COMMISSIONERS**

- |  |   |  |                           |                              |
|--|---|--|---------------------------|------------------------------|
| David J. Flynn – Board Chair<br>District 4 | Kathy Tocco – Vice Chair<br>District 11 | Mike Boyle – Sergeant-At-Arms<br>District 10 |                           |                              |
| Toni Mocerri – District 1                  | Marvin Sauger – District 2              | Veronica Klinefelt – District 3              | Robert Mijac - District 5 | James Carabelli – District 6 |
| Don Brown – District 7                     | Kathy Vosburg – District 8              | Fred Miller – District 9                     | Bob Smith – District 12   | Joe Sabatini – District 13   |

**4. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Carabelli, supported by Flynn, to recommend that the Board of Commissioners approve the modified AIA contract (A-133-2009) between the County of Macomb and Clark Construction Company in the amount of \$2,586,443 for construction management services for the Downtown Campus Plan; 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 KLINEFELT AND VOSBURG VOTING “NO.”**

**5. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Mijac, supported by Sauger, to recommend that the Board of Commissioners approve a contract between the County of Macomb and the low qualified bidder, Bernco, Inc., in the amount of \$895,000 for the interior demolition – County Building; funds for this project are available in the Capital Budget; 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 KLINEFELT AND VOSBURG VOTING “NO.”**

**6. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Brown, supported by Carabelli, to recommend that the Board of Commissioners approve contract between the County of Macomb and the low qualified bidder, Global Green Services Group, in the amount of \$334,000, for the hazardous materials removal for the interior demolition – County Building; funds for this project are available in the Capital Budget; 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 KLINEFELT VOTING “NO.”**

**7. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Tocco, supported by Klinefelt, to recommend that the Board of Commissioners concur in the recommendation of the Macomb County Executive and the Human Resources and Labor Relations Department and approve ratification of a 2015 wage re-opener, as tentatively agreed to and ratified by the membership of the following bargaining groups: Building Trades Association, Macomb County Environmental Health Association, MCPDSA-Correction Officers, Michigan Nurses Association, POAM-Juvenile Justice Center, POLC-Captains/Jail Administrator/Chief of Staff, Teamsters Local #214 (Circuit Court/FOC), Teamsters Local #214 (Court Reporters), TPOAM (Family Court and Juvenile Justice employees), UAW Local 412-Unit 39 (General), UAW Local 412-Unit 46 (Assistant Prosecutors), UAW Local 412-Unit 49 (IT), UAW Local 412-Unit 75 (Supervisors), UAW Local 412-Unit 95 (Corporation Counsel), UAW Local 412-Unit 98 (Head Start professionals) and UAW Local 889; 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 BROWN, SABATINI AND VOSBURG VOTING “NO.”**

**8. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Tocco, supported by Boyle, to recommend that the Board of Commissioners authorize the County Executive to make necessary budget amendments to the 2014 and 2015 budgets, in the amount not to exceed \$1,899,717, to allow for the payment of the December 2014 proposed lump sum distributions for union and non-union employees as outlined in a November 18, 2014 memo from the interim Finance Director; further, this budget action addresses budgetary issues only. It does not constitute the Commission's approval of any County contract. If a contract requires Commission approval under the County's Contracting Policy or the County's Procurement Ordinance, such approval must be sought separately; 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 BROWN, SABATINI AND VOSBURG VOTING "NO."**

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

**BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN**

**ENROLLED ORDINANCE  
No: 2014-\_\_**

**ORDINANCE AMENDING SECTION 2 OF THE MACOMB COUNTY EMPLOYEES  
RETIREMENT SYSTEM ORDINANCE**

Section 1. Amendment. Section 2 of the Macomb County Employees Retirement System Ordinance is amended to read as follows:

**DEFINITIONS**

Section 2. The following words and phrases as used in this Ordinance, unless a different meaning is clearly required by the context, shall have the following meanings:

(1) "Accumulated contributions" means the sum of all amounts deducted from the compensations of a member or paid in and credited to his/her individual account in the employees savings fund, together with regular interest thereon.

(2) "Beneficiary" means any person, except a retirant, who is in receipt of, or who is designated to receive, a retirement allowance, pension, or other benefit, payable by the Retirement System.

(3) "Compensation" means the salary or wages paid a member by the County for personal services rendered by him/her to the County, including cost of living allowance, longevity, sick leave, annual leave, overtime, holidays, retroactive wages, court time, per diem, commissioner special pays, shift leader pay, beeper pay, stand by pay, Martha T. Berry and Youth Home special pay and marine law pay. A member's annual compensation in excess of \$200,000 (as adjusted from time to time by the Internal Revenue Service) shall not be considered for purposes of calculating a member's retirement allowance under the Retirement System.

For purposes of applying the limitations on benefits in Section 51, compensation shall include elective deferrals as defined in Code Section 402(g)(3) and any amount which is contributed or deferred by the County at the request of the Employee and which is not includible in the gross income of the employee by reason of Code Section 125, 132(f)(4) or 457.

In addition to other applicable limitations set forth in the Retirement System, and notwithstanding any other provision of the Retirement System to the contrary, for Retirement System fiscal years beginning on or after January 1, 1994, the annual compensation of each member taken into account under the Retirement System shall not exceed the OBRA '93 annual compensation limit. The OBRA '93 annual compensation limit is \$150,000, as adjusted by the Commissioner for increases in the cost of living in accordance with Code Section 401(a)(17)(B). The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the OBRA '93 annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For Retirement System fiscal years beginning on or after January 1, 1994, any reference in this Retirement System to the limitation under Code Section 401(a)(17) shall mean the OBRA '93 annual compensation limit set forth in this provision.

If compensation for any prior determination period is taken into account in determining a member's benefits accruing in the current fiscal year of the Retirement System, the compensation for that prior determination period is subject to the OBRA '93 annual compensation limit in effect for that prior determination period. For this purpose, for determination periods beginning before the first day of the first fiscal year of the Retirement System beginning on or after January 1, 1994, the OBRA '93 annual compensation limit is \$150,000.

(4) "County" means the County of Macomb, State of Michigan, and shall include the Macomb County Road Commission, [the Human Services Board and the Martha T. Berry Medical Care Facility](#).

(5) "County pension" means an annual amount, derived from money provided by the County, payable in equal monthly installments throughout the future life of a person, or for a temporary period as provided in this Ordinance.

(6) "County pension reserve" means the present value of all payments to be made on account of any County pension. The County pension reserve shall be computed upon the basis of such mortality and other tables of experience, and regular interest, as the Retirement Commission shall from time to time adopt.

(7) "Credited service" means service standing to a member's credit to the extent provided in this Ordinance.

(8) "Employee" means any person who is in the employ of the County and who is paid by the County 25 percent or more of all remuneration received by him/her for personal services rendered by him/her to all governmental units.

An employee includes judges of the Circuit Court, District Court and Probate Court employed by the County, based on the portion of his/her annual judicial salary attributable to the County.

[An employee also includes persons employed at the Martha T. Berry Medical Care Facility regardless of whether or not that facility or the Human Services Board that supervises and operates that facility has a separate federal employer identification number.](#)

For purposes of crediting service rendered, employees shall be considered as either of two classes:

(a) Full-time employees are those whose appointments are to positions normally requiring 37.5 hours or more per week.

(b) Part-time employees are those persons whose appointments are to a position normally requiring 1,000 hours or more per year but less than 37.5 hours per week.

(9) "Employee pension" or "annuity" means an annual amount, derived from a member's accumulated contribution, payable in equal monthly installments throughout the future life of a person, or for a temporary period as provided in this Ordinance.

(10) "Employee pension reserve" or "annuity reserve" means the present value of all payments to be made on account of any employee pension or annuity. The employee pension reserve or annuity reserve shall be computed upon the basis of such mortality tables and regular interest as the Retirement Commission shall from time to time adopt.

(11) "Final average compensation" means the average of the highest annual compensations received by a member during a period of four consecutive years of his/her credited service contained within his/her ten years of credited service immediately preceding the date his/her employment by the County last terminates. If he/she has less than five years of credited service, his/her final average compensation shall be the average of his/her annual compensation for his/her total period of credited service, provided, however, that the final average compensation of a member who is a Circuit Court Judge, District Court Judge or Probate Judge, when combined with the member's final salary under the Probate Judges' Retirement System or the Judges' Retirement System shall not exceed the member's total annual judicial salary, payable from all State and County sources, at the time of the member's retirement.

(12) "Final compensation" means a member's annual compensation, which includes cost of living allowance, longevity, sick leave, annual leave, overtime, holidays, retroactive wages, court time, per diem, commissioner special pays, shift leader pay, beeper pay, stand by pay, Martha T. Berry and Youth Home special pay and marine law pay, at the time he/she last terminates his/her employment with the County.

(13) "Member" means any person included in the membership of the Retirement System.

(14)"Regular interest" means such rate or rates of interest per annum, compounded annually, as the Retirement Commission shall from time to time adopt, subject to the approval of the County Board of Commissioners.

(15)"Retirant" means any member who retires with a retirement allowance payable by the Retirement System.

(16)"Retirement" means a member's withdrawal from the employ of the County with a retirement allowance paid by the Retirement System.

(17)"Retirement allowance" means the sum of the employee pension and County pension payable to a retirant or beneficiary.

(18)"Retirement Commission" or "Commission" means the Retirement Commission created in this Ordinance.

(19)"Retirement System" or "System" means the Macomb County Employees Retirement System established effective May 1, 1946.

(20)"Service" means personal service rendered to the County.

(21)"Worker's compensation period" means the period a person is in receipt of worker's compensation on account of a member's disability or death arising out of and in the course of his/her County employment. If the said person is paid a single sum in lieu of his/her future worker's compensation, his/her "worker's compensation period" shall be the period, if any, he/she was in receipt of weekly worker's compensation, plus the period arrived at by dividing the said single sum by his/her weekly worker's compensation award.

(22)Words of the plural number with respect to persons shall include the singular number, and vice versa.

Section 2. Effective Date. This ordinance shall become effective immediately upon publication of a notice of enactment.

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DAVID FLYNN, Board Chair

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CARMELLA SABAUGH, County Clerk

GRAPIDS 57771-1 342856v2





# MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

## RESOLUTION

Resolution to:
<p>Approve the MDOT Contract outlining scope of work and funding for paving of 34 Mile Road from Campground to Fisher Road at an estimated cost of \$2,501,500.</p>

Introduced By:
<p>Commissioner James Carabelli, Infrastructure Committee</p>

Additional Background Information (If Needed):
<p>After federal funds are applied, DOR and Ray Township will split the remaining balance of \$454,000. This is budgeted for 2014-2015 FY.</p> <p style="margin-top: 100px;">*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR</p>

<p>Infrastructure Committee</p>	<p><b>11/18/2014</b> (meeting cancelled) Meeting Date</p>
<p>Finance*</p>	<p>11-19-14</p>
<p>Full Board</p>	<p>11-20-14</p>



## MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

### RESOLUTION

Resolution to:
Approve the cost share agreement between the Macomb County Department of Roads and Macomb Township for the resurfacing of 24 Mile Road from Springdale to Foss at an estimated total cost of \$3,067,545.

Introduced By:
Commissioner James Carabelli, Infrastructure Committee

Additional Background Information (If Needed):
<p>This project is budgeted in the 2014 Construction Schedule and cost sharing has been previously agreed upon by the Dept of Roads and the Township.</p> <p>*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR</p>

Infrastructure Committee	11/18/2014 (meeting cancelled) Meeting Date
Finance*	11-19-14
Full Board	11-20-14



# MACOMB COUNTY, MICHIGAN

**Resolution Number:**

**Full Board Meeting Date:**

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## RESOLUTION

**Resolution to:**

Approve the modified AIA Contract (A-133-2009) Between the County of Macomb and Clark Construction Company in the amount of \*\$2,586,443.00 for Construction Management Services for the Downtown Campus Plan.

\*See Plante Moran Cresa Letter of Recommendation regarding Project Guaranteed Maximum Price (Attachment E)

**Introduced By:**

Jim Carabelli, Chair, Infrastructure Committee

**Additional Background Information (If Needed):**

- Attachment A - Modified AIA Contract (A-133-2009)
- Attachment B - Scope of Services (Plante Moran Cresa)
- Attachment C - Bid Tabulation (Purchasing Department)
- Attachment D - Construction Manager Comparison Analysis - Final Rankings (Plante Moran Cresa)  
Construction Manager Criteria Selection Process (Plante Moran Cresa)
- Attachment E - Letter of Recommendation for Construction Manager Services for Central Campus Renovations (Plante Moran Cresa)
- Attachment F - Proposal - Clark Construction Company

\*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR

Committee	Meeting Date
Finance*	11-19-14
Full Board	11-20-14



# MACOMB COUNTY, MICHIGAN

**Resolution Number:**

**Full Board Meeting Date:**

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## RESOLUTION

**Resolution to:**

Authorization to enter into a Contract Between the County of Macomb and the low qualified Bidder, Bernco, Inc., in the amount of \$895,000 for the Interior Demolition - County Building. Funds for this Project are available in the Capital Budget.

**Introduced By:**

James Carabelli, Chair, Infrastructure Committee

**Additional Background Information (If Needed):**

Purchasing Department solicited Bids on the MITN Site. 655 Vendors received the notification of the solicitation and 53 Vendors viewed the documents. 5 sealed Bids were received and publicly read by the Purchasing Department on November 6, 2014.

\*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR

**Committee**

**Meeting Date**

Finance\*

11-19-14

Full Board

11-20-14



# MACOMB COUNTY, MICHIGAN

**Resolution Number:**

**Full Board Meeting Date:**

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## RESOLUTION

**Resolution to:**

Authorization to enter into a Contract Between the County of Macomb and the low qualified Bidder, Global Green Services Group, in the amount of \$334,000 for the Hazardous Materials Removal for the Interior Demolition - County Building. Funds for this Project are available in the Capital Budget.

**Introduced By:**

Jim Carabelli, Chair, Infrastructure Committee

**Additional Background Information (If Needed):**

Purchasing Department solicited Bids on the MITN Site. 213 Vendors received the notification of the solicitation and 31 Vendors viewed the documents. 5 Bids were received and publicly read by the Purchasing Department on November 6, 2014.

\*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR

**Committee**

**Meeting Date**

Finance\*

11-19-14

Full Board

11-20-14



## MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

### RESOLUTION

Resolution to:
<p>Recommend on behalf of the Macomb County Executive and the Human Resources and Labor Relations Department, that the Macomb County Board of Commissioners ratify a 2015 Wage Re-opener, as tentatively agreed to and ratified by the membership of the following bargaining groups:</p>

Introduced By:
<p>Fred Miller, Chair, Finance Committee                      Finance 11-19-14</p>

Additional Background Information (If Needed):
<p>Building Trades Association  Macomb County Environmental Health Association  MCPDSA – Correction Officers  Michigan Nurses Association  POAM – Juvenile Justice Center  POLC - Captains/Jail Administrator/Chief of Staff  Teamsters Local #214 - Circuit Court/FOC  Teamsters Local #214 – Court Reporters  TPOAM – Family Court &amp; Juvenile Justice Employees  UAW Local 412, Unit 39 – General  UAW Local 412, Unit 46 – Assistant Prosecutors  UAW Local 412, Unit 49 – IT  UAW Local 412, Unit 75 – Supervisors  UAW Local 412, Unit 95 – Corporation Counsel  UAW Local 412, Unit 98 – Head Start Professionals  UAW Local 889</p> <p style="text-align: center;">(Additional information continued on next page)</p>

Committee	Meeting Date
Finance	11-19-14
Full Board	11-20-14

The Parties have reached a tentative settlement on a 2015 Wage Re-opener and agree to amend the January 1, 2014 through December 31, 2016 Collective Bargaining Agreement as follows:

Lump Sum Payment - A \$1,000 lump sum payment will be paid to each full-time employee, including DROP participants on December 19, 2014. The previously agreed to lump sum payment of \$500 to be paid each employee, including DROP participants on the first regular paycheck in 2015 is eliminated and will not be paid as a result of this amendment.

Wage Adjustment - 0%



# MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

## RESOLUTION

Resolution to:
<p>Authorize the County Executive to make necessary budget amendments to the 2014 and 2015 budgets to allow for the payment of the December 2014 proposed lump sum distributions for union and non-union employees as outlined in the attached memo from the Interim Finance Director.</p> <p>*Further, this budget action addresses budgetary issues only. It does not constitute the Commission's approval of any County contract. If a contract requires Commission approval under the County's Contracting Policy or the County's Procurement Ordinance, such approval must be sought separately.</p> <p>*(This language was added by Finance Committee Chair Miller.)</p>

Introduced By:
Fred Miller, Chair, Finance Committee

Additional Background Information (If Needed):
<p>See the attached memo from the Interim Finance Director</p>

Committee	Meeting Date
Finance	11-19-14
Full Board	11-20-14





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## Macomb County Executive Mark A. Hackel

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Mark F. Deldin  
Deputy County Executive

To: David Flynn, Board Chair

From: Pamela J. Lavers, Assistant County Executive

Date: October 31, 2014

**RE: Agenda Item – Sheriff, In-Car Video Camera Project**

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Attached you will find documentation and a resolution from Sheriff Wickersham, to approve the contract with Watchguard Video in the amount of \$317,032 to purchase and install an In-Car Video System for 53 Sheriff's patrol vehicles and approve the transfer of funds from the Contract Services Budget category to the Capital Outlay Budget within the Sheriff's Department General Fund Budget in the amount of \$329,648.

The additional \$12,616 will be utilized to pay for the cost of final equipment connections installed by the I.T. Department.

The Executive Office respectfully submits this agenda item for the Commission's consideration and recommends approval of the Watchguard Video contract as stated above.

PJL/smf

cc: Anthony Wickersham  
Brenda Baker



# MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

## RESOLUTION

### Resolution to:

Approve the contract with Watchguard Video in the amount of \$317,032.00 to purchase and install an In-Car Video System for 53 Sheriff's patrol vehicles and approve the transfer of funds from the Contract Services Budget category to the category Capital Outlay Budget within the Sheriff's Department General Fund Budget in the amount of \$329,648.00.

The additional \$12,616.00 will be utilized to pay for the cost of final equipment connections (firewalls and maintenance, etc.) installed by the County I.T. Department.

### Introduced By:

Sheriff Anthony M. Wickersham

### Additional Background Information (If Needed):

The funds will be used to replace an antiquated system that can no longer be repaired. The cost for the in-car video camera system is \$317,032.00 through Watchguard. The cost for final equipment connections (firewalls and maintenance, etc.) installed by the County I.T. Department is \$12,616.00. Total cost of the project is \$329,648.00. Funds are available in the Contract Services line-item due to favorable experience in jail medical expenses in 2014.

\*WAIVED TO FULL BOARD BY FINANCE COMMITTEE CHAIR

Committee	Meeting Date
Justice and Public Safety	11-10-14
Full Board*	11-20-14



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# ANTHONY M. WICKERSHAM

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## OFFICE OF THE SHERIFF

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Kent B. Lagerquist  
UNDERSHERIFF

October 29, 2014

*Date*

Office of County Executive  
County of Macomb  
One South Main, 8<sup>th</sup> Floor  
Mount Clemens, MI 48043

Macomb County Sheriff's Office  
REQUEST APPROVAL / ADOPTION OF  
In-Car Video Camera Project

**SUBJECT:**

Adopt a resolution to approve a contract with Watchguard Video to purchase an In-Car Video Camera System and to approve the transfer of funds within the Sheriff's Budget. Total cost of this project is \$329,647.84.

**IT IS RECOMMENDED THAT THE EXECUTIVE SUBMIT TO THE BOARD:**

A resolution to approve the contract with Watchguard Video for the purchase of an In-Car Video System and to transfer funds in the amount of \$330,000 from the Contract Services Budget category to the Capital Outlay Budget category within the Sheriff Department General Fund Budget.

**PURPOSE / JUSTIFICATION:**

The purpose of the recommended action is to purchase an In-Car Video Camera System for fifty-three (53) patrol vehicles. The current system is antiquated and parts are no longer available to repair it. As a result, several vehicles have no video system.

The acquisition of this in-car video system will provide Sheriff's patrol with equipment to capture, transfer, store and manage patrol video. This much needed equipment will serve the current need for overall transparency for Sheriff's operations, liability issues, officer safety, as well as FOIA requests.

**FISCAL IMPACT / FINANCING:**

Funds are available in the Sheriff's Budget.

It will provide funding for an in-car video camera project furnished by Watchguard at a cost of \$317,032 as well as \$12,615.84 to cover the cost of firewall and firewall maintenance supplied by the County I.T. Department. The total cost of this project is \$329,647.84.

This transfer will not have any negative impact on the overall Sheriff's regular budget.

**FACTS AND PROVISION / LEGAL REQUIREMENTS:**

An RFP for this project was initiated through purchasing. The RFP was developed through consultation with the County's IT Department, Technical Services, Sheriff's Office personnel and an evaluation of the Sheriff's Office needs.

In-Car Video camera records video used for evidentiary purposes in criminal prosecution and investigations. This in-car video camera system will meet the need in an efficient manner.

**CONTRACTING PROCESS:**

Four proposals were received. Watchguard was the lowest bidder that met the criteria. It is recommended that Watchguard be selected to furnish all equipment and services to provide the in-car video camera system. The County IT Department will be responsible for the firewall connection and firewall maintenance.

**IMPACT ON CURRENT SERVICES (PROJECTS):**

This project will provide for a much more efficient in-car camera system. Its technology is compatible with current IT systems, yet provides for future expansion. It will greatly enhance the ability to capture, retrieve and store mobile data.

Respectfully submitted,

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*Signature*

Macomb County Sheriff's Office

**ANTHONY M. WICKERSHAM****OFFICE OF THE SHERIFF**

Kent B. Lagerquist  
UNDERSHERIFF

October 29, 2014

Mark Deldin, Deputy County Executive  
Macomb County Executive Offices  
1 South Main, 8<sup>th</sup> Floor  
Mt. Clemens, Michigan 48043

RE: In-Car Video Cameras

Dear Mr. Deldin:

Pursuant to purchasing guidelines, an RFP went out for bid on purchasing in-car cameras to equip Sheriff Patrol vehicles. This acquisition is much needed equipment to satisfy the current trend for transparency for the Sheriff operations, liability issues, officer safety, as well as FOIA requests.

Four vendors submitted bids for this project. Their bids are attached. Based upon the in-car camera needs of the Sheriff's Office and the quotes submitted, Watchguard was the lowest bidder that met the criteria. It is the recommendation of the Sheriff's Office that the bid proposal of \$317,032.00 by Watchguard be selected to furnish all equipment and services to provide the in-car camera system. The County I.T. Department will provide firewall equipment and maintenance at a cost of \$12,615.84. The total cost of the project is \$329,647.84.

The source of funding will be a transfer of funds from the Contract Services Budget category to the Capital Outlay Budget category within the Sheriff's Department General Fund Budget in the amount of \$330,000.

Respectfully,

A handwritten signature in black ink that reads "Anthony M. Wickersham".

Anthony M. Wickersham  
Macomb County Sheriff

gs



## MACOMB COUNTY PURCHASING BID TABULATIONS

**Date:** 9/18/2014  
**Time:** 10:00 a.m.

**Bid Item:** 62-14  
**Name:** In Car Video Camera

**Dept:** Sheriff

<b>BIDDER'S NAME →</b>	WatchGuardVideo	Kustom Signals	Coban Technlogies	L-3 Comm Mobile	Digital Alley	
<b>Bidder's Address</b>	415 Century Pky Allen TX 75013	9625 Loiret Blvd. Lenexa KS 66219	11375 W SamHstn Houston TX 77031	90 Fanny Rd Ste 2 Boonton NJ 07005	9705 Loiret Blvd Lenexa KS 66219	
<i>Macomb County Vendor</i>	NO	N/A	NO	NO	NO	
<i>Acknowledgement of Addenda</i>	N/A	N/A	N/A	N/A	N/A	
<b>DESCRIPTION ↓</b>						
<b>BASE BID</b>	\$ 317,032.00	NO BID	\$ 387,891.00	\$ 433,749.00	\$ 233,670.00	
<b>Voluntary Alternatives:</b>						
1)			\$ 367,183.00			
2)			EDGE SD			
3)			Alternate Price			
4)						



# CONTRACT REVIEW ROUTING FORM

ORIGINATING DEPARTMENT INFORMATION		
Department Leader: <b>Sheriff Wickersham</b>	Department: <b>Macomb County Sheriff</b>	Date: <b>10/29/2014</b>
Contract Contact Person: <b>Capt. Brenda Baker</b>	Contact Phone Number: <b>(586) 307-9335</b>	NOTE: Contracts are returned interoffice mail unless specified below: <input checked="" type="checkbox"/> Call <b>Capt. Baker</b> for Pick Up: # <b>586-307-9335</b>

CONTACT / PROGRAM INFORMATION	
Contract / Program Title: <b>In-Car Video Camera Project</b>	GRANT <input type="checkbox"/> AWARD <input type="checkbox"/> Funded Return By Date:

DEPARTMENT ROUTING & AUTHORIZATIONS
NOTES:

**1. RISK & CONTRACT MANAGEMENT -**

Approved  
 Approved with changes  
 Rejected

RETURN TO  
REQUESTING DEPARTMENT

*J. J. Anderson* \_\_\_\_\_ 10/29/14  
 Authorized Signature Date

Department Received Stamp: **RECEIVED**  
 OCT 29 2014  
 Risk Management & Safety

**2. FINANCE DEPARTMENT -**

Approved  
 Approved with changes  
 Rejected

RETURN TO  
RISK & CONTRACT MANAGEMENT

*Steve Al* \_\_\_\_\_ 10-30-14  
 Authorized Signature Date

Department Received Stamp: **RECEIVED**  
 OCT 30 2014  
 MACOMB COUNTY FINANCE

**3. OFFICE OF CORPORATION COUNSEL -**

Approved  
 Approved with changes  
 Rejected

RETURN TO  
RISK & CONTRACT MANAGEMENT

*John Bishop* \_\_\_\_\_ 30 OCTOBER 2014  
 Authorized Signature Date

Department Received Stamp: **RECEIVED**  
 OCT 30 2014  
 CORPORATION COUNSEL

**4. OFFICE OF COUNTY EXECUTIVE -**

Approved  
 BOC Review Required  
 Approved with changes  
 Rejected

RETURN TO  
RISK & CONTRACT MANAGEMENT

*Paul Deere* \_\_\_\_\_ 10-31-14  
 Authorized Signature Date

Department Received Stamp: **EXECUTIVE OFFICE**  
 OCT 30 2014  
**RECEIVED**



# CONTRACT REVIEW ROUTING FORM

ORIGINATING DEPARTMENT INFORMATION			
Department Leader: <b>Sheriff Wickersham</b>	Department: <b>Macomb County Sheriff</b>	Date: <b>10/29/2014</b>	
Contract Contact Person: <b>Capt. Brenda Baker</b>	Contact Phone Number: <b>(586) 307-9335</b>	NOTE: Contracts are returned interoffice mail unless specified below: <input checked="" type="checkbox"/> Call <b>Capt. Baker</b> for Pick Up: # <b>586-307-9335</b>	

CONTACT / PROGRAM INFORMATION			
Contract / Program Title: <b>In-Car Video Camera Project</b>			GRANT <input type="checkbox"/> AWARD (County Recipient) <input type="checkbox"/> Funded (Program)
Vendor Number (if known):	Vendor Name: <b>Watchguard Video</b>		Vendor Disclosure Form Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> IFAS <input type="checkbox"/> No (N/A)
Original Contract Amount: <b>\$ 317,032.00</b>	Amendment Amount: <b>\$</b>	Total Amended Contract Amount: <b>\$ 317,032.00</b>	Funding Source - Org Key / Object - (if known): <b>Contract Services</b>
Contract Begin Date:	Amendment Date:	Contract End Date:	Targeted Committee Date:
<input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Amendment	If Renewal or Amendment, what terms have changed (if any):		Amendment Number:
Contract Bid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If not bid out, please explain:	Lowest Bid: If not lowest bid, please explain: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Lowest bidder fulfilling Sheriff's need for In-Car Video System</b>	
Bid Number: <b>62-14</b>	How many bidders responded? <b>4</b>	Winning bidder Macomb County Entity: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - Explain: <b>Allen, Texas</b>	

Contract / Program Synopsis:


This In-Car Video Camera Project will provide the Sheriff's Office with the equipment to capture, transfer, store and manage patrol video.

OTHER CONTRACT INFORMATION
<input type="checkbox"/> <b>CONTRACT REQUIRES SIGNATURE OF COUNTY EXECUTIVE ONLY. DESIGNEE SIGNATURE WILL NOT BE ACCEPTED.</b>

**PLEASE CHECK APPROPRIATE ITEM BELOW (IF APPLICABLE):**

- 1. AWARDED A CONTRACT OF \$35,000 OR MORE FOR SERVICES, SUPPLIES, MATERIALS, EQUIPMENT OR REAL ESTATE.
- 2. AWARDED A CONTRACT OF \$100,000 OR MORE FOR CONSTRUCTION.
- 3. AWARDED A CONTRACT MODIFICATION EXCEEDING 10% OF THE ORIGINAL APPROVED CONTRACT AMOUNT.
- 4. AWARDED A CONTRACT THAT EXCEEDS 5 YEARS IN LENGTH.
- 5. EMPLOYER PAID FRINGE BENEFITS.
- 6. COLLECTIVE BARGAINING AGREEMENTS.
- 7. INTERGOVERNMENTAL AGREEMENTS AS DEFINED BY CHARTER SECTION 3.1.



	<p style="text-align: right;">Services Agreement V1.4 Page   1</p>
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**Date:** October 29, 2014

**Service Provider:**

Enforcement Video, LLC (dba WatchGuard Video) a corporation incorporated in the state of Texas

**Client:**

County of Macomb  
Mt. Clemens, Michigan

**Principal Address of Service Provider:**

415 Century Parkway  
Allen, Texas 75013

**Telephone Number:** (866) 325-2836

**WatchGuard Video Federal Tax**

**Identification Number:**

11-3717781

Founded in 2002, WatchGuard Video has become the worldwide leader of law enforcement in-car video systems.

**Captain Brenda Baker** on behalf of itself and its affiliates (collectively and individually, "Macomb County Sheriff's Office") and Service Provider ("WatchGuard Video") agree to enter into this Services Agreement (the "Agreement") in accordance with the terms and conditions set forth, and with a proposal totaling \$317,032.00 incorporated herein by reference, as follows:

**1. Term.** The Agreement shall commence upon the Effective Date and shall expire <October 29, 2016> unless earlier terminated pursuant to Section 11. In no event will the term of this Agreement extend beyond two (2) years from the date of this Agreement unless extended by the parties by mutual written agreement.

**2. Scope of Work.** Service Provider will perform certain services and provide deliverables for Macomb County Sheriff's Office as described in the Statement of Work attached hereto as Schedule 1 (the "Initial Services"). During the term of this Agreement, Macomb County Sheriff's Office may request Service Provider to perform additional services which shall be outlined in an additional description of services acknowledged by both parties (e.g., through confirmatory email chain). Such additional Statement(s) of Work (the "Additional Services") shall be subject to the terms and conditions of this Agreement, in addition to any additional terms and conditions set forth in such Statement(s) of Work (collectively, "this Agreement".) The Initial Services and Additional Services, if any, shall be referred to collectively in this Agreement as the "Services". All Schedules and Exhibits attached hereto are hereby incorporated by this reference.

**3. Agency Provided Services and equipment.** Macomb County Sheriff's Office May choose to perform certain tasks or provide equipment needed to complete the agreed upon Scope of work. These services shall be described in the Statement of Work attached hereto as Schedule 1 (the "Initial Services") and detailed in Appendix A to Schedule 1. Macomb County Sheriff's Office acknowledges that these tasks or equipment are required and the Agency's failure to preform or deliver these tasks may result in additional costs and or delays.

**4. Fees.** Macomb County Sheriff's Office will pay Service Provider those fees and expenses, if

 <p><b>WATCH GUARD</b> DIGITAL IN CAR VIDEO</p>	<p>Services Agreement V1.4 Page   2</p>
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any, in the amount and on the terms and conditions described in Schedule 1 for the performance of the Initial Services. In the event the parties agree to any Additional Services, the fee arrangement for the Additional Services shall be outlined in the applicable Statement of Work descriptions if different than the Initial Services.

**5. Manner of Performance/Warranties.**

(a) Service Provider represents and warrants that it and Service Provider's employees and authorized subcontractors performing Services hereunder (i) have the requisite expertise, ability and legal right to render the Services and will perform the Services in an efficient and timely manner; (ii) will abide by all laws, rules and regulations that apply to the performance of the Services, including applicable requirements regarding equal employment opportunity and (iii) its performance of the Services will not violate or in any way infringe any patent, trademark, copyright or other proprietary interest of any third party.


(b) Service Provider shall maintain accurate and complete records specifically relating to the Services in accordance with generally accepted accounting principles and industry practices and retain such records for a period of one (1) year following the completion of the Services. Macomb County Sheriff's Office may audit such records during normal business hours upon prior notice to Service Provider.

**6. Confidentiality.** In the course of performing the Services, it is anticipated that Service Provider will learn of information that Macomb County Sheriff's Office regards as confidential or proprietary, including but not limited to, the nature of services, evidence and data relating to evidence, personally identifiable information, pricing, costs, know-how, strategies, programs, processes, and practices and confidential and proprietary information Macomb County Sheriff's Office receives from third parties (collectively, "Confidential Information"). WatchGuard shall hold such Confidential Information in strictest confidence and shall exercise at least the same degree of care as it uses with its own most valuable information (but in no event less than reasonable care) to safeguard the confidentiality of the Confidential Information; and except as provided in this Agreement, the Confidential Information shall not be used, duplicated or in any way disclosed to others in whole or in part without the prior express written permission of Disclosing Party.

**7. Independent Contractor.** Service Provider is an independent contractor, not an employee or agent of Macomb County Sheriff's Office. Nothing in this Agreement shall render Service Provider, or any of its employees, subcontractors or agents, an employee, subcontractor or agent of Macomb County Sheriff's Office, nor authorize or empower Service Provider or its employees, subcontractors or agents to speak for, represent or obligate Macomb County Sheriff's Office in any way. Service Provider assumes any and all liabilities regarding Section 1706 of the Tax Reform Act of 1986 and Section 414(n) of the Internal Revenue Code of 1986, as amended.

**8. Indemnification.**

(a) Service Provider shall indemnify and hold harmless Macomb County Sheriff's Office, and its controlling persons, directors, officers, employees, agents and customers and those of its affiliates (collectively, "Macomb County Sheriff's Office") from and against any and all losses, expenses, claims, actions, lawsuits and judgments thereon (including reasonable attorneys' fees and costs of litigation) ("Claims"), arising out of or in connection with any act or omission by

	<p style="text-align: right;">Services Agreement V1.4 Page   3</p>
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Service Provider, its employees or subcontractors in the performance of any Services provided under the terms of this Agreement, including without limitation any Claim that any of the Services infringed a patent, copyright, trademark or other proprietary interest of any third party, except to the extent any Claim results from any acts of negligence or willful misconduct by Macomb County Sheriff's Office.

(b) Macomb County Sheriff's Office shall indemnify and hold harmless Service Provider, and its controlling persons, directors, officers, employees, agents and its affiliates (collectively, "Service Provider") from and against any and all losses, expenses, claims, actions, lawsuits and judgments thereon (including reasonable attorneys' fees and costs of litigation) ("Claims"), arising out of or in connection with any act or omission by Macomb County Sheriff's Office, its employees or subcontractors in the performance of any terms of this Agreement, including without limitation any Claim that any of the Services infringed a patent, copyright, trademark or other proprietary interest of any third party, except to the extent any Claim results from any acts of negligence or willful misconduct by Service Provider.

(c) Notice. Each party shall promptly notify the other of any Claims that may be presented to it by any person or entity. No settlement which prevents Macomb County Sheriff's Office from continuing to use the Services or Work Product shall be made without Macomb County Sheriff's Office's prior written consent. In all events, Macomb County Sheriff's Office shall have the right to participate in the defense of any suit or proceeding through counsel of its own choosing Provider.

**9. Insurance.** Service Provider shall procure and maintain in full force and effect during the period that this Agreement is in effect with an insurance company a standard General Liability insurance policy including errors and omissions protecting against any loss, liability or expense due to bodily injury, death or property damage arising out of this Agreement or Services delivered hereunder, to the extent such loss, liability or expense is not due to the negligence of Macomb County Sheriff's Office. Such policy shall have a combined single limit of a minimum of one Million dollars (\$1,000,000.00). Contractor shall provide such evidence of insurance to Macomb County Sheriff's Office upon request.

**10. Remedies.** Service Provider will promptly re-perform any Services not performed in accordance with the representations and warranties set forth in this Agreement at no additional expense to Macomb County Sheriff's Office to correct any non-conformance to Macomb County Sheriff's Office's reasonable satisfaction. If Service Provider is unable within a reasonable time to comply with the foregoing obligations, Service Provider will refund to Macomb County Sheriff's Office the lesser of (a) the amount paid for the non-conforming Services or (b) the last amount paid for the last invoice submitted to Macomb County Sheriff's Office. The remedies set forth in this paragraph are non-exclusive.

#### **11. Termination.**

(a) Macomb County Sheriff's Office may terminate this Agreement effective the day of notice by giving Service Provider written notice of termination if Service Provider: (i) breaches any of its obligations, representations or warranties hereunder; or (ii) is placed on the List of Excluded Individuals/Entities or is banned from Government contracts by the General Services Administration.

(b) If Macomb County Sheriff's Office determines that it no longer requires the services of Service Provider, it may terminate this Agreement by giving Service Provider fifteen (15) days written notice and agree to pay reasonable project ramp down fees not to exceed the total invoiced billings over the last 7 calendar days prior to termination notice.

(c) In the event this Agreement or any Schedule is terminated by Macomb County Sheriff's Office without cause prior to expiration of the term of this Agreement, or as set forth in any Schedule, Service Provider shall (i) immediately stop all work and upon Macomb County Sheriff's Office request, if applicable, transfer the project as expeditiously as possible; and (ii) not undertake further work, incur additional expenses, or enter into further commitments. Service Provider shall be entitled to all undisputed payments due and owing under this Agreement at the time of any termination notice, for (i) work completed and accepted by Macomb County Sheriff's Office, (ii) work in progress up to the provisions in section 10b, and (iii) non-cancelable commitments with supporting documentation.

**12. General.**

(a) In the event of the actual or threatened breach of any of the terms of this Agreement, Macomb County Sheriff's Office will have the right to specific performance and injunctive relief. The rights granted by this paragraph are in addition to all other remedies and rights available at law or in equity.

(b) No assignment by Service Provider of this Agreement or any sums due under it will be binding on Macomb County Sheriff's Office without Macomb County Sheriff's Office prior written consent.


(c) This Agreement shall be construed according with the laws of the State of Texas.


(d) None of the terms of this Agreement shall be amended or changed, except in writing signed by an authorized representative of each party, or as amended via confirmatory email chain from both parties.


(e) Unless otherwise provided with a list of names of authorized representatives, a representative from either party engaging in an email chain, regarding the Services covered under this Agreement while using an official email address from their respected Party's email domain, is representing themselves as having the authority to make the claims, responses, or requests will be considered an authorized representative.

(f) This Agreement, including all Schedules, Exhibits and any description of Additional Services signed/acknowledged by both parties, contain the entire agreement between the parties relating to the Services and supersede all prior oral or written agreements and understandings between the parties.

<b>ENFORCEMENT VIDEO, LLC dba WATCHGUARD VIDEO</b>	<b>Macomb County Sheriff's Office</b>

	Services Agreement V1.4 Page   5
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By:  _____ (Signature)	By: _____ (Signature)
Printed Name: Jason Stuczynski	Printed Name:
Title: Vice President of Sales	Title:

	Statement of Work Schedule 1 V1.4 Page   1
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**Schedule 1  
Initial Services Statement of Work**

Under the terms and conditions of the Services Agreement dated <Effective Date> by and between Service Provider and Macomb County Sheriff's Office, the Service Provider shall provide and deliver the Initial Services and Deliverables set forth below.

**Provided Services:**

WatchGuard Video will provide to Macomb County Sheriff's Office services resulting in the successful and satisfactory installation and configuration of the WatchGuard Video 4RE Digital In-Car Video system and Evidence Library software. Table 1 lists the work required to complete a successful installation. The "Appendix A Reference Number" column represents the line item in which each party is responsible. If an "X" is listed under the "WGV" column then WatchGuard Video is responsible for that particular task. If an "X" is listed under the "Agency" column, then Macomb County Sheriff's Office is responsible for that particular task. Detail descriptions of each major section (indicated by Bold Text) are included in Appendix A which is incorporated by reference.

Table 1. Work Breakdown Structure

<b>Appendix A Reference Number</b>	<b>WGV</b>	<b>Agency</b>	<b>Short Description (See Appendix A for details on each item)</b>
SVR-01		X	<b>Installation of server in Equipment Rack</b>
SVR-02		X	Provide a suitable Rack
SVR-03		X	Mounting or Racking the Server
SVR-04		X	Connecting the server ( Power (connector), KVM, Network Cabling and switches, JBOD, UPS )
SVR-05	X		<b>Provide a physical or Virtual Server that meets the specified Server Requirements</b>
SVR-06	X		<b>Installation and configuration of Windows Operating System and disk storage systems</b>
SVR-07	X		Provide Operating System License
SVR-08	X		Install and configure Operating System (Includes current patches)
SVR-09	X		Setup and preform backups
SVR-10	X		Setup recommended disk configuration
SVR-11	X		Install and configure Team Viewer (for remote access)
AP-01	X		<b>Access Point installations</b>
AP-02	X		Cabling AP to server
AP-03	X		Mounting the Access Points
AP-04	X		Lightning Protection
AP-05	X		<b>Programming all access points and in-car client radios</b>
AP-06	X		Provide Access points that meet AP requirements
AP-07	X		Configure Wireless Access Points
AP-08	X		Configure in-car Wireless Radios
AP-09	N/A	N/A	Configure in-car Radios as DHCP server (if using MDC app)

	<b>Statement of Work Schedule 1</b> <b>V1.4</b> <b>Page   2</b>
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SQL-01	X		<b>Installation of Microsoft SQL Server</b>
SQL-02	X		Provide SQL Server Licenses
SQL-03	X		Install and configure SQL Server
SQL-04	X		SQL Backup and Maintenance plan
SQL-05	X		Setup SQL Instance (if shared database server),
<b>Installing and configuration of Evidence Library</b>			
EL-01	X		Install and configure Base Software
EL-02	X		Configure DVR Settings and policies
EL-03	X		Add Security Groups
EL-04		X	Install and configure Upload Servers (if used)
EL-05	N/A	N/A	
EL-06	X		<b>Installation of Evidence Library Clients on Agency's computers</b>
EL-07		X	Provide client computers that meet client Hardware and Software requirements.
EL-08		X	Connect computers to Agency Network and Active Directory Domain
EL-09		X	Install Evidence Library Client Software
<b>Configuring available 4RE DVR units</b>			
4RE-01	X		Create Configuration USB
4RE-02	X		Configure Each DVR as installs are completed
4RE-03	X		Change DVR IP configuration (if required)
4RE-04	N/A	N/A	
4RE-05	N/A	N/A	<b>MDC Application (if required)</b>
4RE-06	N/A	N/A	Provide client computers that meet client Hardware and Software requirements for the MDC Application.
4RE-07	N/A	N/A	Install and configure MDC application on each computer.
4RE-08	N/A	N/A	Setup or configure in-car network for DVR to Computer connectivity which includes modifying Computer policy systems (i.e. NetMotion)
4RE-09	X		<b>4RE System In-Car Installation</b>
<b>Finish Testing Function of WatchGuard system</b>			
TEST-01	X		Complete Test checklist
TEST-02	X		
<b>Training</b>			
TRAIN-01	X		4RE DVR Installation Training
TRAIN-02	X		4RE End User Training (Officers)
TRAIN-03	X		Evidence Library User Training (Officers/Supervisors)
TRAIN-04	X		Evidence Library Administrative Training
TRAIN-05	X		

## SOLUTION COST BREAKDOWN

### REQUIRED ITEMS

These items were specified in the request for bids and/or are required for system operation.

Item #	Description	Qty.	Unit Price	Extended Price
<b>IN-CAR HARDWARE</b>				
1	4RE HIGH DEFINITION IN-CAR VIDEO SYSTEM <i>Includes:</i> HD Zoom Front Camera Separate Back Seat Camera Integrated GPS Crash detection DVR with integrated 64GB solid state drive 16GB USB drive 4.3" touch screen remote display control panel Cabin microphone Hi-Fi Wireless microphone kit All mounting hardware and cabling and accessories needed for installation 1-Year warranty on ALL in-car components (See Warranty and Maintenance section) Shipping and Handling	53	\$4,399.00	\$233,147.00
2	4RE IN-CAR 802.11n WIRELESS KIT, 5GHz <i>Includes: Radio, Antenna, PoE, 2-10' Ethernet Cables)</i>	53	\$180.00	\$9,540.00
<b>In-Car Hardware Total</b>				<b>\$242,687.00</b>
<b>BACK OFFICE SOFTWARE AND HARDWARE</b>				
<i>Server hardware and access points may be purchased from WatchGuard Video, or procured separately. If the County wishes to provide their own hardware these hardware costs may be removed.</i>				
3	4RE SERVER SOFTWARE, EL3 <i>Includes: 5 Client and 1 year of Software Protection.</i>	1	\$4,995.00	\$4,995.00
4	4RE CLIENT SOFTWARE, EL3, ADDITIONAL COPIES		\$75.00	\$0.00
5	SOFTWARE CAL, SQL SERVER 2008 R2, 1CAL		\$90.00	\$0.00
6	SOFTWARE CAL, SQL SERVER 2008 R2, 5CALs		\$410.00	\$0.00
7	4RE UPLOAD SERVER, TOWER 1-5 CONCURRENT CARS <i>(5TB, Win 7, Keyboard, Monitor, Mouse, w/SQL Server 1CAL)</i>	4	\$3,490.00	\$13,960.00
8	4RE SERVER, 16-35 CONCURRENT CARS <i>(w/Win Server and SQL Server 5 CAL)</i>	1	\$7,935.00	\$7,935.00
9	VIDEO STORAGE HARD DRIVE, 4TB	7	\$490.00	\$3,430.00
10	WIFI ACCESS POINT, 802.11n, 5GHz, SECTOR <i>Includes PoE</i>	12	\$250.00	\$3,000.00
<b>Back Office Software and Hardware Total</b>				<b>\$33,320.00</b>
<b>EXTENDED WARRANTIES AND MAINTENANCE</b>				
11	WARRANTY, 4RE, IN-CAR, 2ND YEAR (MONTHS 13-24)	53	\$100.00	Included
12	WARRANTY, 4RE, IN-CAR, 3RD YEAR (MONTHS 25-36)	53	\$200.00	Included
13	WARRANTY, 4RE, IN-CAR, 4TH YEAR (MONTHS 37-48)		\$325.00	\$0.00
14	WARRANTY, 4RE, IN-CAR, 5TH YEAR (MONTHS 49-60)		\$450.00	\$0.00
15	SOFTWARE PROTECTION, EL, ADDL. 2ND YEAR (PER 4RE)		\$95.00	\$0.00
16	SOFTWARE PROTECTION, EL, ADDL. 3RD YEAR (PER 4RE)		\$95.00	\$0.00
17	SOFTWARE PROTECTION, EL, ADDL. 4TH YEAR (PER 4RE)		\$95.00	\$0.00
18	SOFTWARE PROTECTION, EL, ADDL. 5TH YEAR (PER 4RE)		\$95.00	\$0.00
<b>Extended Warranties and Maintenance Total</b>				<b>\$0.00</b>



IMPLEMENTATION SERVICES				
19	4RE SYSTEM INSTALLATION, IN-CAR (PER UNIT) <i>Does not include removal of current systems. Removal can be quoted separately.</i>	53	\$425.00	\$22,525.00
20	4RE ACCESS POINT INSTALLATION <i>Price is not to exceed \$1,000.00 per access point. Work may be performed by the agency or an agency subcontractor. If WatchGuard Video does not perform this service, this cost can be removed.</i>	12	\$1,000.00	\$12,000.00
21	SYSTEM CONFIGURATION <i>Includes: Configuration services per location WG Technical Services on-site installing and configuring Evidence Library, Remote Client, and SQL database Programming all access points and available DVR units End-to-end system testing Training for: in-car hardware end users, back office software users, and system administrators</i>	1	\$2,500.00	\$2,500.00
22	SYSTEM CONFIGURATION, ADDITIONAL <i>Includes: Configuration services for remote locations Programming all access points and available DVR units End-to-end system testing Training for: in-car hardware end users, back office software users, and system administrators</i>	4	\$1,000.00	\$4,000.00
<b>Implementation Services Total</b>				<b>\$41,025.00</b>
<b>4RE SOLUTION TOTAL</b>				<b>\$317,032.00</b>

### OPTIONAL ITEMS

These items were specified in the bid as optional items or desired features. These are not essential for system operation, but may be purchased, if desired.

Item #	Description	Qty.	Unit Price	Extended Price
<b>IN-CAR HARDWARE</b>				
1	4RE MOBILE APPLICATION	53	\$50.00	\$2,650.00
2	4RE, POWER OVER ETHERNET / GIGABIT 4-PORT SWITCH	53	\$150.00	\$7,950.00
3	RADAR INTERFACE CABLE	53	\$75.00	\$3,975.00
4	WATCH COMMANDER LIVE VIDEO STREAMING APPLICATION	1	\$2,500.00	\$2,500.00
5	WATCH COMMANDER LICENSE FEE, PER VEHICLE	53	\$250.00	\$13,250.00
6	DVD ROBOT, PRIMERA BRAVO 4101, 100 DISC CAPACITY	1	\$2,995.00	\$2,995.00



Date	Quote #	Quoted By
10/26/14	AAAQ16756	Mike Peterson

**Quoted To:** Macomb County Government

**Contact:** David King

**Address:** 117 S. Groesbeck Hwy

**City, State, Zip:** Mt. Clemens MI 48043

Sequris Group helps organizations manage IT risk while maximizing business performance. Make us part of your team with:

- o Q|FRAME: Quantifiable Information Security Framework
- o SEQ|OPS Platform: Quantifiable Security Operations
- o Q|SDA: Security Device Analysis
- o Q|VSR: Vulnerability Scanning and Reporting
- o Q|SIM: Security Information Management
- o Q|EVT: Event Response Team
- o Q|SOC: Security Operations Center
- o Q|PSC: Implementation of Best-in-Class Information Security Technology

Qty	Part Number	Description	Unit Price	Ext. Price
7	CPAP-SG1120-FW	1120 Appliances with 5 blades suite, Wired	\$501.66	\$3,511.62
1	CPES-SS-STANDARD	Check Point Software Subscription + Standard Support	\$404.22	\$404.22
1	SG_PROSERVICE	Sequris Q PSC - Professional Service - configure, install and test (7) CP 1120 appliances based on development of Scope of Work	\$4,500.00	\$4,500.00
12	SG_QSOC_SILVER	Sequris Q SOC Silver - 12x5 Co-Managed Support Services for (7) CP 1120 appliances	\$350.00	\$4,200.00
			SubTotal	\$12,615.84
			Sales Tax	\$0.00
			Shipping	\$0.00
			<b>Total</b>	<b>\$12,615.84</b>

**Additional Notes:**

*Pricing is valid for a period of 30 days unless otherwise expressly noted. All product sales are final and non-returnable, and are covered only by any applicable manufacturer's warranty. Sequris Group specifically disclaims any and all warranties, express or implied, with regard to any licensed products.*

1071 N. Campbell Rd. Royal Oak, MI 48067 Direct 248.837.1414 Fax 248.837.1401  
 Email: mpeterson@sequrigroup.com

Page  
1

Official Resolution of the Board of Commissioners  
Macomb County, Michigan

**A Proclamation Recognizing November as Pancreatic Cancer  
Awareness Month in Macomb County**

Chairman Dave Flynn, on Behalf of the Board of Commissioners,  
Offers the Following Resolution:

WHEREAS in 2014, an estimated 44,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and

WHEREAS pancreatic cancer is one of the deadliest cancers and is the fourth leading cause of cancer death in the United States; and

WHEREAS when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 75 percent of pancreatic cancer patients die within the first year of their diagnosis while 73 percent of pancreatic cancer patients die within the first five years; and

WHEREAS by 2030 the number of new pancreatic cancer cases will increase by 2-fold and the number of deaths will increase by 2.4-fold; and

WHEREAS it is the ninth most common cancer diagnosis of women and the eleventh most common cancer diagnosis for men; and

WHEREAS in January of 2013 the Recalcitrant Cancer Research Act was signed into law calling for scientific strategic plans to battle pancreatic and lung cancer be created; and

WHEREAS for every \$1 donated to the Pancreatic Cancer Action Network \$9.93 in subsequent funding has gone to support pancreatic cancer studies; and

WHEREAS the Pancreatic Cancer Action Network and its affiliates in Michigan support those patients currently battling pancreatic cancer, as well as those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS the good health and well-being of the residents of Macomb County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

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 hereby designates the month of November 2014 “Pancreatic Cancer Awareness Month” in Macomb County.

**II**

BE IT FURTHER RESOLVED that a suitable copy of this proclamation will be transmitted to the Pancreatic Cancer Action Network.

**2014 RESOLUTION NO. \_\_\_\_\_**

*Official Resolution of the Board of Commissioners  
Macomb County, Michigan*

**Resolution Supporting Macomb County's Proposal To Request  
MDOT's Transportation Economic Development Fund (TEDF)  
For Executive Drive In Harrison Township**

**Commissioner James Carabelli, Supported by Commissioner Kathy Vosburg and  
Commissioner Fred Miller on Behalf of the Board of Commissioners,  
Offers the Following Resolution:**

WHEREAS, Macomb County is submitting a proposal to request Michigan Department of Transportation (MDOT) Transportation Economic Development Fund (TEDF) Category A funding to reconstruct Executive Drive in Harrison Township; and

WHEREAS, MDOT's TEDF was established by Public Act 231 of 1987 to promote increased economic potential and improve the quality of life through the support of manufacturing job creation and retention in Michigan; and

WHEREAS, Category A funding is available for economic development road projects to improve the network of highway services essential to economic competitiveness, improve accessibility to target industries as a catalyst for economic growth, support private initiatives that create or retain jobs, and encourage economic development and redevelopment efforts that improve the health, safety, and welfare of Michigan citizens; and

WHEREAS, Michigan's TEDF will fund 80 percent of the construction costs related to fixing Executive Drive, and Macomb County will fund 20 percent; and

WHEREAS, Macomb County has the right-of-way of Executive Drive in Harrison Township, and therefore receipt of TEDF funding will bring more dollars to Macomb County; and

WHEREAS, among other businesses, Executive Drive serves Yanfeng USA Automotive Trim Systems Inc. (Yanfeng USA), an interior automotive components business that currently support Chrysler and GM, and has been operational in the Macomb County since 2010, with two facilities in Harrison Township and City of Warren; and

WHEREAS, Yanfeng USA Automotive Trim Systems, Inc. is a wholly-owned subsidiary of Yanfeng Visteon Automotive Trim System Co., Ltd. which is headquartered in Shanghai, China, and had over \$7.2 billion in sales in 2012; and

WHEREAS, Yanfeng USA will **be investing over \$51 million** to the Harrison Township facility, and will also be **creating 519 new jobs and retaining 130 jobs** and the TEDF will be a critical incentive to assist in the company's expansion in Macomb County; and

WHEREAS, Yanfeng USA is estimated to also **bring in over \$6 million in taxes to Macomb County and it's municipalities**; and

WHEREAS, on October 27, 2014, the Harrison Township Board of Trustees also adopted a resolution to support Macomb County's application for TEDF funding for Executive Drive; and

WHEREAS, the application to MDOT was due on November 5, 2014, but MDOT has allowed a late submission of this resolution to accommodate the Macomb County Board of Commissioner Committee meeting dates.

NOW THEREFORE BE IT RESOLVED that Macomb County Board of Commissioners support Macomb County's proposal to request MDOT's TEDF to improve Executive Drive in Harrison Township.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to Michigan Department of Transportation - Urban Project Development Specialist Vincent Ranger, Macomb County Office of County Executive, Macomb County Department of Roads, Macomb County Planning and Economic Development, Harrison Township Board of Trustees, and Michigan Economic Development Corporation.

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James Carabelli  
Macomb County Commissioner, District 6

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Kathy Vosburg  
Macomb County Commissioner, District 8

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Fred Miller  
Macomb County Commissioner, District 9

*Passed at <Date> Full Board Meeting*

**2014 RESOLUTION NO. \_\_\_\_\_**

*Official Resolution of the Board of Commissioners  
Macomb County, Michigan*

**Resolution Urging DIA To Implement Accountability Procedures  
To Provide Greater Transparency For Senior Executive Compensation**

**Commissioner Robert Mijac and Commissioner Veronica Klinefelt  
on Behalf of the Board of Commissioners,  
Offer the Following Resolution:**

WHEREAS, in August 2012, the residents of Macomb County approved a millage, along with Wayne and Oakland County, to support the Detroit Institute of Art (DIA); and

WHEREAS, based on each county's 2013 apportionment report, the three counties collected approximately \$22.5 million (Macomb = \$4.8 million; Wayne = \$7.9 million; Oakland = \$9.8 million) through the 2013 DIA millage [Note: DIA's 2013 Audited Financial Statements indicates a contribution of only \$11.5 million since the fiscal year for the DIA ends on June 30, 2013]; and

WHEREAS, based on the latest census reporting 330,596 Macomb County households, the 2013 average annual contribution of a Macomb County household was approximately \$15; and

WHEREAS, the Macomb County Board of Commissioners also recognizes that the tri-county millage subsidizes approximately 70 percent of the operating revenue of the DIA; and

WHEREAS, based on such significant subsidy from taxpayers, compensation of DIA's senior executives should be evaluated with prudence and frugality and follow standards of other taxpayer funded entities; and

WHEREAS, since 2008, property values have declined significantly in Macomb County and local government organizations and other taxpayer funded entities have taken considerable concessions in compensation and benefits; and

WHEREAS, even Macomb County employees have taken significant decreases to their compensation through dock days, sustained pay cuts, taken on increased work load with no increase in base salaries since 2007; and

WHEREAS, the compensation increase for the DIA's senior executives was offered during the same time as discussions were happening regarding the intervention of a State appointed Emergency Manager to the City of Detroit; and

WHEREAS, the Plan for the Adjustment of debts of the City of Detroit includes \$816 million, offered by the DIA supporters and the State of Michigan, to be used for the benefit of the

pensioners of the City of Detroit in exchange to preserve the DIA's art collection and allow the DIA to separate from the City of Detroit, however, the compensation increases were given at an inopportune time; and

WHEREAS, Chairman of the DIA Board of Directors issued a memo to the members of the county art authorities, members of the county board of commissioners, and executives of the three counties on November 4, 2014, to clarify information on the compensation increases.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners urges the DIA to implement the following accountability procedures to provide greater transparency for senior executive compensation:

1. The DIA Compensation Commission should be cognizant of the financial condition of the communities paying the millage.
2. Compensation decisions for senior executives should be reviewed and approved with representatives of the Macomb County Art Institute Authority County, Oakland County Art Institute Authority, and Wayne County Art Institute Authority before being implemented.
3. Any modifications to DIA compensation policies and procedures should be reviewed with representatives of the Macomb County Art Institute Authority County, Oakland County Art Institute Authority, and Wayne County Art Institute Authority before being implemented.

BE IT FURTHER RESOLVED that Macomb County Board of Commissioners urges the Macomb County Art Institute Authority to implement the following measures to support the DIA's accountability procedures and provide greater transparency for senior executive compensation:

1. Consider rescinding the pay raises and bonuses.

In lieu of such consideration:

2. Recognizing the primary source of funding for the DIA is received from a public millage, the Macomb County Board of Commissioners requests that the DIA Compensation Commission consider placing a cap on the salaries of top executives of the DIA to be reviewed periodically with an emphasis on compensation increases consistent with the average increases of compensation of the communities paying for the millage and, remove the practice of compensation through bonuses.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to DIA's Board of Directors, Macomb County Art Institute Authority Board members, Oakland County Board of Commissioners, Wayne County Board of Commissioners, Macomb County State Legislative Delegation, and all Macomb County Elected Officials.

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Robert Mijac  
Macomb County Commissioner  
District 5

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Veronica Klinefelt  
Macomb County Commissioner  
District 3

*Passed at <Date> Full Board Meeting*



**2014 RESOLUTION NO. \_\_\_\_\_**

*Official Resolution of the Board of Commissioners  
Macomb County, Michigan*

**Resolution Urging DIA To Implement Accountability Procedures  
To Provide Greater Transparency For Senior Executive Compensation**

**Commissioner Robert Mijac and Commissioner Veronica Klinefelt  
on Behalf of the Board of Commissioners,  
Offer the Following Resolution:**

WHEREAS, in August 2012, the residents of Macomb County approved a millage, along with Wayne and Oakland County, to support the Detroit Institute of Art (DIA); and

WHEREAS, based on each county's 2013 apportionment report, the three counties collected approximately \$22.5 million (Macomb = \$4.8 million; Wayne = \$7.9 million; Oakland = \$9.8 million) through the 2013 DIA millage [Note: DIA's 2013 Audited Financial Statements indicates a contribution of only \$11.5 million since the fiscal year for the DIA ends on June 30, 2013]; and

WHEREAS, based on the latest census reporting 330,596 Macomb County households, the 2013 average annual contribution of a Macomb County household was approximately \$15; and

WHEREAS, the compensation increase was never communicated properly to the Macomb County Art Institute Authority, and thus the recent release of the 2012 DIA tax forms that outlined the compensation increase has sparked outrage amongst government officials and residents in Macomb County; and

WHEREAS, the Macomb County Board of Commissioners also recognizes that the tri-county millage subsidizes approximately 70 percent of the operating revenue of the DIA; and

WHEREAS, based on such significant subsidy from taxpayers, compensation of DIA's senior executives should be evaluated with prudence and frugality and perhaps follow standards of other taxpayer funded entities; and

WHEREAS, since 2008, property values have declined significantly in Macomb County and local government organizations and other taxpayer funded entities have taken considerable concessions in compensation and benefits; and

WHEREAS, even Macomb County employees have taken significant decreases to their compensation through dock days, sustained pay cuts, increased work load with no increase in base salaries since 2007; and

WHEREAS, the City of Detroit is currently undergoing the largest municipal bankruptcy in the nation's history, and a significant element of the bankruptcy includes the DIA, which is a major asset of the City of Detroit; and

WHEREAS, the compensation increase for the DIA's senior executives was offered during the same time as discussions were happening regarding the intervention of a State appointed Emergency Manager to the City of Detroit; and

WHEREAS, the Plan for the Adjustment of debts of the City of Detroit includes \$816 million, offered by the DIA supporters and the State of Michigan, to be used for the benefit of the pensioners of the City of Detroit in exchange to preserve the DIA's art collection and allow the DIA to separate from the City of Detroit, however, the compensation increases were given at an inopportune time; and

WHEREAS, Eugene Gargaro, Jr., Chairman of the DIA Board of Directors issued a memo to the members of the county authorities, members of the county board of commissioners, and executives of the three counties on November 4, 2014, to clarify information on the compensation increases.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners urges the DIA to implement the following accountability procedures to provide greater transparency for senior executive compensation:

1. The DIA Compensation Commission should be cognizant of the financial condition of the communities paying the millage.
2. Compensation decisions for senior executives should be reviewed and approved with representatives of the Macomb County Art Institute Authority, and other respective county authorities, before being implemented.
3. Any modifications to DIA compensation policies and procedures should be reviewed with representatives of the Macomb County Art Institute Authority, and other respective county authorities, before being implemented.

BE IT FURTHER RESOLVED that Macomb County Board of Commissioners urges the Macomb County Art Institute Authority to implement the following measures to support the DIA's accountability procedures and provide greater transparency for senior executive compensation:

1. Consider rescinding the pay raises and bonuses.

In lieu of such consideration:

2. Recognizing the primary source of funding for the DIA is received from a public millage, the Macomb County Board of Commissioners requests that the DIA Compensation Commission consider placing a cap on the salaries of top executives of the DIA to be

reviewed periodically with an emphasis on compensation increases consistent with the average increases of compensation of the communities paying for the millage and, remove the practice of compensation through bonuses.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to DIA's Board of Directors, Macomb County Art Institute Authority Board members, Oakland County Board of Commissioners, Wayne County Board of Commissioners, Macomb County State Legislative Delegation, and all Macomb County Elected Officials.

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Robert Mijac  
Macomb County Commissioner  
District 5

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Veronica Klinefelt  
Macomb County Commissioner  
District 3

**MACOMB COUNTY, MICHIGAN**RESOLUTION TO receive and file report from Board Chair for November 2014INTRODUCED BY: Dave Flynn, Full Board

- The following is a report on activities within the Board Office which do not usually appear on committee agendas.

**Current Issues**

- Martha T. Berry Medical Facility
- Campus Renovations
- DIA
- Finance Director – Interviews to take place in the next two weeks
- Corp Counsel – Monthly Report (November entry); see attached

**Office**

- Interviews for the Administrative Secretary position have taken place; more than 40 internal county candidates applied; first and second-round interviews were held and the position has been offered. The candidate has 10 days to respond.
- Commissioner orientations have taken place.
- Mini Christmas Tree Auction is going on at the Anton Art Center; bids will be taken until Dec. 14<sup>th</sup>; BOC Staff has donated a tree “Rustic Christmas” and appreciates your support.
- Casual Day 2015 – call for charitable organization nominations went out, due by close of business on December 12<sup>th</sup>.
- December 18<sup>th</sup> at 6pm: 2015-16 BOC Swearing-In Ceremony; 2013-14 Term Reception
- Reminder: County is closed on Thursday, November 27<sup>th</sup> in observance of the Thanksgiving Holiday and on Friday, November 28<sup>th</sup> for the Day After Thanksgiving.
- Business cards and/or supplies must be ordered by Dec. 3<sup>rd</sup>; please see Patti before then if you need to place an order.

**Upcoming BOC Appointments**

- AAA1-B Commissioner Delegate; Older Person Delegate - both via Board Chair w/ BOC confirm
- Health Department Hearing Board Commissioner Delegate Board Chair w/ BOC confirm; Health Dept Nominations (1 position, 1 alternate) via Dept nomination, Board confirm

**Upcoming Items Under Consideration**

- Committee Structure and Assignments
- 2015-16 Calendar
- Outreach Opportunities

**Region:**

- **City-County Discussions**
- **Build Transit – Build Business**
  - Held at Ford Field on Nov. 18th
  - Attended by Flynn and staff (A. Kim, C. Flynn)

**Correspondence:**

- Casual Day appreciation letters; see attached.
- Resolutions shared by other entities; see attached.

**Media:**

- See attached articles.

**Board Chair Report – November 2014 – Page 2****BOC – Independent Counsel:** Expenditures for Outside Legal Counsel Professional Services

Litigation	Legal Svcs	Legal Services	Budget	
InvoiceCharges:	Budget Amount:	Invoice Totals:	Remaining:	%Utilized:
	\$72,500 (2014)			
		\$ 161.00 (Clark Hill final)		
		<u>3,174.00</u> (January, Dickinson Wright)		
		\$ 3,335.00	\$ 69,165.00	.046
		<u>2,377.00</u> (February)		
		\$ 5,712.00	\$ 66,788.00	.078
		<u>3,013.00</u> (March)		
		\$ 8,725.00	\$ 63,775.00	.120
		<u>3,887.00</u> (April)		
		\$12,612.00	\$ 59,888.00	.173
		<u>5,405.00</u> (May)		
		\$18,017.00	\$ 54,483.00	.248
		<u>3,775.00</u> (June)		
		\$21,792.00	\$ 50,708.00	.300
		<u>4,807.00</u> (July)		
		\$26,599.00	\$ 45,901.00	.366
		<u>4,220.00</u> (August)		
		\$30,819.00	\$ 41,681.00	.425
		<u>6,923.00</u> (Clark Hill Sept)		
		\$37,742.00	\$ 34,758.00	.520
		<u>10,225.00</u> (Sept.)		
		\$47,967.00	\$ 24,533.00	.661

**COMMITTEE/MEETING DATE**

Full Board 11-20-14

###

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:	Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:	
4/10/2013 15:22:34	Sample answer 1; includes file name, date, assigned to, county department involved. Sharrow, Samantha v Deputy Palazzolo, et al, 1/2/14, John Schapka, Sheriff Department  Bischoff, Michael v Gallo, LeDuc, et al, 1/10/14, John Schapka, Sheriff Department  Gordon, Kavin v Prosecutors Office, 1/16/14, John Schapka, Prosecutor  Banks, Myron v Wickersham, 1/24/14, John Schapka, Sheriff Department  Klein, Nancy v County, Otis Elevator Co, 1/24/14, John Schapka, Facilities & Operations	Sample answer 2; includes file name, date filed, date assigned, law firm appointed, county dept. involved	Sample answer 3; includes file name, date resolved, resolution if financial, if outside counsel - total attorney fees paid	Sample answer 4; includes file name, update	Sample answer 5; includes any pertinent information on potential litigation	Name, date		
2/25/2014 16:12:36	Branch, Jean v Roads, et al, 2/6/14, John Schapka, Department of Roads	Wise, Zita v County, et al, 2/19/14, McConaghy & Nyovich, Mental Health	Gordon, Kavin v Prosecutors Office, 2/6/14, Dismissed, John Schapka	N/A	Monika Andary	monika.andary@macombgc		

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:	Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
2/26/2014 11:36:13	County v Hydroster, 1/7/14, Frank Krycia, Treasurer Department  County v JEA Automotive Group LLC, 1/29/14, Frank Krycia, Treasurer Department  County v Apollo Color Coating LLC, 2/18/14, Frank Krycia, Treasurer Department	N/A	Deveroux v Tucker, et al, 2/13/14, COA affirmed dismissal as to County Defendant, Krycia  Tax Foreclosure Petition for 2011 and prior years, 2/7/14, Judgment entered in favor of County Treasurer, Frank Krycia		Monika Andary	monika.andary@macombgc	
2/28/2014 15:02:26	N/A	N/A	McPhail, Julie v County, 1/15/14, Dismissed, Cummings McClorey, \$28,915.39		Monika Andary	monika.andary@macombgc	
4/30/2014 11:06:01	The Lighthouse v CMH, 2/28/14, Jill Smith & Frank Krycia, Mental Health  Webster, Ruby v MTB, 3/14/14, John Schapka, Martha T. Berry  VFW v UAW, 4/10/14, Frank Krycia, Veterans	N/A	Banks, Myron, 3/6/14, Dismissed, John Schapka  Klein, Nancy, 3/24/14, Dismissed, John Schapka  Moore, Thomas, 3/27/14, Dismissed, John Schapka	Sal-Mar Royal Village v Treasurer, Michigan Supreme Court Granted Leave to Appeal.	Monika Andary, 4/30/14	monika.andary@macombgc	
5/27/2014 12:35:32	City of New Baltimore v Kurt Ciske, Frank Krycia, Treasurer	N/A	Webster, Ruby v MTB, 5/27/15, Dismissed, John Schapka	N/A	Monika Andary	monika.andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:	Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:	
7/14/2014 10:47:07	Smith, Clare Brandon v Gun Board, 6/20/14, F. Krycia, Clerk  Fitzgerald, Francis v Dept of Roads, 6/23/14, J. Schapka, Roads  Berkwitz, Michael Patrick v Gun Board, 6/30/14, F. Krycia, Clerk  Bullis, Jimmie & Judith v Animal Shelter, 7/3/14, J. Smith, Animal Shel	N/A	Wuolukka, James v County, 6/16/14, \$30,000, Martin Bacon & Martin, \$64,303.54  Health v Bellagio, 6/24/14, J. Smith  Bishoff v LeDuc, 7/10/14, J. Schapka  VFW Post 1794 v Randazzo, 7/10/14, F. Krycia	Grabow (Prochnow) v County, Case dismissed on defense motion; Plaintiff appealed to 6th Circuit; Arguments June 25 - awaiting 6th Circuit opinion.	Hagerman, Ryan - In-Custody Death  Stojcevski, David - In-Custody Death  Stojcevski, Vladimir - Traumatic in-custody injury	Monika Andary, 7/14/14	monika.andary@macombgc	
8/5/2014 14:24:52	N/A	N/A	N/A		Monika Andary, 8/5/14	monika.andary@macombgc		



Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:	Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
	Wilson, Tanishka v Romanowski, et al, 6/6/14, J. Schapka, Sheriff/Pros						
	Foster, Gail v County, et al, 7/17/14, J. Schapka, Sheriff						
	Surplus Proceeds re: Lynn Huffmaster & Confer Investment Properties, 8/5/14, F. Krycia, Sheriff		Wilson, Tanishka v Romanowski, 8/25/14, Dismissed, J. Schapka				
	Surplus Proceeds re: Katherine E. Miller & Meram Bros Properties, 8/5/14, F. Krycia, Sheriff		Kourlos, Christos v County, 8/25/14, Dismissed, J. Schapka				
	Surplus Proceeds re: Timothy & Michelle Tabaczynski & Albion Group & Albion Group, 8/5/14, F. Krycia, Sheriff		Surplus Proceeds re: Lynn Huffmaster & Confer Investment Properties, 8/22/14, Dismissed, F. Krycia				
	Surplus Proceeds re: Marcia Suminski & 5611 Hartlein Group, 8/5/14, F. Krycia, Sheriff		Surplus Proceeds re: Katherine E. Miller & Meram Bros Properties, 8/22/14, Dismissed, F. Krycia				
	Surplus Proceeds re: Bernard Seiber & American Construction Enterprises, 8/5/14, F. Krycia, Sheriff		Surplus Proceeds re: John & Carol Connelly & Albion Group, 8/22/14, Dismissed, F. Krycia				
	Surplus Proceeds re: John & Carol Connelly & Albion Group, 8/5/14, F. Krycia, Sheriff		Surplus Proceeds re: Alan Corbishdale & Albion Group, 8/22/14, Dismissed, F. Krycia	Grabow (Prochnow) v County, 6th Circuit appeal was decided in the County's favor on 8/28/14			
9/3/2014 10:04:21	Surplus Proceeds re: N/A				Monika Andary.	monika.andary@macombgo	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:	Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
9/3/2014 10:04:21	Alan Corbishdale & Albion Group, 8/5/14, F. Krycia, Sheriff  Surplus Proceeds re: Thomas Bann & Potestivo & Assoc, 8/13/14, F. Krycia, Sheriff  Surplus Proceeds re: Dorothy Muczynski & Trademark Properties, 8/13/14, F. Krycia, Sheriff  Surplus Proceeds re: M&M Property & Trademark Properties, 8/13/14, F. Krycia, Sheriff	N/A	Surplus Proceeds re: Katherine E. Miller & Meram Bros Properties, 8/22/14, Dismissed, F. Krycia  Surplus Proceeds re: John & Carol Connelly & Albion Group, 8/22/14, Dismissed, F. Krycia  Surplus Proceeds re: Alan Corbishdale & Albion Group, 8/22/14, Dismissed, F. Krycia	Grabow (Prochnow) v County, 6th Circuit appeal was decided in the County's favor on 8/28/14	Monika Andary, 9/3/14	monika.andary@macombgc	
9/26/2014 15:28:36	Micielli, Jamie v Sheriff, 8/15/14, B. Gazall, Sheriff Department  Andris, Theodore v Treasurer, 9/22/14, F. Krycia, Treasurer	N/A	Boekema, Robert v Sheriff, 9/25/14, \$24,000, Martin Bacon & Martin, \$22,355.93  Wise, Zita v County, 12/18/13, Dismissed, McConaghy, \$3,575	Foster, Gail v Sheriff - County's Motion to Dismiss was argued and taken under advisement, Sheriff Deputy was served and joined.	Monika Andary, 9/26/14	monika.andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:	Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
11/3/2014 14:52:25 N/A		Kulpa, Maria, PR of Esate of Bronislaw Kulpa v County, et al, 9/29/14, assigned 10/27/14, Cummings McClorey, Sheriff	Provenzino, James v Roads, 10/7/14, Dismissed, Schapka  Branch, Jean v Roads, 10/8/14, Dismissed, Schapka  Surplus Proceeds Re: Thomas Bann, 9/8/14, Dismissed, Krycia  City of New Baltimore v Ciske, 8/6/14, Dismissed, Krycia	N/A	N/A	Monika Andary, 11/3/14	monika.andary@macombgc



Patti Dib <patti.dib@macombgov.org>

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## MTB insurance

1 message

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**Patti Dib** <patti.dib@macombgov.org>

Wed, Nov 19, 2014 at 1:49 PM

To: Jennifer Morgan <jennifer.morgan@mcmtb.org>

Bcc: Andrew Kim <andrew.kim@macombgov.org>, Patti Dib <patti.dib@macombgov.org>

Hi Jennifer,

Dave would like to have a current list of the insurance carriers (and types) for MTB. Would you be able to send that to me?

Thanks,  
Patti

Patti Dib  
Macomb County Green Schools Coordinator  
Chief of Staff, Macomb County Board of Commissioners  
One South Main Street, 9th Floor  
Mount Clemens, MI 48043  
586.469.6484  
www.macombBOC.com



## COMMUNITY SERVICES AGENCY

51

21885 Dunham Road, Suite 10 • Clinton Township, Michigan 48036

Phone: (586) 469-6999 • Fax: (586) 469-5530

[www.macombgov.org/MCCSA](http://www.macombgov.org/MCCSA)



Mark A. Hackel  
County Executive

Rhonda M. Powell  
Director

October 22, 2014

David J. Flynn, Board Chairman  
Board of Commissioners  
1 S. Main St., 9<sup>th</sup> Floor  
Mount Clemens, MI 48043

Dear Commissioner Flynn,

On behalf of Macomb County senior citizens receiving Meals on Wheels across our county I extend deepest appreciation for the generous casual day contributions the county employees made to the MCCSA Office of Senior Services in support of our Meals on Wheels program. This generous donation will support the delivery of hot, nutritious meals to senior citizens across Macomb County. Specifically, \$1,024.11 will allow us to provide 341 meals to frail, homebound seniors who may otherwise go without proper nutrition!

Again, thank you for your continued support in our effort to help prevent premature nursing home placement, malnutrition and social isolation among the aging population in Macomb County.

Sincerely,

Katherine R. Benford  
Division Director  
Office of Senior Services



October 22, 2014

Macomb County Community Giving Program  
One South Main  
Mount Clemens, MI 48043

Dear Macomb County Community Giving Program:

We would like to take this opportunity to thank you for your support. When the CF Foundation was established, children born with cystic fibrosis were not expected to live long enough to attend elementary school. Today, thanks to research and care supported by the Foundation, many people with CF are living into their 30s, 40s and beyond. We truly appreciate your commitment to improving the lives of the 30,000 children and adults with CF by fundraising **\$201** at your recent Jeans for Genes Day event for **Community Events 2014**. Your generosity is very much appreciated.

The opportunity to develop new therapies for people with CF has never been greater. And, we optimistically forge ahead knowing we are impacting the lives of those with CF as never before. We take great pride in being one of the most efficient and effective organizations of our kind, and are careful stewards of every dollar raised in support of our mission.

Your contribution offers hope to the tens of thousands of patients and their families who live with this disease every day. We are most appreciative of your support and promise to invest it in the wisest way possible -- to save lives.

With kind regards,

Shelly Francis  
Executive Director

Dear Mr. Flynn and Macomb County Employees,

Thank you so much for your donation making us the recipients of your 2014 Employee Casual Day Program fundraiser

Your donations allow us to continue to help children and families in need.  
We are blessed to have supporters like you on our team!

With much gratitude -  
Angels of Hope

Angels  
of Hope



Our mission is to improve the quality of life for all residents of Macomb County by helping to eliminate adult illiteracy.

---

October 20, 2014

David Flynn  
Board of Commissioners  
1 S. Main St., 9<sup>th</sup> Floor  
Mount Clemens, MI 48043

Dear David,

Please thank your employees who so generously donated to Macomb Literacy Partners on Casual Day. Their support helps us work toward improving adult literacy in Macomb County. Through the support of our donors, we are able to reach hundreds of adults each year and help them learn to read traffic signs and warnings, fill out job applications, or read to a child for the first time.

Macomb Literacy Partners is committed to our mission of eliminating illiteracy in Macomb County. We bring together volunteer tutors with adult students who need help learning to read or learning English as a second language. Your generous donation will help to provide the resources needed for our tutors and students to effectively work during their weekly tutoring sessions.

Through the efforts of our volunteers, board members and supporters like your employees, we can all take pride in the literacy program's accomplishments.

Sincerely,

Alisa Diez  
Interim Director  
Macomb Literacy Partners

Total Amount                      Date  
\$207.70                              10/02/14

---

*President, James R. Goerlich, Jr.*  
Rehmann

*Vice President, Geary Maiuri*  
Macomb Community College

*Secretary, Pam Lavers*  
Assistant Macomb County Executive

*Treasurer, Maria Bianchini*  
Sterling Green Solutions LLC

**Terri Giampetroni**  
Legal Strategies PC

**Joe Kozlowski**  
JGK Associates

**Steve LaPorte**  
Continental Services

**Diane McNamara**  
Soroptimist

**Frank L. McNelis**  
Attorney at Law

**Denise Mennucci**  
Utica Community Schools

**Russ Milne**  
Russ Milne Ford, Inc.



**TOWNSHIP OF MACOMB  
COUNTY OF MACOMB  
STATE OF MICHIGAN**

**Resolution of the Board of Trustees enacting a moratorium on all oil, gas, and other hydrocarbon exploration and all natural resource extraction activities within the Township through March 25, 2015**

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor Janet I. Dunn on Wednesday, October 22, 2014 at 7:00 p.m., the following resolution was offered:

**RESOLUTION**

WHEREAS, the Township of Macomb, a general law township governed by the Constitution and general laws of the State of Michigan, desires to maintain and protect the natural resources and environment within its borders, preserve the residential quality of life within the Township, and promote land uses compatible with the Township's quality of life and all of its regulatory ordinances to protect the public's health, safety, and welfare;

WHEREAS, the exploration, extraction, transportation, and processing of oil, gas, and other hydrocarbons and natural resources have been occurring in neighboring and nearby townships;

WHEREAS, lease agreements for the mineral rights on properties within neighboring and nearby townships and cities, as well as within the Township of Macomb, may lead to the installation and operation of an extraction, processing, and delivery system for oil, gas, hydrocarbons, and other natural resources within the Township;

WHEREAS, oil and/or gas exploration and drilling often generates significant air pollution, heavy truck traffic, odors, noise, and potential releases of hazardous substances above and below ground, which may travel into or impact the waterways and ground water in the Township, but the Township has not yet had an appropriate opportunity to study the possible effects of the installation and operation of an extraction, processing, and delivery system on the Township's residential quality of life and its natural resources, environment, and infrastructure;

WHEREAS, the existing regulatory and zoning ordinances in the Township of Macomb may not be sufficient to preserve and protect the public's health, safety, and welfare in the event that an extraction, processing, and delivery system is installed and operated within the Township;

WHEREAS, Article VII, Section 29 of the Michigan Constitution prohibits the use of the highways, streets, alleys, and other public places in the Township of Macomb for pipes, conduits, or other utility facilities, without the consent of the Township Board, and prohibits the transaction of local business therein without first obtaining a franchise from the Township;

WHEREAS, Article VII, Section 29 of the Michigan Constitution also reserves the right of the Township of Macomb to the reasonable control of its highways, streets, alleys, and public places;

WHEREAS, Section 1 of Act 246 of 1945, being MCL 41.181, authorizes the Township Board to adopt ordinances regulating the public health, safety, and general welfare of persons and property, and the Township of Macomb needs appropriate time to study the public health, safety, and

welfare issues related to installation and operation of a system of extracting, processing, and delivering oil, gas, hydrocarbons, and other natural resources within the Township and determine the terms of such an ordinance;

WHEREAS, certain state laws and administrative regulations govern some aspects of the extraction, processing, and delivery of oil, gas, and other resources, and the Township of Macomb needs appropriate time to study those laws and regulations in order to determine the extent, if any, of state preemption and prepare and adopt ordinances that are within the Township's authority to enact;

WHEREAS, based on recent exploratory drilling activity in an adjacent township, current state laws and administrative regulations are not sufficient to, nor designed to, protect the health, safety, and welfare of Township residents;

WHEREAS, Senate Bill 1026 has been introduced in the State Legislature and was referred to the Committee on Natural Resources, Environment and Great Lakes on August 13, 2014. If enacted into law, Senate Bill 1026 will prohibit the issuance of an oil or gas well permit by the State Supervisor of Wells in cities and townships with populations greater than 70,000 unless certain criteria are met;

WHEREAS, more time is needed to allow the state legislative process to proceed regarding Senate Bill 1026;

WHEREAS, even if it is determined that there is some state preemption with respect to direct regulation of oil and gas drilling by the Township, the Township retains the authority to regulate any and all secondary effects related to such activities;

WHEREAS, it is in the public interest to impose a moratorium upon the issuance of permits by the Township or the taking of other action that would allow any activity relating to the exploration, extraction, processing, and delivery of oil, gas, hydrocarbons, and other natural resources, so that the Township has the opportunity to study and develop appropriate regulations for such operations within the Township; and

WHEREAS, this moratorium is a temporary measure designed to preserve the status quo without impacting existing processing and delivery operations while stopping and preventing all drilling and extraction operations, whether existing or proposed, and this moratorium will remain in effect only as long as deemed necessary to develop and enact appropriate ordinances and regulations, and in no circumstance for longer than a period of six (6) months unless extended for an additional period of six (6) months by lawful action of the Township Board.

**NOW THEREFORE, BE IT RESOLVED:**

1. Effective upon adoption of this Resolution and for a period of six (6) months, through March 25, 2015, a moratorium is hereby established on the consideration, review, determination, action, or approval by all Township entities, officials, employees, and/or agents of any applications, proposals, requests, permits, approvals, zoning compliance, or certificates regarding any oil, gas, hydrocarbon, and/or natural resource exploration, extraction, processing, and delivery operations in the Township that might be proposed or presented to the Township, and that during the moratorium period, no drilling or extraction operations shall be permitted in the Township.

2. Township officials shall proceed to promptly investigate and consider appropriate regulations upon oil, gas, hydrocarbon, and natural resource exploration, extraction, processing, and delivery activities within the Township.
3. An aggrieved property owner or business may petition and shall be entitled to a hearing before the Township Board for the purpose of showing that this moratorium will preclude all viable economic use of the petitioner's property or otherwise violates applicable provisions of state or federal law. The petitioner shall, in writing directed to the Township Clerk, request a hearing that describes, in detail, the basis for the request. The hearing shall be held at a regular Township Board meeting within thirty (30) days of receipt of the request. Upon conclusion of the hearing, the Township Board shall study and evaluate the information presented, and confer with engineers, planners, and other consultants, if necessary, in order to determine whether the petitioner has established that the moratorium will preclude all viable economic use of the petitioner's property or otherwise violate applicable provisions of state or federal law. After the completion of the hearing, the Township Board may make a determination as to whether relief from the moratorium should be granted with reasonable conditions deemed necessary by the Board to protect the public health, safety, and welfare; may deny such request for relief based upon the information presented and considered; or may postpone action for a reasonable period of time not to exceed sixty (60) days so that the Township Board can complete its investigation and make an informed decision that takes into account the petitioner's rights and the public's health, safety, and welfare.
4. The Township Clerk is requested to forthwith transmit a certified copy of this resolution to the Governor, Macomb County Executive, Macomb County Board of Commissioners, State Supervisor of Oil Wells, State Senators Brandenburg and Rocca, the State Senate Committee on Natural Resources, Environment and Great Lakes, the State House and Senate majority and minority leaders, and each State Senator and State Representative representing part or all of Macomb Township.

**Motion by GOODHUE, seconded by KRZEMINSKI, that the resolution be adopted:**

Ayes: GOODHUE, KRZEMINSKI, BUCCI, FREITAS, KOEHS, DUNN

Nays: NEVERS

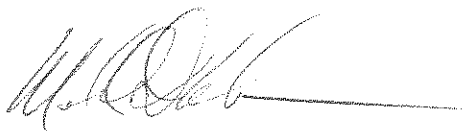
Absent: NONE

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CERTIFICATION OF CLERK

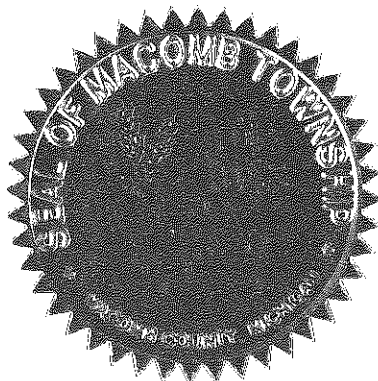
I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Macomb Township Board of Trustees at a regular business meeting held on Wednesday, October 22, 2014.

Signed:



Michael D. Koehs, CPM, CMC  
Macomb Township Clerk

Macomb Township Offices  
54111 Broughton Road  
Macomb, MI 48042  
(586) 992-0710, ext. 2224



No. 14- 142c**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, last year, the U.S. Fish and Wildlife Service (USFWS) issued a final rule that would implement an "incremental approach" to analyzing the economic impact of critical habitat designations versus a "quantitative analysis"; and

WHEREAS, an "incremental approach" would require USFWS to only consider the cost to the government of consulting on critical habitat, instead of considering costs to all stakeholders; and

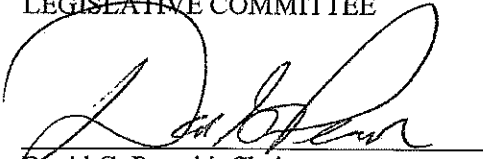
WHEREAS, S 2729 and HR 4319 would require the USFWS and the National Marine Fisheries Service to perform cumulative and quantitative economic analysis prior to the critical habitat designation that would measure the potential effects on all affected stakeholders (i.e. costs to agriculture producers, businesses, county and city governments, local entities, etc.), not just federal agencies as is the current standard; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners fully supports S 2729 and HR 4319 to require the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to perform cumulative and quantitative economic analysis prior to the critical habitat designation; and

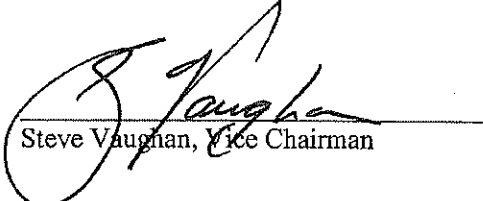
BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to all Michigan counties, Representative Terry Brown, Senator Mike Green, Governor Rick Snyder, the Michigan Association of Counties, Congresswoman Candice Miller, Congressman Dan Benishek, Congressman Bill Huizenga, Congressman Justin Amash, Congressman Dave Camp, Congressman Dan Kildee, Congressman Fred Upton, Congressman Tim Walberg, Congressman Sander Levin, Congressman Mike Rogers, Congressman Kerry Bentivolio, Congressman John Dingell, Congressman John Conyers Jr., Congressman Gary Peters, U.S. Senator Debbie Stabenow, U.S. Senator Carl Levin, and the National Association of Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE

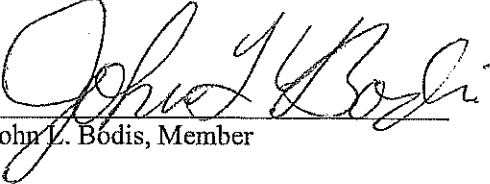


David G. Peruski, Chairman



Steve Vaughan, Vice Chairman

Resolution No. 14- 142c  
Page 2

  
John L. Bodis, Member

Dated: October 14, 2014

Roll Call Vote:

Tietz	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Peruski	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Elftunan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vaughan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Bodis	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Wruble	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nugent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

No. 14- 143C**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, in April 2014, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) released a 371-page draft regulation for Definition of Waters of the U.S under the Clean Water Act; and

WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of "navigable waters" in the Clean Water Act; and

WHEREAS, the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act; and

WHEREAS, the proposed rule change, if adopted, will cause significant harm to local farmers, stall the development of businesses, take control of land used for sustainable food production out of our local providers' hands, and negatively impact county-owned and maintained infrastructure such as roadside ditches and county drains; and

WHEREAS, the cost to our farms, municipalities, and taxpayers will be enormous; and

WHEREAS, HR 5078 prevents the proposed "Waters of the U.S." rule from moving forward and requires the EPA and Corps to consult and collaborate with state and local governments on the "Waters of the U.S." rule development process; and

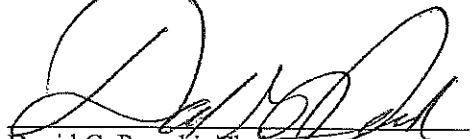
WHEREAS, this Board concurs with HR 5078; now


THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners wholly supports HR 5078 preventing the furtherance of the U.S. Environmental Protection Agency and the Army Corps of Engineers proposed rule expanding the definition of "waters of the United States" and requiring these agencies to work with state and local governments on rule development; and

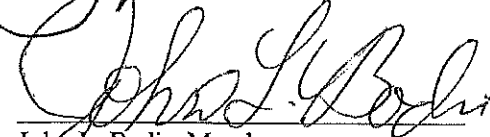
BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to all Michigan counties, Representative Terry Brown, Senator Mike Green, Governor Rick Snyder, the Michigan Association of Counties, Congresswoman Candice Miller, Congressman Dan Benishek, Congressman Bill Huizenga, Congressman Justin Amash, Congressman Dave Camp, Congressman Dan Kildee, Congressman Fred Upton, Congressman Tim Walberg, Congressman Sander Levin, Congressman Mike Rogers, Congressman Kerry Bentivolio, Congressman John Dingell, Congressman John Conyers Jr., Congressman Gary Peters, U.S. Senator Debbie Stabenow, U.S. Senator Carl Levin, and the National Association of Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE

  
David G. Peruski, Chairman

  
Steve Vaughan, Vice Chairman

  
John L. Bodis, Member

Dated: October 14, 2014

Roll Call Vote:

Tietz	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Peruski	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Elftman	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vaughan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Bodis	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Wruble	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nugent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>



No. 14- 144C**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, HB 5886 was introduced and referred to the Committee on Energy and Technology on October 2, 2014; and

WHEREAS, HB 5886 proposes to amend the "Michigan right to farm act" by including wind energy; and


WHEREAS, at this time, HB 5886 generates more questions than answers; now


THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners hereby opposes HB 5886; and

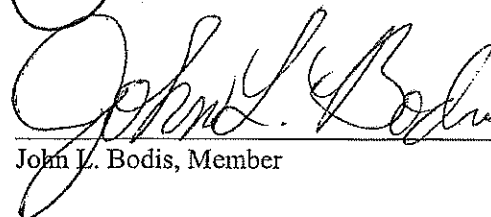
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan counties, Representative Terry Brown, Senator Mike Green, and the Michigan Association of Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE

  
\_\_\_\_\_  
David G. Peruski, Chairman

  
\_\_\_\_\_  
Steve Vaughan, Vice Chairman

  
\_\_\_\_\_  
John L. Bodis, Member

Dated: October 14, 2014

Resolution No. 14- 144C  
Page 2

Roll Call Vote:

Tietz	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Peruski	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Elftman	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vaughan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Bodis	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Wruble	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nugent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

No. 14- 152c**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, in 2009, a report was presented to the Legislature and administration by the Legislative Commission on Statutory Mandates; and

WHEREAS, several unfunded mandates were brought to light in this report, which cost local municipalities millions of dollars each year, despite the requirement under the Headlee Amendment that the State provide funding to local units for State requirements; and

WHEREAS, a package of bills – SB 495, SB 496, SB 497, and SB 498 – would implement the recommendations from the aforementioned report, curtailing unfunded mandates from the State; and

WHEREAS, the Huron County Board of Commissioners fully supports this long-overdue legislation; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners supports SB 495-498 to curtail unfunded mandates from the State; and

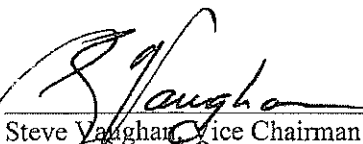
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan counties, Senator Mike Green, Senator Phil Pavlov, Representative Terry Brown, Governor Rick Snyder, and the Michigan Association of Counties.

Respectfully submitted,

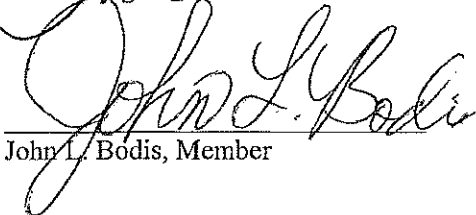
LEGISLATIVE COMMITTEE



David G. Peruski, Chairman



Steve Vaughan, Vice Chairman



John L. Bodis, Member

Dated: October 28, 2014

Resolution No. 14- 152C  
Page 2

Roll Call Vote:

Tietz Yes  No  Absent   
Peruski Yes  No  Absent   
Elftman Yes  No  Absent   
Vaughan Yes  No  Absent

Bodis Yes  No  Absent   
Wruble Yes  No  Absent   
Nugent Yes  No  Absent

No. 14- 153 C**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, SB 1038, SB 1039, and SB 1040 would amend several acts to change the way property tax appeals are processed; and

WHEREAS, the proposed amendments would allow a three-year look back and additional reasons for an appeal, which would result in an increase in time to process the appeal, an increase in complications to local municipalities, and most importantly, an increase in cost to local municipalities; and


WHEREAS, this Board cannot support SB 1038-1040 as written at this time; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners opposes SB 1038-1040 due to the negative effects it will have on local municipalities; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan Counties, Senator Mike Green, Senator Phil Pavlov, Representative Terry Brown, Governor Rick Snyder, and the Michigan Association of Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE



David G. Peruski, Chairman

Steve Vaughan, Vice Chairman

John L. Bodis, Member

Dated: October 28, 2014

Resolution No. 14- 153C  
Page 2

Roll Call Vote:

Tietz Yes  No  Absent   
Peruski Yes  No  Absent   
Elftman Yes  No  Absent   
Vaughan Yes  No  Absent

Bodis Yes  No  Absent   
Wruble Yes  No  Absent   
Nugent Yes  No  Absent

No. 14- 154C**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, SB 1076 would amend 2006 PA 110, entitled "Michigan zoning enabling act" by amending section 205 (MCL 125.3205), as amended by 2012 PA 389; and

WHEREAS, the proposed amendment would circumvent local zoning by a county or a sparsely populated township for "the drilling, completion, or operation of oil or gas wells..."; and

WHEREAS, it is extremely probable that these types of operations would be developed in these exact areas; and

WHEREAS, this overreach by the State is entirely unacceptable; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners opposes SB 1076 because of the negative precedent it would set; and

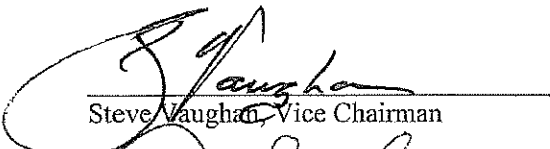
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan Counties, Senator Mike Green, Senator Phil Pavlov, Representative Terry Brown, Governor Rick Snyder, and the Michigan Association of Counties.

Respectfully submitted,

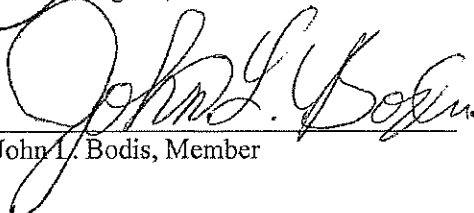
LEGISLATIVE COMMITTEE



David G. Peruski, Chairman



Steve Vaughan, Vice Chairman



John L. Bodis, Member

Dated: October 28, 2014

Resolution No. 14- 154c  
Page 2

Roll Call Vote:

Tietz	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Peruski	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Elftman	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vaughan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Bodis	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Wruble	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nugent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>



*County  
of  
Cheboygan*

**BOARD OF COMMISSIONERS**

County Building  
P.O. Box 70, Room 131  
Cheboygan, Michigan 49721

Tel ~ (231) 627-8855  
Fax ~ (231) 627-8881  
E-mail ~ ccao@cheboygancounty.net

**Resolution 14-22**

**WHEREAS**, the U.S. Environmental Protection Agency (EPA) issued a final direct rule on July 2, 2014, that would allow the agency to conduct administrative wage garnishment. Unless the EPA takes action to actively withdraw the rule, the EPA will be able to garnish the nonfederal wages of private citizens to collect unpaid fines without a court order effective September 2, 2014; and

**WHEREAS**, the EPA has a long history of regulatory overreach and issuing substantial fines against ordinary citizens conducting activities, ultimately determined to be legal, on their own property. The EPA can administratively fine individuals hundreds of thousands of dollars per day, easily large enough to ruin a family. At the same time, disputes over EPA jurisdiction and enforcement are common and have been successfully challenged in case of after case; and

**WHEREAS**, administrative wage garnishment will compound the problems already faced by property owners attempting to fight questionable EPA actions. This process will allow EPA to dictate the procedures for challenging fines and wage garnishment, and remove it from a neutral court setting. The EPA will be able to decide if an individual can present an oral defense, choose the hearing officer, and determine the site of the hearing. The burden of proof will be on the individual, not the agency. In short, administrative wage garnishment will allow an agency with institution-wide issues unbridled discretion to judge its own actions and further power to suppress challenges to its authority; and

**WHEREAS**, Senator Thomas Casperson has offered this same resolution as SR 168.

**NOW THEREFORE, BE IT RESOLVED** that the Cheboygan County vehemently opposes the U.S. Environmental Protection Agency's proposal to garnish wages without a court order and wholly supports SR 168; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to all Michigan counties, Representative Frank Foster, Representative Peter Petallia, Senator Howard Walker, Senator Thomas Casperson, Governor Rick Snyder, the Michigan Association of Counties, Congressman Candice Miller, Congressman Dan Benishek, Congressman Bill Huizenga, Congressman Justin Amash, Congressman Dave Camp, Congressman Dan Kildee, Congressman Fred Upton, Congressman Tim Walberg, Congressman Sander Levin, Congressman Mike Rogers, Congressman Kerry Bentivolio, Congressman John Dingell, Congressman John Conyers, Jr., Congressman Gary Peters, U.S. Senator Debbie Stabenow, U.S. Senator Carl Levin, the Administrator of the U.S. Environmental Protection Agency, and the National Association of Counties.

District 1  
Linda Socha  
Chair

District 2  
Bruce Gauthier

District 3  
Pete Redmond  
Vice-Chair

District 4  
Cal Gouine

District 5  
Tony Matelski

District 6  
John B. Wallace

District 7  
Sue Allor

**MOTION APPROVED**

I, Mary Ellen Tryban, Cheboygan County Clerk and Clerk of the Cheboygan County Board of Commissioners do hereby certify this to be a true and exact copy from the minutes of the regular meeting of the Cheboygan County Board of Commissioners held on October 14<sup>th</sup>, 2014.

I, Mary Ellen Tryban, Cheboygan County Clerk do hereby set my hand and seal this 14<sup>th</sup> day of October, 2014.



*Mary Ellen Tryban*  
\_\_\_\_\_  
Mary Ellen Tryban, Cheboygan County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the multi-purpose room at the Alpine Center Complex, 800 Livingston Blvd., Gaylord, Michigan on the 28<sup>th</sup> day of October, 2014 beginning at 9:30 a.m.

PRESENT: TAMMY LABOUEF, PAUL BEACHNAU, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,  
ABSENT: PAUL LISS, DOUG JOHNSON. KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: PAUL BEACHNAU.

**OCR 14-30**  
**Resolution Calling on the State of Michigan to Provide Adequate Road Funding and Asking for Additional Local Road Funding Options**  
Otsego County Board of Commissioners  
October 28, 2014

**WHEREAS**, the Otsego County Board of Commissioners (board) is seeking to levy a special tax of 1.0 mill to keep existing road and streets, in reasonable repair and in a condition reasonably safe and fit for public travel, as attached; and

**WHEREAS**, this levy will be necessary because the State of Michigan has consistently failed to provide sufficient funding to the county road commission and the county's cities and villages; and

**WHEREAS**, the board believes that a property tax is an imperfect method to fund roads; and

**WHEREAS**, there are few other local road funding options available to counties, cities, villages and townships besides a property tax; now therefore, be it

**RESOLVED** that the Otsego County Board of Commissioners implores the Michigan Legislature to provide sufficient road funding to the State's counties, cities and villages; furthermore, be it

**RESOLVED** that a copy of this resolution be provided to each county in the State of Michigan, Governor Rick Snyder, U.S. Senators Carl Levin and Debbie Stabenow, State Senator John Moolenaar, State Representative Greg MacMaster, and the Michigan Association of Counties.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:


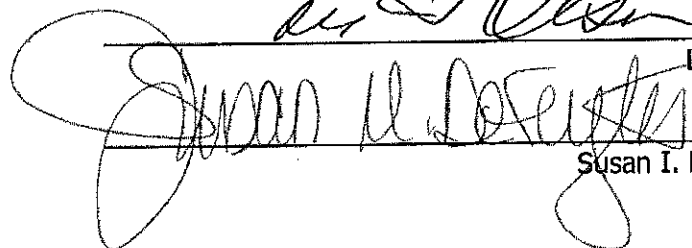
YES: UNANIMOUS.

\_\_\_\_\_

NO: NONE.

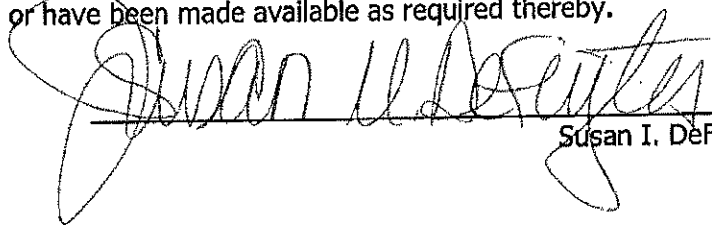
ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Lee F. Olsen, Chairman  
  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
COUNTY OF OTSEGO) §

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 28<sup>th</sup> day of October, 2014, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.



Susan I. DeFeyter, County Clerk

DATED: 11/5/ 2014

By [Jameson Cook](#), The Macomb Daily

Posted: 10/17/14, 6:25 PM EDT |

[22 Comments](#)

The personal information of more than 6,000 Macomb County employees and their dependents was exposed on a web site for about 40 days ending last month.

County officials learned of the security breach early last month and last week mailed an undated letter to employees and family members, including children, notifying them of the incident and one year of free enrollment in two identity theft protection programs.

The names, social security numbers, birthdates, city, zip code and plan carrier of the employees and their dependents were inadvertently available for public access on the web site, [mitn.info](#), for the Michigan Inter-Governmental Trade Network, from July 31 to when it was discovered Sept. 10. The county was seeking proposals for health-care plans.

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Corporation Counsel John Schapka, who signed the letter, called the incident an innocent mistake by a county contractor and downplayed the potential effects of the breach. He said his and his wife's information was exposed.

"I believe the risk to any individual is very low, and I can tell you quite candidly I have done nothing extra to protect myself. That's how worried I am," Schapka said.

But one employee who did not want to be named said she and her husband are upset about the breach and the county's response.

"The county is trying to keep it quiet; they're trying to put the kibosh on it," she said.

She added the county should offer protection for more than one year.

"It scares people," said Donna Cangemi, president of Local 411 of the American Federation of State, County and Municipal Employees, the county's largest union. "It's one more thing we have to worry about." She said the protection should be extended for anyone whose information is found to have been stolen.

The county Board of Commissioners wants more details about the breach and has requested county department heads to attend an informational hearing next month at its Finance Committee meeting in the Administration Building in Mount Clemens.

Employees have expressed concerns to officials, board Chairman David Flynn said.

"This is a huge mistake," he said. "Our office has been hearing complaints that it took so long to respond to such a serious issue. That will be some of the focus of the hearing."

He reserved criticism because, "We don't have all of the information yet."

Schapka said officials did not want to announce a problem until a plan was in place to resolve it.

"If we had told everybody without having a plan to fix it with protection, it would have caused a panic," he said.

Flynn added officials are also concerned about the county's potential liability if someone's identity is used illegally and want to ensure a breach doesn't happen.

The county board wants information about the number "hits" on the web site to help determine whether someone was mining the information.

In the letter, Schapka says the county has made changes to the policies and procedures to the competitive-bid process "to ensure this incident does not recur."

"We take the security of your information very seriously and are unaware of any actual or attempted misuse of your information," the letter says.

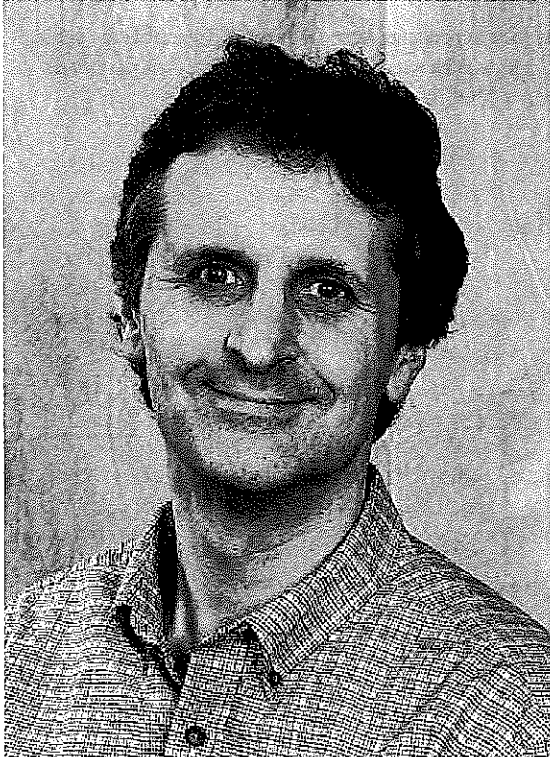
The personal information was received by the county July 3 from its benefits-management vendor, ABS Automate Benefits Services, based in Birmingham with

an office in Sterling Heights. It was immediately posted on the portion of the web site for registered users, representatives of health care systems such as Health Alliance Plan and Blue Cross Blue Shield, according to Schapka. However, when the bidding period ended July 31, the file containing the information could be accessed by clicking on an icon.

Schapka said ABS immediately admitted fault and paid for creation and mailing of the letter, as well as the security protection enrollment through AllClear SECURE and AllClear PRO.

AllClear handled security breaches Target and The Home Depot.

**About the Author**



My beat is the courts of Macomb County and general assignment. Read more of Jameson Cook's court coverage on his blog <http://courthousedish.blogspot.com/> Reach the author at [jamie.cook@macombdaily.com](mailto:jamie.cook@macombdaily.com) or follow Jameson on Twitter: [@jamesoncook](https://twitter.com/jamesoncook).

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MACOMB COUNTY  
October 22, 2014

# Hackel, board disagree over the operation of county medical facility

By Jeremy Selwesi  
C & G Staff Writer

MACOMB COUNTY — With the Macomb County Board of Commissioners and County Executive Mark Hackel at odds over who should run the Martha T. Berry Medical Care Facility in Mount Clemens, the board took action to prevent Hackel from asserting control over the building.

On Oct. 16, the 13-member board voted unanimously in favor of a resolution urging the Executive Office to respect state law and a recent court ruling stating that the county's Human Services Board (HSB) is now responsible for the supervision of Martha T. Berry.

Through this resolution, the board concluded that the 65-year-old medical facility should remain a Macomb County entity and an agent of the county. The board also requested that Hackel negotiate amended terms to the joint operating agreement (JOA) that currently exists between the HSB, the Board of Commissioners and four county labor unions, which the board contended has been an integral aspect of the building's successful turnaround.

According to Board Chair Dave Flynn, D-Sterling Heights, "Before the JOA was approved (in 2009), Macomb County was significantly subsidizing Martha T. Berry with general fund revenue, sometimes to the tune of as much as \$5 million per year. ... We gave the HSB a few years to become financially independent, and they did it in one year. They have done an unbelievable job of operating Martha T. Berry and turning it into a success story for Macomb County."

However, Hackel argued that the HSB should either run Martha T. Berry independently, or the facility should be required to follow the same policies as every other Macomb County department if it remains county-operated. He pointed out that the JOA was approved two years before the county charter went into effect in 2011, and he believes it violates the terms of that voter-supported document.

"A joint operating agreement is something that's unheard of — I don't know of any other county or unit of government that has one in place," Hackel said. "That thing was so poorly written that it's incredible to me that anyone ever approved it. ... The important thing here is that no one can work outside the confines of the county charter. So I'd rather that they (the HSB) stay part of Macomb County government and abide by the charter than become an independent body."

Last year, the HSB filed a lawsuit against Hackel in order to gain full power over Martha T. Berry. Then, on Aug. 29, 2014, Macomb County Circuit Court Judge James Biernat ruled that the HSB is authorized to operate the building with the approval of the Board of Commissioners. Biernat also stated that the county charter's deference to state law — specifically, the Social Welfare Act of 1939 — prevents Hackel from exercising control over the facility.

Four days later, on Sept. 2, Hackel sent a letter to the board declaring that if the HSB is now operating Martha T. Berry on its own, the Executive Office would soon remove all of the services that it currently provides for the facility: payroll, accounting, human resources, risk management, legal representation, building and grounds maintenance, billing, collections and information technology. Martha T. Berry staff would also become ineligible to participate in Macomb County's employee retirement system. Hackel originally set a deadline of Oct. 31 but later extended it to Dec. 31.

Flynn, though, viewed the executive's response as "sour grapes" and an overreaction after the ruling in the HSB lawsuit did not go his way.

"The Executive Office lost this court case, so now they are trying to punish Martha T. Berry because of it," he said. "This is purely a punitive strategy. It's just a way to try to scare the employees over there by creating a bunch of unnecessary chaos and turmoil. The Executive Office should not be taking out their frustrations on the patients and employees of Martha T. Berry."



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# DIA says it will revise executives' pay procedures

Jennifer Chambers, The Detroit News 7:37 a.m. EDT October 23, 2014



(Photo: file )

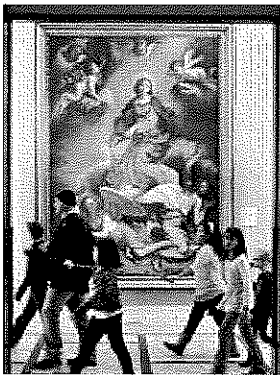
The Detroit Institute of Arts board chairman has vowed no further bonuses will be paid to the museum's two top executives unless the money is approved by three county art authorities or paid from non-taxpayer funds.

Mike Gingell, chairman of the Oakland County Board of Commissioners, said Wednesday he received an emailed letter from DIA chairman Eugene Gargaro earlier this week that outlined corrective action the museum is taking to be more transparent when it comes to executive compensation for DIA director Graham Beal and chief executive officer Annmarie Erickson.

Gargaro's letter came after The Detroit News reported on Oct. 9 that Beal and Graham each received \$50,000 bonuses as well as double-digit pay increases in 2012.

Within days, an Oakland County commissioner threatened to dissolve the county's art authority unless the DIA reconsidered the bonuses and raises and put stricter measures in place to avoid such sizable increases.

The controversial compensation increases came the same year voters in Oakland, Wayne and Macomb counties agreed to higher taxes to support the museum with a 10-year regional tax millage. The tri-county tax raises about \$23 million annually for the museum or 70 percent of its budget.



DIA leaders had argued in 2012 the millage was needed to prevent the museum's financial collapse. (Photo: Daniel Mears, The Detroit News )

DIA leaders had argued in 2012 the millage was needed to prevent the museum's financial collapse.

According to tax documents filed by the nonprofit, Beal's total compensation increased 13 percent to \$513,868. Erickson, DIA executive vice president and COO, saw her compensation increase 36 percent to \$369,366.

Gingell said Gargaro has also promised there will be no more salary increases to Beal or Erickson "unless it's in accordance with DIA policy."

In the letter, which Gingell read to The News, Gargaro said he wants to work on connecting the three art authorities — which are contracted with the DIA and collect tax money on behalf of the county — with compensation decisions by meeting with them three or four times a year.

"So the county art authorities have opportunity for input, so that's a good measure," Gingell said. "They would review the DIA audited financial statements and discuss it in an open forum with the art authorities. It's definitely more outreach, more transparency, more practical steps to address compensation."

Reached by The News Wednesday afternoon, Gargaro declined to discuss the specifics of the letter or what it was offering. "I haven't had a chance to speak with the commissioners about it yet," Gargaro said.

Gargaro is expected to meet with commissioners during their caucus Thursday morning, Gingell said. That will take place just before the start of the regular board meeting, at which commissioner Dave Woodward, D-Royal Oak, had planned to offer a resolution to dissolve the Oakland County Art Authority, which sends \$11 million a year to the DIA.

Gingell said once all 21 members of the board read the letter and speak with Gargaro, "my personal opinion is things will move on" and the issue of dissolving the art authority will be over.

Woodward said the letter is a positive development but there are still some outstanding issues to be resolved. Woodward wants the leadership at the art authorities to be able to ask questions about compensation.

He also does not want millage money used for executive compensation. The DIA could use privately donated funds for that, he said.

Woodward wants to see all the proposed changes codified into amendments to the articles of incorporation and to the contract the art authorities have with the DIA.

"Across the board, as authorities take on larger roles, accountability of operating procedures is important. We must ensure oversight is in place — it's absolutely essential," Woodward said.



According to the articles of incorporation of the Oakland County Art Institute Authority, the authority may be dissolved upon a yes vote by a majority of the board of commission.

Gargaro issued a public apology last week, saying the museum did not anticipate the uproar.

He defended the raises for Beal and Erickson, saying they "work very hard to maintain a museum that is internationally respected, and they should be compensated in the same manner as their contemporaries in the art world."

The bonuses and raises came just months before the DIA became embroiled in the city's bankruptcy and news that a collaboration of foundations pledged \$366 million to protect the collection from creditors. The collection has been valued as high as \$4.6 billion.

Macomb County Executive Mark Hackel and Wayne County Executive Bob Ficano said they were pleased to hear Gargaro wants the art authorities involved in compensation decisions.

"I think that's important in every issue, to get the counties involved ... I welcome that. This should have been part of the authority to begin with," Hackel said.

Both Hackel and Ficano credited Gargaro with stepping up to make the necessary changes. "It's a step in the right direction," Ficano said.

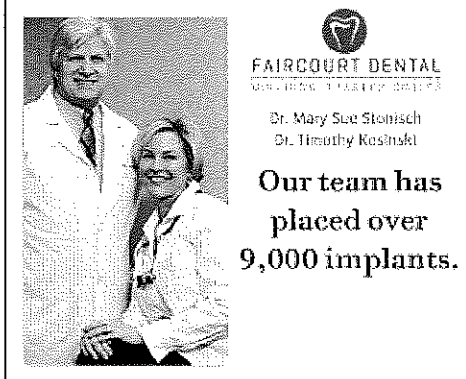
Ficano said he exchanged emails with Garago over how to remedy the situation.

"Gene, he called me up and he was extremely apologetic and conciliatory about how this came to be. He agreed this should have been more up front. I give him a lot of credit," Hackel said.

Asked whether he sees his county art authority approving bonuses for DIA executives, Hackel said no.

"I don't see that happening anytime in the near future. If they make a good case for it in the future, maybe," Hackel said.

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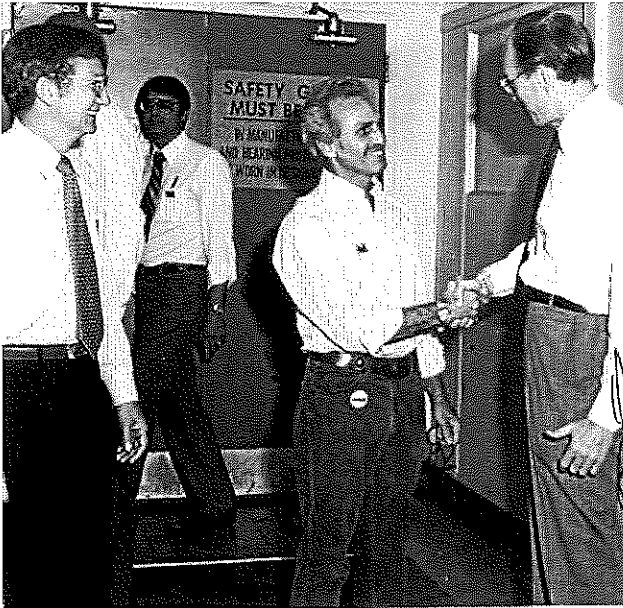
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During his 45 year career, Richard Notte rose to become a union chairman and a major player in the bargaining of contracts during the 1970s and 80s. MACOMB DAILY FILE PHOTO

Posted: 10/28/14, 3:46 PM EDT | Updated: 42 mins ago

[0 Comments](#)

As news of Mayor Richard Notte's death spread Tuesday, tributes were offered by a number of community leaders. Some of those included:

"Richard was well known for his quick wit and sense of humor. But he will be best remembered for his decades of selfless public service for all of the people of Sterling Heights."

- Ralph "Skip" Maccarone

Former Shelby Township Supervisor



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"Mayor Notte was a dear friend, colleague and neighbor. Though we disagreed on many philosophic issues, we always worked together for the better of our mutual community in Sterling Heights/Shelby Township. Mayor Notte was a constant champion of communities working together to serve residents and taxpayers, and MACRO and its mission to bring the municipalities of Macomb County together is a fitting tribute to Mayor Notte. He will be missed as a mayor and civic leader, but even more so as a friend. I will keep his family in my prayers. I will miss him."

- Rick Stathakis

Shelby Township Supervisor

"I was very saddened to hear of the passing today of Mayor Richard Notte. For the past 20 years, Mayor Notte has served the people of Sterling Heights with distinction and integrity. He has presided over our city that for years has been recognized as one of the safest and best places to live, educate our children and raise a family, not just in the state, but in the entire country. Our thoughts and prayers are with Mayor Notte's family during this difficult time. He will be sorely missed."

- Henry Yanez

## State Representative (D-Sterling Heights)

"Richard was a champion for all of Macomb. Serving as the mayor of a neighboring community, he was a mentor to me. He represented everything good about public service, and set the bar high for all elected officials with his integrity and dedication."

- Marilyn Lane

## State Representative (D-Fraser)

"Today, not only do we mourn the loss of a dedicated public servant, but a good man who we all knew and couldn't help but love. He showed leadership in the tough times and made us laugh during the good times. In the spring of 2014 Mayor Notte was diagnosed with Pancreatic Cancer, but he faced that challenge like he did everything else in life—with dignity, decency and the will to fight."

- David Flynn

## Macomb County Board of Commissioners chairman (D-Sterling Heights)

"The City of Sterling Heights has lost a humble, hard-working public servant. Richard Notte was a Mayor deeply rooted in the fabric of his community, and exceptionally proud to represent all of its citizens. He was an articulate spokesperson for the middle class and American manufacturing and we are all deeply saddened by word of his passing."

- Sander Levin

## U.S House of Representatives (D-Royal Oak)

"We will always remember his easy charm, his kind heart, his giving nature, and, of course, his fedora hat. Richard Notte was not only a treasure for Sterling Heights but was also a respected leader across Macomb County, the Southeast Michigan region and, indeed, our entire state. That respect spread from the halls of government, to the boardrooms of businesses, the union halls of workers, the classrooms in our schools, and everywhere he went in the community he helped make great."

- Candice Miller

## U.S. House of Representatives (R-Harrison Township)

"His popularity crossed well over the boundaries of his beloved Sterling Heights; our chamber hosts a number of ribbon cuttings and events during the year, and one could always count on The Mayor being present. Due to his popularity and charisma, there was more than one occasion where he'd be invited as a dignitary to these special events even when they were outside of his home city's boundaries. He'd invariably be there wearing that wonderful smile, trademark fedora, and with a kind word for everyone in attendance."

- Wayne Oehmke

## President, Sterling Heights Chamber of Commerce

"I am saddened by the loss of Mayor Notte. He was a passionate public servant who cared deeply about our community and our state. He was a mentor and friend. The mayor leaves a tremendous legacy for me and my colleagues to continue to find ways to enhance our community and improve the quality of life for everyone. My thoughts and prayers are with his family and remain supportive to them during this difficult time."

- Doug Skrzyniarz

## Sterling Heights City Councilman

"Mayor Richard Notte loved and served the City of Sterling Heights with honor and pride. He had the ability to connect with everyone who was fortunate enough to know him. We will always greatly appreciate the commitment he had to children and the public schools in his city."

- Christine Johns

## Superintendent, Utica Community Schools

"Dick was somebody that I got to know through the best and worst of times. He was always going, like the Energizer Bunny, always kept moving forward no matter what the circumstances. I'm going to miss him."

- Steve Duchene

## Eastpointe and former Sterling Heights city manager

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## Sheriff eyes dash-cam upgrades for patrol cars



Wickersham

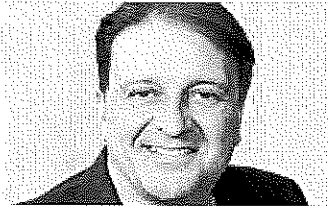
By [Chad Schweski](#), The Macomb Daily

Posted: 11/11/14, 10:27 AM EST | Updated: 23 secs ago

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All 53 patrol cars at the Macomb County Sheriff's Department may be equipped with updated in-car cameras at a cost of \$329,000 by early next year.

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### **SELWESKI: It's time for voters to end Michigan's rigged elections**

Now that the Republicans in Lansing have abandoned a nefarious plan to manipulate Michigan's presidential elections, it's time for the Democrats who have expressed outrage over this scheme to concede that they have participated in a system that rigged elections for Congress and the Legislature for decades.

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## **Finger-pointing over Macomb County security breach**

By [Chad Selweski](#), The Macomb Daily

Posted: 11/13/14, 5:41 PM EST |

[1 Comment](#)

County officials and contractors continue pointing fingers over a massive security breach in September that opened the door to identity theft by inadvertently exposing the Social Security numbers and dates of birth of more than 6,000 Macomb County employees and their dependents on the Internet.

Commissioner Bob Smith said Thursday he is concerned various players are “trying to spread the blame to all kinds of places.”

“This seems like a scapegoat act to try and make it look like outsiders were at fault,” said the Clinton Township Democrat, who noted a worker involved in the



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Meanwhile, one of two consulting contractors blamed for the mess has cried foul. In an email to The Macomb Daily, Automated Benefit Services said the county and an IT consultant, Technology Resource Management, or TRM, were the culprits.

“At no point has, or will, ABS take responsibility for this incident,” the company’s attorney said.

When the break was divulged in a letter to employees on Sept. 30, high anxiety ensued. County board Chairman Dave Flynn called it a “huge mistake” and questioned why it took weeks to notify workers.

Last summer, as county officials sought bids from health insurance providers, the names, Social Security information, birth dates, community of residence, zip code and current health plan carrier of the employees and their spouses and children were mistakenly made available for public access on a website, mitn.info.

That Michigan Inter-Governmental Trade Network, which serves as an online portal for potential bidders on government contracts, provided personal information until the security debacle was discovered Sept. 10. So far, scant evidence exists that the incident resulted in identity theft. The county’s top legal counsel, John Schapka, said two Sheriff’s Office detectives received notice their family’s personal information was “compromised.” But no identity theft has occurred for those two officers and it’s unclear if their situation arose from the bidding process that went haywire.

Since then, the county Purchasing Department has changed its policy, eliminating the “middle men,” so that bidders do not expose personal information on the MITN website. The two county contractors allegedly involved have paid for a security firm to assist employees and track any hint of fraud – a free service that will continue for one year.

All Clear ID has a top rating from the Better Business Bureau and assisted with the two massive credit card security breaches that occurred recently at Home Depot and Target stores across the nation.

The U.S. Department of Health and Human Services and three top national consumer reporting agencies have also been briefed on the widespread exposure of private information in Macomb County.

The MITN website has 7,670 registered users but officials concede that, when the county bidding process was over on July 31, any member of the public could have accessed the information over the next 10 days.

At the county board’s Finance Committee meeting on Thursday, Schapka, facing agitated commissioners, said he has been told online fingerprints cannot be traced that would indicate who accessed the employees’ data. The corporation counsel added he is not personally concerned that his personal information was stolen in July-September.

“I’m not a scaredy-cat. I’m not afraid of these things,” said Schapka, who indicated he quickly resolved identity theft issues twice in the past.

That response drew criticism from Commissioner Don Brown who said Schapka was too “nonchalant” about the incident.

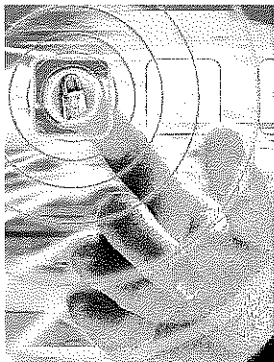
“Who’s responsible for this?” the Washington Township Republican queried. “Is that unreasonable to ask?”

#### About the Author

# Macomb makes changes to prevent another security breach

By Christina Hall, Detroit Free Press 6:38 p.m. EST November 13, 2014

*Personal info about county employees and their dependents appeared online for weeks. Employees were offered free identify-theft protection programs for a year.*

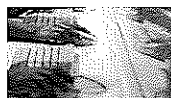


(Photo: Dana Fasano, KRT)

Social Security numbers of children of two Macomb County sheriff's detectives were compromised in a recent security breach in which personal information about thousands of county employees and family members were mistakenly available on a website for weeks.

The problem was resolved, and the county has made some changes to prevent such breaches from happening again, Corporation Counsel John Schapka told county commissioners today. The information was online from July to Sept. 10.

The error was made by a contractor when the county was seeking proposals for health care services. An extra computer file with names and Social Security numbers of all active employees in the county insurance program and their dependents was attached to another computer file. The contractor sent the information to a second contractor.



FREEP

Personal info of Macomb County workers online for weeks

[\(http://www.freep.com/story/news/local/michigan/macomb/2014/10/18/macomb-county-employcc-info-online/17497581/\)](http://www.freep.com/story/news/local/michigan/macomb/2014/10/18/macomb-county-employcc-info-online/17497581/)

The information appeared on the Michigan Inter-governmental Trade Network (MITN) website, which had 7,670 active registered users as of Oct. 21. MITN users could have seen the information from July 3-31 when the bid process remained open, Schapka said in his response to a request for information from the board.

Once the bid period closed, the public could have potentially accessed the information until it was taken down Sept. 10, Schapka said.

The number or identity of those opening the request for proposal is unknown because the tracking history was deleted when the county asked MITN to delete the proposal from its website.

A Troy-based benefit consultant discovered the information and contacted the county's human resources office. It took the county 20 days to notify employees of the breach.

County employees were offered free enrollment in identity-theft protection programs for a year. The cost of those programs is being paid by the contractors, Schapka said. There is no cost the county.

Schapka told the board the county's purchasing policy was changed because of the breach. It now requires requesting departments to review and submit supporting request for proposal bid data directly to purchasing for posting on MITN. The data will no longer be accepted from third party contractors or consultants.

Also, the recent health care open enrollment period was done manually instead of online, but Schapka did not believe that would be a permanent move.

Schapka said the county employee who did the upload is no longer employed with the county. He believed the employee either retired or left for another job. He said there was no adverse action against the employee.

Contact Christina Hall: [chall99@freepress.com](mailto:chall99@freepress.com). Follow her on Twitter @challreporter

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# DIA directors repaid exec bonuses out of own pockets

By Christina Hall, Detroit Free Press 7:09 p.m. EST November 13, 2014

*Macomb County commissioners say return of money, revamping pay decisions are steps in right direction.*



(Photo: Eric Seals/Detroit Free Press file)

The chairman of the Detroit Institute of Arts board of directors told Macomb County commissioners today that board members repaid \$90,000 in contested bonuses for three senior executives out of their own pockets to quell a growing controversy.

DIA Board Chairman Eugene Gargaro said he and other board members personally came up with the money last week to repay the DIA.

The three executives did not repay the bonuses they received, Gargaro said, later telling a reporter, "to take it back would be a double insult to them."

According to a Nov. 4 memo from Gargaro to executives, commissioners and art authorities in Wayne, Oakland and Macomb counties: "While we reiterate that no wrongdoing of any kind took place in connection with the payment of these bonuses, in order to put this very unfortunate situation behind us, the bonuses were repaid in full today to the DIA by contributions of personal funds from members of our board of directors specifically for this purpose."

Macomb commissioners were critical of the bonuses given to the three DIA senior executives last year after a tax increase, but indicated today the reimbursement of the bonuses and plans to revamp compensation decisions were steps in the right direction.

Gargaro told the county board that if bonuses are paid in the future, the money will not come from the tricounty millage, which generated \$23 million last year. He said a separate fund will be established through donors who will be given disclosures on what is coming in and going out of the fund.

The discussion came after a dust-up between museum leaders and metro Detroit county officials about DIA executive pay raises and bonuses given after voters in Wayne, Oakland and Macomb counties in 2012 approved a special 10-year millage to help fund the museum.

The Nov. 4 memo also indicates that as long as millage funds are being received by the DIA, decisions regarding compensation by the DIA to its senior executives will be reviewed with representatives of each county art authority before being implemented.

The memo also states the DIA will improve communication and transparency by scheduling three official meetings with the county art authorities each year and will send out two newsletters annually reporting on DIA events with special emphasis on what's going on in each county.

The DIA also is to invite county commissioners to all exhibition openings and make them aware of other public events taking place at the DIA so they can attend, according to the memo.

"It's not a good thing. But what you guys are putting in place is a good thing," Commissioner Jim Carabelli, R-Shelby Township, said, adding that he was not going to politically grandstand on the matter.

Commissioner Don Brown, R-Washington Township, was more direct: "These types of bonuses don't fly in Macomb County." But, he said, the efforts going forward "does a lot to help restore the faith."

DIA Director Graham Beal received a \$50,000 bonus last year. Chief Operating Officer Annmarie Erickson received a \$30,000 bonus and Chief Financial Officer Rob Bowen received a \$10,000 bonus, according to the memo.

Gargaro said the bonuses — approved by the DIA's compensation committee, which he chairs — were given because of the work the executives had done and the additional responsibilities involved in the Detroit bankruptcy, which resulted in the city-owned museum being spun off into a separate nonprofit organization to protect its artwork.

No bonuses have been handed out this year, Gargaro said.

Beal's total 990 compensation last year was \$533,719, which includes base compensation, bonus and nontaxable benefits; Erickson's was \$337,043, and Bowen's was \$198,575, according to the memo.

"Obviously, the timing of this is very bad," said Commissioner Robert Mijac, D-Sterling Heights.



# Michiganians favor privatization

The Detroit News 12:08 a.m. EST November 18, 2014

*Municipal governments should continue to pursue this option for trimming cost of government*



(Photo: Todd McInturf, The Detroit News)

A University of Michigan survey confirms that more county and municipal governments are turning to privatization to help save money while maintaining services to their residents.

The survey, conducted by U-M's Center for Local, State and Urban Policy, concludes that privatization is common in Michigan, with 65 percent of the jurisdictions reporting they outsource one or more services, including 84 percent of the state's largest jurisdictions.

Overall, the most common services outsourced are attorney/legal services, engineering, waste/recycling, property assessing and inspections.

Among communities that outsource any service, local leaders in 73 percent say they are satisfied with the results.

Tom Ivacko, program manager at the center, says the survey was first taken in 2009 and his department hopes to continue to conduct yearly updates.

"Our hope is over time we'll have this incredibly valuable data source to aid not only public policymakers but researchers as well," Ivacko says. "Also, we hope to increase accountability and transparency in the public sector."

The survey also found that Macomb County communities are "significantly less likely to say they outsource compared to Wayne and Oakland counties."

However, County Executive Mark Hackel says Macomb may be behind but it is "migrating in that direction."

Hackel says he supports privatization when the opportunities arise, if it is cost effective.

In some cases, such as police protection, Hackel says it is better to have communities contract with the county or share services.

Five Macomb County communities contract with the sheriff's office for police protection and one for dispatching services.

Ivacko also noted there is more inter-government cooperation, particularly for such services as police, fire and 911 dispatch.

"For these types of services, it's easier to cooperate with a neighboring local government instead of privatizing," he says.

Many Oakland County municipalities have found it particularly advantageous to contract with the sheriff's office for police and dispatch services.

The Sheriff's Office patrols 15 municipalities, including three cities, 10 townships and two villages, plus Oakland County Parks and Recreation.

Six other police agencies and 16 fire departments contract for dispatching services.

The survey found that while most local leaders are satisfied with the outcomes of their outsourcing, relatively few think they should privatize more services.

Only 10 percent of Michigan local jurisdictions expect to boost outsourcing in the coming year.

That's mistaken thinking.

The need for sharing services and privatization grew out of the Great Recession.

But just because the economy is improving doesn't mean governmental units can revert to old habits. Prudent municipal budgeting is always a necessity to avoid deficit spending.

While the survey is impartial and does not draw any conclusions about the value of intergovernmental cooperation and privatization, the message is clear: These practices will help municipalities trim budget costs and operate at a more efficient level while still providing services to residents.

It would bode well for state, county and local municipalities to explore more fervently and frequently inter-government cooperation and privatization.

These are proven fiscal options that will continue to be valuable factors in balancing governmental budgets.

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