



# 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, AUGUST 20, 2015, 7 P.M.

### FINAL AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Invocation by **Commissioner Fred Miller**
5. Adoption of Agenda
6. Approval of Minutes dated July 22 and August 6, 2015 **(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. **COMMITTEE REPORTS:**
  - a) Health and Human Services, August 17 **(no report)**
  - b) Infrastructure/Economic Development, August 18 **(no report)**
  - c) Finance, August 19 **(page 1)** **(attached)**
  - d) Audit, August 20 **(to be provided)**
10. Board Chair's Report **(page 6)** **(attached)**
11. Approve Date for Public Hearing on 2016 Recommended Budget – Thursday, September 10, 2015, 9 a.m.

## MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair  
District 4

Andrey Duzyj – District 1

Don Brown – District 7

Kathy Tocco – Vice Chair  
District 11

Marvin Sauger – District 2

Kathy Vosburg – District 8

Steve Marino – Sergeant-At-Arms  
District 10

Veronica Klinefelt – District 3

Fred Miller – District 9

Robert Mijac - District 5

Bob Smith – District 12

James Carabelli – District 6

Joe Sabatini – District 13

**12. RESOLUTIONS:**

- a) Supporting the Repeal of Michigan's 2011 Fireworks Law Within House Bills 4725 and 4726 (offered by Duzyj; recommended by Health & Human Services Committee on 8-17-15) (page 39) **(attached)**
- b) Supporting Michigan Senate Bill No. 352, The Caregiver Advice, Record and Enable (CARE) Act (offered by Duzyj; recommended by Health & Human Services Committee on 8-17-15) (page 41) **(attached)**
- c) Supporting Michigan House Bill No. 4763 to Create the Position of State Poet Laureate Within the Department of Education (offered by Board Chair on behalf of Board; recommended by Finance Committee on 8-19-15) (page 43) **(attached)**

**13. PROCLAMATIONS:**

- a) Recognizing July 19-25, 2015 as Social Security Week (offered by Flynn; recommended by Health & Human Services Committee on 8-17-15; previously provided at committee meeting)
- b) Proclaiming September 2015 as Childhood Cancer Awareness Month in Macomb County (offered by Flynn; recommended by Health & Human Services Committee on 8-17-15; previously provided at committee meeting)
- c) Recognizing the 25<sup>th</sup> Anniversary of Da Francesco's Italian Restaurant (offered by Carabelli; recommended by Infrastructure/Economic Development Committee on 8-18-15)
- d) Recognizing the 65<sup>th</sup> Anniversary of the Martha T. Berry Medical Care Facility (offered by Board Chair on behalf of Board) (page 44) **(attached)**

**14. CORRESPONDENCE:**

- a) 8-19-15 Memorandum from Independent Counsel Re: Use of Liquor Tax Funds for Substance Abuse Programs (page 46) **(attached)**
- b) 8-20-15 Memorandum from Corporation Counsel Re: Liquor Tax Distribution Funding for Substance Abuse Treatment (page 47) **(attached)**

15. Executive Session to Discuss Attorney/Client Privileged Memorandums from Independent Counsel Dated 8-13-15 and 8-19-15

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

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

**August 19, 2015**

**TO: BOARD OF COMMISSIONERS**  
**FROM: FRED MILLER, CHAIR, FINANCE COMMITTEE**  
**RE: RECOMMENDATIONS FROM MEETING OF 8-19-15**

At a meeting of the Finance Committee, held Wednesday, August 19, 2015, the following recommendations were made and are being forwarded to the August 20, 2015 Full Board meeting for approval:

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

A motion was made by Duzyj, supported by Sauger, to recommend that the Board of Commissioners approve an amendment to the 2015 adopted budget to reflect organizational and budgetary changes at Martha T. Berry (MTB) Medical Care Facility; amendment should reflect a decrease of 100 percent of Internal Services charges (Indirect Cost Allocations) equal to \$791,586; the 2015 adopted budget amount of \$791,586 should be realized in an increase of contract services and/or wages; administrative services that MTB once purchased from the general county are currently provided solely by MTB and/or its contractors (i.e. Human Resources, Finance, Information Technology, telephone service, legal services); 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.**

## MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair	Kathy Tocco – Vice Chair	Steve Marino – Sergeant-At-Arms		
Andrey Duzyj – 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

## COMMITTEE RECOMMENDATIONS

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

A motion was made by Smith, supported by Marino, to recommend that the Board of Commissioners approve the contract between the Department of Roads and the City of Sterling Heights outlining the scope of work and cost sharing for concrete pavement repairs on Schoenherr Road from north of 14 Mile Road to south of Moravian; 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 Carabelli, supported by Sauger, 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 2016 wage re-opener, as tentatively agreed to and ratified by the membership of TPOAM – Circuit Court and Professionals Association, TPOAM – Family Court/Juvenile Justice Center, Macomb County Environmental Health Association and POAM – Juvenile Justice Center; further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED.**

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



# MACOMB COUNTY, MICHIGAN

<b>Resolution Number:</b>	<b>Full Board Meeting Date:</b>
	08/19/2015

## RESOLUTION

<b>Resolution to:</b>
Amend 2015 adopted budget to reflect organizational and budgetary changes at Martha T Berry Medical Care Facility. Amendment should reflect a decrease of 100% of Internal Services Charges ( Indirect Cost Allocations) equal to \$791,586.00. 2015 Adopted Budget amount of of \$791,586.00 should be realized in an increase of contract services and/or wages.
Administrative services that MTB once purchased from the General County are currently provided solely by MTB or/and its contractors. ( i.e. Human Resources, Finance, Information Technology, Telephone Service, Legal Services) *SEE BELOW

<b>Introduced By:</b>
Andrey Duzyj, Chair, Health and Human Services Committee Jennifer Morgan, Director- Martha T Berry Medical Care Facility

<b>Additional Background Information (If Needed):</b>
Macomb County IFAS Budget Adjustment Form is attached.
*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. FORWARD TO THE FINANCE COMMITTEE.
*(This language was added by Health and Human Services Committee Chair Duzyj.)

Committee	Meeting Date
Health and Human Services	8-17-15
Finance	8-19-15
Full Board	8-20-15



# MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

## RESOLUTION

Resolution to:
<p>Approve the contract between the Department of Roads and the City of Sterling Heights outlining the scope of work and cost sharing for concrete pavement repairs on Schoenherr Road from north of 14 Mile Road to south of Moravian.</p>

Introduced By:
<p>Commissioners James Carabelli &amp; Robert Mijac, Infrastructure/Economic Dev Committee</p>

Additional Background Information (If Needed):
<p>Project is budgeted in the Department of Roads Construction Budget (Pavement Preservation Program).</p>

Infrastructure/Economic Development

**08/18/2015**

Committee

Meeting Date

Finance

8-19-15

Full Board

8-20-15



# MACOMB COUNTY, MICHIGAN

**Resolution Number:**

**Full Board Meeting Date:**

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## RESOLUTION

**Resolution to:**

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 2016 Wage Re-opener, as tentatively agreed to and ratified by the membership of TPOAM - Circuit Court and Professionals Association, TPOAM - Family Court/Juvenile Justice Center, Macomb County Environmental Health Association and POAM - Juvenile Justice Center.

**Introduced By:**

Commissioner Fred Miller, Chair, Finance Committee

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

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

**Lump Sum Payment:** The previously agreed to lump sum payment of \$500 to be paid each full-time employee, including DROP participants, on the first regular paycheck in 2016 is eliminated and will not be paid as a result of this amendment.

**Wage Adjustment:** 2.0%

Committee	Meeting Date
Finance	08/19/2015
Full Board	8-20-15

## MACOMB COUNTY, MICHIGAN

**RESOLUTION TO** receive and file report from Board Chair for August 2015

**INTRODUCED 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**

- Budget Deliberations
- MTB
- DIA – Arts Authority meeting
- Transit

### **Office**

- Part-time Special Projects Coordinator position to be posted soon.
- **BOC Scanning Project** –
  - Phase 1 is very near to completion; next steps include developing user guides, installing a public kiosk and staff training.
  - Phase 2 will link committee minutes to agendas and support materials enabling easy searches and creating increased transparency and access.
- FYI: Parking Structure closes nightly at 8pm; on Full Board nights it will stay open until 9pm.

### **Upcoming Items**

- Martha T. Berry Medical Facility's 65<sup>th</sup> Anniversary event is September 10<sup>th</sup>, 4-8pm
- Meals On Wheels Volunteer Recognition event is September 11<sup>th</sup>, 8am.
- Naturalization Ceremony at MCC Center Campus - Lorenzo Cultural Center on September 18<sup>th</sup>, 10am

### **Regional**

- Michigan Association of Counties Annual Conference - Sept. 20-22
- Oakland University State, Federal & County luncheon at Macomb/OU INCubator, Sterling Heights
- MAPERS – Sept. 26-29

### **Correspondence:**

- Casual Day Program letters of thanks

### **Media:**

- See attached articles.

### **BOC – Independent Counsel:** Expenditures for Outside Legal Counsel Professional Services

Litigation	Legal Svcs	Legal Services	Budget	
InvoiceCharges:	Budget Amount:	Invoice Totals:	Remaining:	%Utilized:
	\$120,400 (2015)			
		\$ 5,566.00 (January)		
		<u>3,243.00</u> (February)		
		\$ 8,809.00	\$111,591	0.07
		<u>6,992.00</u> (March)		
		\$15,801.00	\$104,599	0.13
		<u>3,334.00</u> (April)		
		\$19,135.00	\$101,265	0.16
		<u>1,265.00</u> (May)		
		\$20,400.00	\$102,530	0.17
		<u>1,380.00</u> (June)		
		\$21,780.00	\$101,150	0.18

### **COMMITTEE/MEETING DATE**

Full Board 08-20-15



**Board Chair Report – July 2015 – 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:
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		\$15,801.00	\$104,599	0.13
		<u>3,334.00</u> (April)		
		\$19,135.00	\$101,265	0.16
		<u>1,265.00</u> (May)		
		\$20,400.00	\$102,530	0.17

**COMMITTEE/MEETING DATE**

Full Board 07-22-15

# CITY OF UTICA

A resolution of the City of Utica in support to Ban the Sale and Use of Sky Lanterns

**WHEREAS,** it is the desire and intent of the City Council to provide citizens with the greatest degree of protection from fire; and

**WHEREAS,** aerial candle known as sky lanterns, sky candles, fire balloons, airborne paper lanterns, Chinese lanterns, Kongming lanterns, wish lanterns, or khoom fay are not consumer fireworks or novelty fireworks as defined by Michigan law; and

**WHEREAS,** sky lanterns can drift out of control for 10 to 12 minutes with an open flame; and

**WHEREAS,** the City's Fire Chief and Fire Marshal, along with the National Association of State Fire Marshalls, have determined that there is a serious fire and safety hazard associated with sky lanterns, which includes the potential to start unintended fires, with several such fires having been documented during the past several years, including causing a fire in England at a plastics recycling plant which caused \$9 million in damage; and

**WHEREAS,** the National Association of State Fire Marshals enacted Resolution 2013-3 strongly encouraging every state to ban sky lanterns; and

**WHEREAS,** as recently as May of 2015, sky lanterns drifted into a cellular tower in North Carolina, causing it to ignite and requiring 20 firefighters and nearly 6,00 gallons of water to extinguish; and

**WHEREAS,** the City Council desires to protect the lands, fields, buildings, structures, and homes within the City from the danger of fire by prohibiting the igniting and launching of sky lanterns; and

**WHEREAS,** at least 9 countries, 7 states, and 11 Michigan communities are known to have completely banned sky lanterns, with many others allowing their use only if tethered to the ground and continuously monitored:

**NOW THEREFORE BE IT RESOLVED**

The above resolution was introduced at a regular meeting of the City Council of the City of Utica on August 11, 2015 and was duly adopted at said meeting.



Jacqueline K. Noonan, Mayor  
CITY OF UTICA



# City of Utica

7550 Auburn Road, Utica, Michigan 48317-5279  
(586) 739-1600 • Fax: (586) 739-2867

## CITY OF UTICA

### Proclamation

- WHEREAS,** In 2011, the State of Michigan enacted the Fireworks Safety Act, which became effective on January 1, 2012; and
- WHEREAS,** The Act authorizes the retail sale of "consumer fireworks" and prohibits municipalities from regulating such sales; and
- WHEREAS,** The Act authorizes the use of "consumer fireworks" for a minimum of 30 days per year, and with the exception of specific overnight hours, prohibits municipalities from regulating such use during those 30 days; and
- WHEREAS,** The Act has had a profound negative impact on the quality of life for many residents of the City of Utica, whose neighborhoods have again this year endured additional fireworks-related noise, litter and disturbance of the peace. This intrusion occurs well beyond the 30 days authorized by the Fireworks Safety Act; and
- WHEREAS,** The Act wholly failed to consider its impact on local police, fire, and community relations resources, each of which was impacted substantially by the volumes of calls and complaints relating to the sales and use of consumer fireworks; and
- WHEREAS,** the extra work associated with addressing the complaints and calls, as well as the extra work associated with preparing and adopting an ordinance to address the many extraneous fireworks-related issues that municipalities are still permitted to regulate, cost the taxpayers significant sums and amounted to an unfunded mandate for which no reimbursement has been forthcoming from the State. The cumulative statewide cost that the State of Michigan has imposed on its municipalities far exceeds any incremental revenues generated from the sales of consumer fireworks; and
- WHEREAS,** In addition to creating extra work for police, fire, planning, code enforcement, and legal officials of the City, the process established for allowing retail sales also created extensive confusion relating to registration and licensing, local and state inspections, and monitoring of temporary locations for full compliance with the Act's sales and financial requirements.
- WHEREAS,** In its current form, the Act encourages less reputable vendors to take advantage of the confusion by establishing temporary sales locations without obtaining a State certificate to do so.
- WHEREAS,** the Act also encourages less reputable vendors to engage in unlawful sales practices because no system is in place to monitor or inspect each vendor's operations.

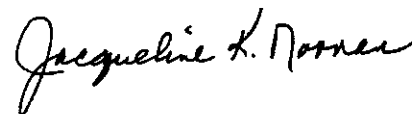
- WHEREAS,** the Act also encourages fraud, because no system is in place to monitor or inspect each vendor's sales and each vendor's collection and remittance of the mandatory sales taxes and safety fund fees.
- WHEREAS,** The erosion of local control and home rule authority inflicted by the Act has tied the hands of City officials, caused harm to City residents, and preempted any reasonable regulations that could protect neighborhoods, minimize blight, and ensure the public's health, safety, and welfare.
- WHEREAS,** Beyond question, the Act has diminished the quality of life in the City of Utica and most of the communities in the State of Michigan by trading off the health, safety, and welfare of residents for the benefit of business who profit from the sale of consumer fireworks. The Fireworks Safety Act remains an ill-conceived and an indefensible piece of legislation that needs to be repealed.
- WHEREAS,** House Bills 4725 and 4726 of 2015 would, if enacted by the Michigan Legislature and the Governor, repeal the Fireworks Safety Act and ban the sale and use of consumer fireworks, with the exception of fireworks displays that are authorized as part of a permitting process by each individual municipality as a function of local control.

**BE IT FURTHER RESOLVED** that the City of Utica hereby requests that the Michigan Legislature and the Governor enact House Bills 4725 and 4726 of 2015. The City of Utica also urges all concerned citizens to participate in the online petition for the repeal of the Fireworks Safety Act, found at:

<http://petitions.moveon.org/sign/repeal-the-michigan-firework>.

The City Council directs the City Clerk to forward this resolution to the Governor of the State of Michigan, to the City's representatives in the Michigan House and Senate.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Utica to be affixed this 11<sup>h</sup> day of August 2015.



Jacqueline K. Noonan, Mayor  
CITY OF UTICA

Dear Mr. Flynn and Macomb County Employees,

On behalf of Play-Place for Artistic Children and the many families affected by autism that will benefit from your generosity and support, we would like to extend a heartfelt THANK YOU for your Macomb County Employee 2015 Casual Day

Program donations of \$986.11 to date! It is through the alliance and support of organizations like the Macomb County employees that we are able to advance our mission and impact the lives of these families. Your kindness will inspire, empower and impact these lives, and for that, we are sincerely appreciative! With warmest regards,  
Shell Jones

Thank you

FOR HELPING KIDS CONQUER CANCER

ONE "NEIGH" AT A TIME!

Dear Macomb Co. Employees

c/o David Flynn,

Thank you so much for  
hosting a casual day in our  
honor. Your generosity will  
enable us to bring more  
nurses into the lives of children  
with cancer and their families

Thank you Again!

— Camp Casey



# Anchor Bay Community Giving Tree

Date 7/28/2015

**RECEIVED**

AUG 03 2015

Officers

PRESIDENT  
Sherry Lawfield  
VICE PRESIDENT  
Geraldine Kelly  
TREASURER  
Samantha Hudson  
SECRETARY  
Michelle Groth  
BOARD TRUSTEE  
Dan Groth

Macomb County Board of Commissioners  
One South Main  
Mount Clemens, MI 48043

**BOARD OF COMMISSIONERS**

Macomb County July Casual Days:

We wanted to send all of you a grateful thank you for including us in your Friday Casual Days.

Your generous donation will support one less fortunate child for the holiday season this year.

Committee

Members

Stacy Gotz  
Corey Marston  
Liz Frankhouse  
Mike Frankhouse  
Tim Kelly  
Ken Lawfield  
Kim Anderson

Our organization supplies food, clothing, school supplies and Christmas wishes to the less fortunate children of Macomb and St Clair Counties and with your support that is one more child we can help this year.

Thank you very much for your support.

Sherry Lawfield

Members

Lindsay Beckman  
Randy Blackburn  
Izzy Fish  
Eric Haydemack  
Lane Marston



**BOARD OF TRUSTEES**

**OFFICERS**

President

**Patricia Woodstock**

*Lakeshore Public Schools, retired*

President-Elect

**Nancy Mitchell**

*US Army Detroit Arsenal-FMWR*

Secretary

**Wendy Callanan**

*County of Macomb*

Treasurer

**Michael Sarcheck**

*First Financial Services*

*of Michigan*

V.P., Development

**Joseph Jeannotte**

*Utica Community Schools, retired*

**TRUSTEES**

**Jeanne Bieri**

*Artist*

**Michael Malone, AIA**

*Partners in Architecture*

**Eva Samulski**

*Macomb Community College*

**Mark Sandri**

*Fifth Third Bank*

**Grace Shore**

*Macomb County Chamber*

**Michelle Weiss**

*Mount Clemens DDA*

*Executive Director*

Thank you to the Community Foundation for Southeast Michigan, the Kresge Foundation, the Michigan Council for the Arts and Cultural Affairs, the National Endowment for the Arts, private and corporate contributors and members, whose support provides free entry to all exhibitions at the Anton Art Center.



communityfoundation  
FOR SOUTHEAST MICHIGAN  
THE KRESGE FOUNDATION



Aug. 7, 2015

David Flynn, Chairperson  
Macomb County Board of Commissioners  
Macomb County Administration Building  
1 South Main St., 9<sup>th</sup> Floor  
Mount Clemens, MI 48043

Dear Chairperson Flynn,

Please extend my thanks to Macomb County employees for their Casual Day contributions to the Anton Art Center. We are currently at contributions totaling \$984.70 and the money is still coming in, department by department. The donations will assist us in our work to inspire, educate and provide special arts and cultural events in our community. We are very grateful for your support and for the Board choosing the Anton Art Center as one of its Casual Day recipients.

The Center invites county employees to attend our exhibits which change every six to eight weeks, enroll in an adult painting or ceramics class, or have their children participate in our youth programs: mixed media workshops, ceramics classes, the Macomb County secondary student exhibition and the K-6 student show.

Again, thank you for investing in the Art Center and helping us to fulfill our mission to enrich and inspire people of all ages through the arts. Your generosity and support are genuinely appreciated by all of us associated with the organization.

Sincerely,

Patricia Woodstock  
President, Board of Trustees





May 18, 2015

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

Dear David,

On behalf of the Fallen and Wounded Soldiers' Fund (FWSF), I would like to extend our sincere appreciation for your donation of \$64.00. Because of this generosity, we may continue to help the troops that keep our country and our freedom safe.

The most important mission of FWSF is to ensure that the money raised is placed with service men and women who need our help. The FWSF has appointed a committee to distribute these funds to the neediest of our troops and their families. Rest assured, they will evaluate and allocate resources appropriately. We work very closely with the Department of Veterans Affairs in Michigan, and they keep us informed of wounded veterans and the families that need our help. Please feel free to visit our website, [www.fwsf.org](http://www.fwsf.org), for general news and developments regarding FWSF.

We would also like to add that we are an all-volunteer organization that is non-partisan and a non-profit 501(c)(3). All of our volunteers and committee members give their time and effort out of the kindness of their hearts. There is absolutely no financial remuneration. They are truly dedicated to supporting our Armed Forces and our heroes returning home.

Thank you for supporting our troops and their families.

With kindest regards,



Lynne Minish  
Treasurer/FWSF

*In accordance with federal income tax requirements, we inform you that no goods or services were made available to you in connection with this contribution. The full amount of your gift, therefore, is deductible as a charitable contribution to the extent permitted by law.*

*Fallen and Wounded Soldiers Fund Tax Identification Number is 20-4882017*



Where Transition Begins!

May 13, 2015

Board of Commissioners  
1 S Main St.  
9<sup>th</sup> Floor  
Mt. Clemens, Mi. 48043-2306

Dear Board of Commissioners:

On behalf of the many individuals and families we serve, I would like to thank you for your donation. MCREST has seen an increase of single mothers with children in our emergency shelter program. Our program has seen many challenges for these families as they try to get back to self-sufficiency, which has also made an impact on how we accommodate each person that walks through our door.

Our programs which include Journey Home and the Learning & Resource Center assist the clients by obtaining employment, housing, and enabling the clients to become stable. The sooner the cycle of homelessness is broken, the more successful the client will be in maintaining stability.

MCREST works every day assisting each person diligently in finding housing, regaining their identity, and income. MCREST will continue to serve the homeless and those at risk of homelessness in Macomb County with the support from you and many others that believe in helping people in need.

Below is a summary of your donation(s):

<u>Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Payment</u>
04/22/2015	\$ 209.00	General Fund	Check

Thanks to your generosity, this will help us continue to provide homeless and displaced individuals the opportunity for successful transition to independence.

With Heartfelt Appreciation,

*April L. Fidler*

*Thank You!*

April L. Fidler  
Executive Director

Please keep this letter for your income tax records.  
No goods or services provided for this donation



Where Transition Begins!

RECEIVED

JUN 30 2015

BOARD OF COMMISSIONERS

June 22, 2015

BOARD OF COMMISSIONERS  
1 S Main St  
9TH FLOOR  
Mount Clemens, MI 48043-2306

Dear BOARD OF COMMISSIONERS:

On behalf of the many individuals and families we serve, I would like to thank you for your donation. MCREST has seen an increase of single mothers with children in our emergency shelter program. Our program has seen many challenges for these families as they try to get back to self-sufficiency, which has also made an impact on how we accommodate each person that walks through our door.

Our programs which include Journey Home and the Learning & Resource Center, assist the clients by obtaining employment, housing, and enabling the clients to become stable. The sooner the cycle of homelessness is broken, the more successful the client will be in maintaining stability.

MCREST works every day assisting each person diligently in finding housing, regaining their identity, and income. MCREST will continue to serve the homeless and those at risk of homelessness in Macomb County with the support from you and many others that believe in helping people in need.

Below is a summary of your donation(s):

<u>Date</u>	<u>Amount</u>	<u>Deductible</u>	<u>Fund</u>	<u>Payment</u>
6/1/2015	\$55.00	\$55.00	General Fund	Check

Thanks to your generosity, this will help us continue to provide homeless and displaced individuals the opportunity for successful transition to independence.

With Heartfelt Appreciation,

*April L. Fidler*

April L. Fidler  
Executive Director

*Thank You!*

Please keep this letter for your income tax records.  
No goods or services provided for this donation



RECEIVED

JUN 30 2015

BOARD OF COMMISSIONERS

June 23, 2015

BOARD OF COMMISSIONERS  
1 S Main St  
9TH FLOOR  
Mount Clemens, MI 48043-2306

Dear BOARD OF COMMISSIONERS:

On behalf of the many individuals and families we serve, I would like to thank you for your donation. MCREST has seen an increase of single mothers with children in our emergency shelter program. Our program has seen many challenges for these families as they try to get back to self-sufficiency, which has also made an impact on how we accommodate each person that walks through our door.

Our programs which include Journey Home and the Learning & Resource Center, assist the clients by obtaining employment, housing, and enabling the clients to become stable. The sooner the cycle of homelessness is broken, the more successful the client will be in maintaining stability.

MCREST works every day assisting each person diligently in finding housing, regaining their identity, and income. MCREST will continue to serve the homeless and those at risk of homelessness in Macomb County with the support from you and many others that believe in helping people in need.

Below is a summary of your donation(s):

<u>Date</u>	<u>Amount</u>	<u>Deductible</u>	<u>Fund</u>	<u>Payment</u>
6/8/2015	\$50.00	\$50.00	General Fund	Check

Thanks to your generosity, this will help us continue to provide homeless and displaced individuals the opportunity for successful transition to independence.

With Heartfelt Appreciation,

*April L. Fidler*

*Thank You!*

April L. Fidler  
Executive Director



**girl scouts**  
of southeastern  
michigan

June 30, 2015

Mr. David J. Flynn  
Macomb County Employees  
1 S Main St Fl 9th  
Mount Clemens, MI 48043-2306

Girl Scouts of  
Southeastern Michigan

Denise D. Dalrymple  
Chief Executive Officer  
ddalrymple@gsssem.org

Clinton Twp. Service Center  
42800 Garfield  
Clinton Twp., MI 48038

Detroit Service Center  
500 Fisher Building  
3011 W. Grand Blvd.  
Detroit, MI 48202

Flint Service Center  
Plaza One Building  
111 E. Court St., Ste. D  
Flint, MI 48502

Monroe Outreach Office  
28 S. Macomb St.  
Monroe, MI 48161

Port Huron Service Center  
2186 Water Street  
Port Huron, MI 48060

White Lake Service Center  
8545 Highland Rd.  
White Lake, MI 48386

800 482 6734  
gsssem.org

Dear Mr. Flynn:

Thank you and Macomb County Employees for your gift of \$85.00 from the Macomb County employees casual Day program to Girl Scouts of Southeastern Michigan. We deeply appreciate your support.

Your generosity helps us to continue running and creating programs, services and events that our Girl Scouts enjoy and rely on throughout the year. You are making it possible for them to develop the courage, confidence and character they will need to be successful in whatever they choose to do in life.

This letter will serve, for tax purposes, as documentation of your contribution. No goods or services were exchanged for this donation. We appreciate your gracious, philanthropic leadership, central to our community and society at large.

Please call Kenya James at (313) 870-2562 if you have further questions and again, thank you for giving generously and supporting not only Girl Scouts, but our troops as well.

Sincerely,



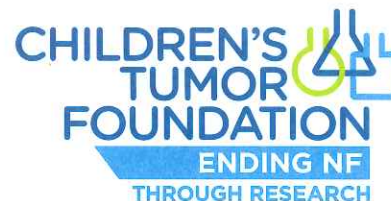
Denise Dalrymple  
Chief Executive Officer



Affiliated Organization

*Your gift of \$85.00, dated 6/15/2015 is tax deductible to the fullest extent of the law. No goods or services were exchanged for this donation.*

**Girl Scouting builds girls of courage, confidence, and character,  
who make the world a better place.**



July 10, 2015

Mr. David J. Flynn, Board Chairman  
Macomb County - Board of Commissioners  
1 S. Main Street, 9th Floor  
Mount Clemens, MI 48043-2306

Dear Mr. Flynn:

Thank you for your contribution of \$37.00 to the Children's Tumor Foundation supporting the NF Endurance Team. NF Endurance is committed to raising awareness, supporting those living with neurofibromatosis (NF), and funding NF research.

Your gift is already being used in a variety of ways. Thanks to the generosity of donors like you, our NF Registry has grown to more than 5,000 participants, helping to inform and populate clinical trials. Our Biobank and NF Clinic Network have expanded, providing for a better understanding of NF in the lab and doctors' offices. Our first-in-class data sharing platform, launched in partnership with Sage Bionetworks, has created an avenue for researchers to share information in real-time to advance knowledge of positive and negative research results. Additionally, we are beginning to see results from our Synodos for NF2 research consortium and are now establishing a research consortium entitled Synodos for NF1. To learn more, please visit [www.ctf.org](http://www.ctf.org).

We could not fund these projects without you. We are grateful to have you as a donor and we very much appreciate your contribution. Thank you for investing in the Children's Tumor Foundation and its mission to end NF.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Annette Bakker", with a long horizontal flourish extending to the right.

Annette Bakker, PhD  
President - Chief Scientific Officer

*No goods or services were exchanged for this donation. 100% of your donation is tax deductible. Please retain this letter as your receipt for federal tax purposes.*

The Children's Tumor Foundation is a 501(c)(3) not-for-profit organization, a proud member of Community Health Charities, and the recipient of a 4-star rating from Charity Navigator.

Your contribution is tax-deductible to the extent provided by law. Please keep this letter for your tax records.

**RECEIVED**

JUL 20 2015

BOARD OF COMMISSIONERS

June 19, 2015

Macomb County Board of Commissioners  
1 S Main St, 9<sup>th</sup> Floor  
Mount Clemens, MI 48043

Dear Macomb County Board of Commissioners:

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 **\$277.00** for **Community Events 2015**. 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



MYASTHENIA GRAVIS ASSOCIATION, INC.

---

July 16, 2015

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

Dear Mr. Flynn,

Thank you and the employees of Macomb County for the \$85.00 donation of 2013 emanating from Casual Fridays. This donation, along with the previous donations, has supported the Patient Services program at MGA. Patient Services is MGA's primary mission that supports persons struggling with this neuromuscular disease.

Thank you again. We wish you and all your staff and Macomb employees a fun and safe Summer.

Take care. Stay safe in all your travels.

Sincerely,

A handwritten signature in blue ink that reads 'Agnes Wisner'.

Agnes Wisner  
Executive Director





July 17, 2015

A year-long movement to honor Commissioner Bobby Hill's accomplishments as a trailblazer will culminate with the unveiling of a very special, permanent tribute to him. We are honored to invite you to this exciting event, which will be held on what would have been Bobby's 84<sup>th</sup> birthday.

**Sculpted Relief Unveiling Reception**  
**Monday, July 27, 2015**  
**5 p.m. to 6:30 p.m.**  
in the  
**Bobby Hill Welcoming Center**  
**County Administration Building**  
**One S. Main Street, 1<sup>st</sup> Floor**  
**Mt. Clemens, MI 48043**

A short program will feature the unveiling and plans for future use of the space as well as ongoing efforts to honor his legacy will also be described.

Bobby Hill served on the Macomb County Board of Commissioners from 1990 until 2006. He was the first African American elected to serve as a commissioner, and his reputation of integrity, decency, and civility have become his lasting legacy.

Bobby's roots and impact to this county run deep. He valued equality, education and sportsmanship, and he worked hard to create opportunities for the community as a whole. He inspired young people to advance their lives and, as a veteran, he valued those who served our country in the military.

We encourage you to join us **on Monday, July 27, 2015, from 5 p.m. to 6:30 p.m.** for this momentous occasion.

*Please note: Due to construction of a new parking structure, the County Administration Building lot is closed. Metered parking is available on Main Street or in Mt. Clemens City lots, or in the county structure located next to the Court Building, approximately one block north of the County Administration Building. We apologize for any inconvenience.*

OneMacomb Committee  
Bobby Hill Welcoming Center Committee

The Macomb Daily (<http://www.macombdaily.com>)

## Compost facility proposed near state prison

### State-owned land near prison identified as alternate site

By Meg LeDuc, Contributing Writer

Wednesday, July 29, 2015



After Washington Township residents fought back a proposal to locate a compost facility in their community, their state representative has called for a new location near the state prison near New Haven.

State Rep. Pete Lucido, R-Shelby Township, proposes to have the compost farm be set up at Interstate 94 and 26 Mile Road on the border of Lenox and Chesterfield townships just outside of New Haven, west of the Macomb Correctional Facility near Oak Ridge Golf Club.

Initial plans were to place the site in Washington Township, which is part of Lucido's House district.

"The land is in an industrial site plan already with the Macomb County Correctional Facility," Lucido said. "It is owned by the state. Where better to locate a state-regulated facility than state land?"

Warren was one of the communities that formerly took its grass clippings and leaves to the Uni-Dig facility on Quinn Road in Clinton Township. But court-ordered limitations on the amount of compost materials Uni-Dig can take in have forced communities to look for other disposal options.

Michigan law bans yard waste from being placed in a landfill or trash incinerator unless certain conditions are met.

Warren's proposal had been made on behalf of the South Macomb Disposal Authority (SMDA), a quasi-public agency that oversees trash disposal for five Macomb County communities including Warren. The SMDA owns the capped 20-acre municipal landfill near 31 Mile and Mound roads that initially was proposed for the compost facility.

Another site is available in the Grand Rapids area, but that location isn't logistically or financially feasible, according to Gun Ghanam, Warren's deputy public services director who serves as the city's representative on the SMDA.

"You can't handcuff us to paying \$50 a ton and trucking yard waste across the state when we could be paying \$14 a ton to put it in a local landfill," Ghanam recently told The Macomb Daily. "The mayor (James Fouts) is right -- the state is going to have to step in at some point and designate a space for yard waste."

Washington Township Supervisor Dan O'Leary said he didn't know what alternate site had been proposed but believes regulation of these facilities should stay local.

“There is a very strong movement now to turn it over to the state,” he said. “We would object to that<sup>25</sup> because we believe that we at the local level are best able to determine land use.”

New Haven Village President Chris Dilbert, whose community borders the proposed site, said he was unaware of plans.

State Rep. Ken Goike, R-Ray Township, who represents New Haven, was tending to a personal matter Tuesday but a representative indicated he would oppose the 26 Mile Road location.

“Any new composting facility needs to take into account how the residents who live in the area will be impacted,” Randy Pilon, a House Republican communications manager, said. “Rep. Goike hopes the state and the South Macomb Disposal Authority will take a close look to determine if there is another option for a facility at another site and he will continue to advocate for another location.”

Lucido said tipping fees paid by waste haulers Rizzo Services and Waste Management would be realized by the SMDA at the Washington Township site. But because the New Haven property is owned by the state, those revenues would go to Lansing.

After composting, yard waste can be resold as fertilizer.

“It really is a business,” said Lucido. “But in the case of the site next to the prison, the revenues from the composting haulers would go directly to the state, thereby reducing our debt.”

He argues because of its location next to I-94, the site is ideal.

“It will cause the freeways to take on the excess traffic in lieu of main road arteries like Mound and Van Dyke,” said Lucido.

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URL: <http://www.macombdaily.com/government-and-politics/20150729/compost-facility-proposed-near-state-prison>

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# DIA revives statewide art loan exhibitions

Michael H. Hodges, Detroit News Fine Arts writer 6:18 p.m. EDT July 29, 2015



(Photo: Detroit Institute of Arts)

The Detroit Institute of Arts will revive an old practice of loaning artworks to art museums statewide when "The Nut Gatherers" goes to Flint on Wednesday for an extended stay.

The bucolic painting of two young girls by William-Adolphe Bouguereau, one of the museum's most popular works, will hang at the Flint Institute of Arts through Oct. 11, and then travel to the Midland Center for the Arts and the Alden B. Dow Museum of Science and Art Oct. 17-Jan. 3.

Relaunching statewide exhibitions was one of the conditions in 2014 as part of the so-called "grand bargain" that helped resolve the Detroit bankruptcy and ended city ownership of the 128-year-old museum.

"I can't tell you how pleased I am that the DIA is picking this up as one of their responsibilities, and doing it with pleasure," said John Bracey, executive director of the Michigan Council for the Arts and Cultural Affairs.

Bracey adds that under the grand bargain, the museum will also be sharing its expertise with other Michigan institutions.

Until 2004, the DIA sent small traveling shows around the state every year as a quid pro quo for annual funding it used to get from the state. In recent years, however, that operating support has dwindled to almost nothing.

The museum used to send around individual works as well as small exhibitions. In 2003-04, "Pursuits and Pleasures: Baroque Paintings from the Detroit Institute of Arts" traveled to museums in Traverse City, Kalamazoo, East Lansing and Muskegon.

Museum spokeswoman Pam Marcil said "The Nut Gatherers" will be followed early next year "by a show of 20 framed, WPA-era works on paper." Destinations, she added, have yet to be decided.

Traveling exhibitions won't be the DIA's only presence beyond the Detroit orbit. The museum is also expanding its Inside/Out program to 45 outstate counties the Michigan arts council has identified as culturally underserved.

Under the popular program, the museum mounts high-quality reproductions of its masterworks in public areas outdoors. Two Inside/Out exhibitions of 15 reproductions will be organized every summer.

[mhodes@detroitnews.com](mailto:mhodes@detroitnews.com)

[twitter.com/mhodesartguy](https://twitter.com/mhodesartguy)

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The Macomb Daily (<http://www.macombdaily.com>)

## Macomb County commissioners question 'sweetheart deal' Hackel has with former official

Executive dismisses board inquiries as 'election year posturing'

By Mitch Hotts, *The Macomb Daily*

Thursday, August 6, 2015



Sweetheart deal or much ado about nothing?

That's the question being bandied about after some Macomb County commissioners on Thursday expressed concern over a contract between the county executive's office and former assistant executive Melissa Roy.

At issue is a \$6,000-a-month consulting contract between Roy's PR Management firm and Macomb County Executive Mark Hackel's office for federal, state and regional public policy.

"I am concerned about it because we're talking about a fairly large amount of money," said Commissioner Kathy Vosburg, R-Chesterfield Township.

Roy stepped down in March after four years as an assistant county executive to become executive director of Advancing Macomb, a new nonprofit dedicated to community and economic development and a separate entity from her consulting position.

During her time with the Hackel administration, Roy attended meetings relating to a variety of key regional topics ranging from water and sewer infrastructure to regional transit, the Detroit Zoo and others.

Rather than assign those duties to someone else -- and have to bring that person up to speed -- Hackel said he wanted to retain Roy's knowledge on the issues going forward, so he contracted with her firm.

"Nobody in our government has more knowledge on these issues than Melissa," Hackel said. "I could have hired her or hire some an attorney who might charge us \$110,000. I think this is a brilliant move for us strategically."

According to statistics released by the Macomb County Board of Commissioners, the executive's office has four key vendors in the contract services budget:

- Mad Habit Creative, a business providing marketing and support services for the Make Macomb Your Home campaign, which has received \$7,500 to date;

- King Media, developing brand alignment and marketing strategies (\$9,350 year to date);
- Government Consulting Services Inc. (GCSI), the legislative lobbyist for Macomb County (\$27,000 YTD); and
- Roy PR Management, having earned \$17,400 YTD.

Vosburg said commissioners had heard “rumors rumbling around” about Roy’s continued involvement with the county. A copy of the contract includes a clause that stresses her relationship with the executive’s office is that of an “independent contractor.”

“This is a huge amount of money to pay for a service that we already receive from the GCSI lobbyists, who have served us very well,” she said. “It does seem the work she is doing is still under the control of the executive’s office and if that’s the case, why is she not still working for the county.”

There also is a question over whether the Roy contract, which will total out at more than \$72,000 at its current pace, was appropriately awarded. The county board must vote on contracts over \$35,000, but there apparently was an exemption in place for the executive’s office at the time the contracts were awarded.

Commissioner Fred Miller, who chairs the finance committee, stated several commissioners on a bipartisan basis raised questions over the agreement while going through line items in the budget process. He said a “quick read” he made of the ethics ordinance indicates there was nothing improper about the contract.

“Some may see this as a sweetheart deal because the contract in question came up right after she left the county employment,” said Miller, a Mount Clemens Democrat.

“Our job as a legislative branch is to be good stewards of tax dollars and we need to make sure the taxpayers are getting their money’s worth, I don’t think there is anything inappropriate here, but that being said, times are tight and we have to check.”

Hackel maintains the controversy is pre-election year posturing.

He said Roy, a L’Anse Creuse North High School graduate who worked for the Detroit Regional Chamber of Commerce before joining Hackel’s staff, does no lobbying and, conversely, GCSI doesn’t sit in on meetings on regional issues.

“I have the discretion to use funds in my budget and this has nothing to do with the county board,” Hackel said. “This is not their responsibility. The political season is underway and they feel this is a way to get their names in the newspaper.”

The item was not on the posted agenda but was added prior to Thursday’s meeting under the Correspondence from Executive line item. Officials at the County Board Office said following Thursday’s meeting that Chairman David Flynn was unavailable for comment.

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URL: <http://www.macombdaily.com/government-and-politics/20150806/macomb-county-commissioners-question-sweetheart-deal-hackel-has-with-former-official>

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# Macomb board questions contract with former employee

By Christina Hall, Detroit Free Press 3:41 p.m. EDT August 7, 2015

*Macomb County commissioners are questioning a \$6,000-a-month contract the county executive's office has with a former assistant county executive who left the county in April to lead a nonprofit.*



(Photo: Advancing Macomb)

Macomb County commissioners are questioning a \$6,000-a-month contract the executive's office has with a former assistant county executive who left the county in April to lead a nonprofit.

Melissa Roy, who worked for the county since 2011, [left her \\$110,000-a-year county job](http://story/news/local/michigan/macomb/2015/04/02/macomb-assistant-executive-leaving-non-profit/70845072/) April 3 to become executive director of Advancing Macomb, a nonprofit that wants to drive community and business development in Macomb County.

In 2012, Executive Mark Hackel asked business and community leaders to create an entity that could drive development for the county. The leaders launched the group a year later to mix nonprofits and philanthropy to fund community projects and attract money from outside sources. The group has an office in Mt. Clemens.

On April 6, a government services consulting agreement between Roy PR Management and Hackel's office was entered into to provide services to his office. Roy is to provide nine services under the contract, including advocating and managing matters involving federal, state and regional issues in which the county may have a public policy or economic interest and participating on committees related to those issues.

The contract runs through Dec. 30, 2016. Roy is to receive no fringe benefits, including medical or health care insurance coverage or participation in defined contribution plans.

Her contract came up this week during the commission's proposed 2016 budget review process.

Commissioner Kathy Vosburg said the board "wants to examine the contract itself to see whether it complies with the (county's) ethics ordinance and what work is actually being performed."

Vosburg said the board's independent counsel will be asked to review the matter, in part because the county's corporation counsel drafted the contract.

Assistant Executive Al Lorenzo said that when Roy had the opportunity to leave the county, she was working on — and was the lead person on — a number of areas involving regional policy, such as water and sewer initiatives and the regional transit authority. He said Hackel didn't want to lose her talent and expertise.

"Mark wanted to keep her knowledge," Lorenzo said, adding that they found a way to contract with Roy for some services while she was performing services with the nonprofit.

"Doing that was cheaper for the county," Lorenzo said. "This is not uncommon."

According to a news release in April, the Community Foundation for Southeast Michigan gave a \$100,000 grant to Advancing Macomb to support the organization's business and natural resources development and place-making initiatives and to contribute to the salary of its executive director over two years.

County commissioners are continuing their budget review process and are expected to vote on the county's budget in September.

When asked if the board could cut the contract services budget for the executive's office, Vosburg said the board can propose amendments to the budget. If the board approves the amendments, Hackel can veto them and the board and can override his veto.

She did not know if the board would propose cutting funding for the executive office's contract services. That line item also includes contracts for legislative affairs and marketing.

The board, through the county's contracting policy, has to approve contracts over \$35,000. However, there is a provision that contracts supporting the executive's office do not have to be approved by the board. In turn, the executive's office allows the board to support its own contracts.

"To me," Lorenzo said, "this is kind of a breach of that good-faith agreement."

30

Roy had no comment today. She was not at the commission meetings for the discussion.

Contact Christina Hall: [chall99@freepress.com](mailto:chall99@freepress.com) (<mailto:chall99@freepress.com>). Follow her on Twitter: [@challreporter](https://twitter.com/challreporter).

Read or Share this story: <http://on.freep.com/1NfuiG9>



# Macomb County commissioners question the hiring of a former employee as a consultant to Mark Hackel

**BY:** Jane Park (mailto:jane.park@wxyz.com)

**POSTED:** 5:04 PM, Aug 7, 2015

**UPDATED:** 6:24 PM, Aug 7, 2015

MOUNT CLEMENS, Mich. (WXYZ) - Macomb County commissioners are questioning county executive Mark Hackel for hiring a former employee as a consultant weeks after she left the job.

Until the end of March, Melissa Roy was an assistant executive with the county, who was regularly involved in issues related to the Great Lakes Water Authority, regional transit, the Detroit Zoo, and more.

Deputy county executive Mark Deldin said the executive's office hired Roy's firm, Roy PR Management, so Roy could continue to provide her expertise.

"He didn't want to lose that knowledge so he retained her as a consultant," Deldin said.

But Commissioner Kathy Vosburg sees red flags with the \$6,000-a-month contract.

"When I saw that I thought, for the amount that was being paid, why wasn't that person not still an employee, because you know it's comparable to someone's salary," Vosburg said.

Deldin maintains the part-time consulting contract, which is set to expire next December, costs about half of what the county would pay a full-time employee for similar services. Deldin also says their office didn't violate any policies awarding the contract and that there was no overlap between Roy's employment and the start of the contract.

"In our mind it's a childish attempt to try to embarrass the most popular elected official in all of Macomb County," Deldin said of the Commission's questioning.

Vosburg says they're just doing their due diligence, making sure there's transparency when it comes to spending taxpayer dollars.

"It's budget time and that's what we do," Vosburg said.

Under the county's current contracting ordinance, the county board must vote all contracts over \$35,000 but there's an exemption for the executive's office. Vosburg said commissioners will be reviewing that policy during their ongoing budget process.

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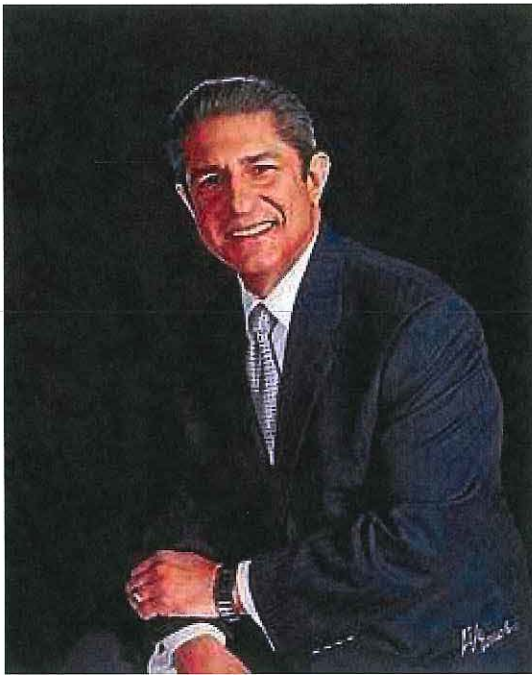
The Macomb Daily (<http://www.macombdaily.com>)

## Joseph Toia appointed Macomb County judge by governor

Joseph Toia fills vacancy left by Foster

*By Jameson Cook, The Macomb Daily*

Monday, August 10, 2015



Shelby Township attorney Joseph Toia was named by Gov. Rick Snyder today to fill the judicial vacancy on the bench of Macomb County Circuit Court.

Toia, 61, received the telephone call from the governor in the late afternoon telling him that he was selected from a field of four finalists. He will fill the vacancy left by judge John Foster, who retired in April.

“I am just so honored to have been chosen by the governor,” a choked-up Toia told The Macomb Daily. “I look forward to serving the people of the county and state from the bench.”

Toia beat out two district court judges and an assistant Macomb County prosecutor — judges Joseph Boedeker of 39th District Court in Roseville and Fraser and Mark Fratarcangeli of 40th District Court in St. Clair Shores, as well as Assistant Prosecutor Jean Cloud.

“Throughout his career, Joseph has distinguished himself as an excellent lawyer and as a leader in community service,” Snyder said in a prepared statement. “I am confident that his experience will prove to be a great asset to the Macomb Circuit Court.”

U.S. Rep. Candice Miller, R-Harrison Township, praised Snyder’s choice.

“I applaud Governor Snyder’s decision to appoint Joseph Toia to the Macomb County Circuit Court,” Miller said in a written statement. “His vast experience and good temperament will undoubtedly serve the citizens of Macomb very well. He is a great choice, and I appreciate his willingness to serve.”

Toia, a lawyer for 31 years, operates a private practice from his Shelby Township hometown and is the prosecuting attorney for Orion Township in Oakland County. The governor’s press release notes that Toia “has worked on a broad variety of legal matters throughout his career, with considerable experience in the areas of business, family, criminal and municipal law.”

Toia also has been very active in the community. He served on the Shelby Township Planning Commission for eight years, four has chairman, served on the township Zoning Board of Appeals, and is a member of the Kiwanis Club of Utica-Shelby and the Fraternal Order of Police.

His wife, Theresa, is the founder and director of the charitable organization, Friends of Foster Kids.

Toia said he understands what the law and courts can mean to people.

“I have always felt that when people come to court it’s one of the most important days of their lives,” he said. “They need a jurist who has life and legal experience.”

He said he did not know exactly when he will start in the post but that it will be within a few weeks.

Toia will have to run for election in fall 2016 to fill Foster’s term through 2020.

The new judge earned a bachelor’s degree in finance at Wayne State University and a law degree from the Detroit College of Law.

He has two adult daughters, Jessica and Marissa, and three grandchildren.

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URL: <http://www.macombdaily.com/government-and-politics/20150810/joseph-toia-appointed-macomb-county-judge-by-governor>

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Suburban Chrysler Dodge Jeep Ram of Troy advertisement featuring 2015 RAM 1500, 2015 JEEP CHEROKEE, and 2015 CHRYSLER 200 S with lease offers.

UTICA

County approves loans for cleanup of baseball stadium site

August 10, 2015

MOUNT CLEMENS — A pair of contracts that will help support the cleanup of the future site of Jimmy John’s Field near downtown Utica were approved by the Macomb County Board of Commissioners’ Finance Committee on Aug. 6.

advertisement

The first contract is between the Michigan Department of Environmental Quality and Macomb County, which will receive a \$1 million loan from the DEQ.

The second contract is between Macomb County and GS Entertainment LLC, which will undertake the environmental response work and reimburse the county for the loan repayment.

The loan is to be repaid by General Sports, the Rochester-based firm developing the site, over a 10-year period from 2020-2030. The loan was made through the Clean Michigan Initiative.

“The CMI is a pot of money set aside by the state for environmental remediation and cleanup where the county can borrow up to \$1 million for remediation of the site for cleanup of the environmental contaminants that are there,” said Jeff Schroeder, of the county’s Planning and Economic Development Department.

A work plan provided during the Finance Committee meeting was one of several documents that gave insight into the background of the site and what work will go into cleaning it up.

The 15-acre plot — located on the west side of downtown Utica along the Clinton River on Auburn Road, east of Moscone Drive — was used as a dump from the 1940s through the 1960s, and it has been vacant since.

A multi-story residential site constructed on the east side of the parcel in 2008 was never occupied and was demolished in 2014.

An environmental conditions section of the work plan states that waste material is present

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across the site from near the surface to more than 20 feet below grade. The work plan cites several studies on that area to summarize that the parcel harbors soil, waste material and groundwater that is impacted by volatile organic compounds, and that methane gas levels ranged across the site from 0.5 percent to 38 percent, which exceeds a lower explosive limit of 5 percent.

To reduce those levels and make the site suitable for development, the work plan outlines several aspects of the cleanup, including the removal of contaminated waste materials and the installation of dermal contact barriers over the remaining waste.

Methane gas mitigation systems will be installed in the stadium grandstand and on the site perimeter, and engineering controls for a stormwater system to reduce runoff into the waste material will also be installed.

With the loan approved now, work can begin on the environmental cleanup of the site in addition to the ongoing preliminary engineering work.

“From what we’ve seen, it’s been all preliminary engineering work that’s been done out there. Some pilings have been done, but there’s a lot of work that’s being done out there,” Schroeder said. “The way this is being scheduled by the engineering consultants who are out there, there’s work that needs to be done just to clear the land and level it.”

During a discussion on the details of the contracts, Commissioner Fred Miller, D-Mount Clemens, expressed concerns regarding traffic flow around the stadium, and whether or not the county would incur more costs if roads have to be reconstructed around the stadium.

Schroeder said exact plans have not been made for traffic flow other than the addition of a 500-space parking lot that will be used for the ballpark and downtown businesses, but Utica’s experience in hosting events should help with traffic concerns.

“There will be more increased traffic (in) Utica on ballpark days, but Utica does host a number of different festivals and events, and the number of people we’ll see coming in will probably be similar to that,” Schroeder said. “I know the city has reached out to both MDOT and the (Macomb County Department of Roads) to talk to them about those issues.”

The stadium is scheduled to begin hosting games for the United Shore Professional Baseball League next summer.

- 3. Shopping center, Kroger coming to 26 Mile and Van Dyke - **Shelby Township**

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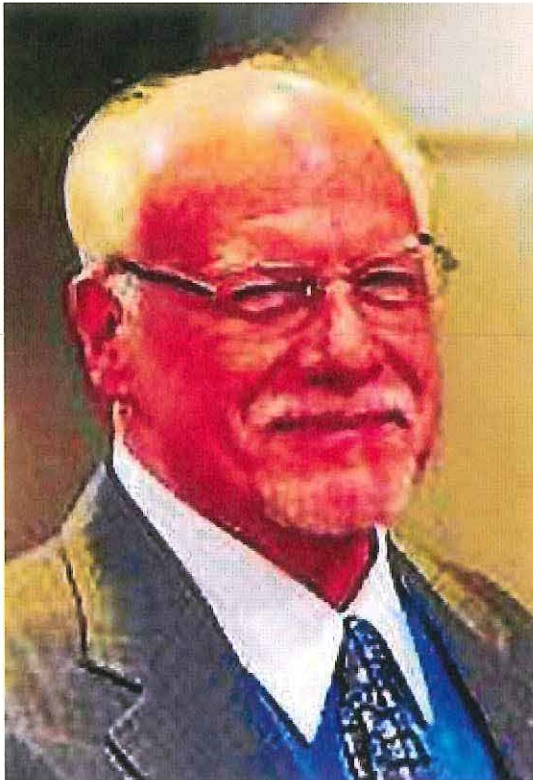
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The Macomb Daily (<http://www.macombdaily.com>)

## Celebration planned for county health care facility

By Ken Kish, *The Macomb Daily*

Saturday, August 15, 2015



You're invited to a birthday celebration next month, not for a person but a building.

That may sound a little unusual. New projects are often marked with a groundbreaking or the opening of a business with a ribbon-cutting.

But why have a special event for the 65th year of a building?

Well, the Martha T. Berry Medical Care Facility isn't just a building. It's been a home — often the last — for hundreds of thousands of ill and disabled persons.

And while it probably seemed a miracle place for many of its residents, it is also somewhat of a miracle the facility itself was ever built and has lasted 65 years.

Its history includes financial problems, rumors of its closing and too many political battles to count.

But the now 217-bed facility — with 88 percent of its residents on Medicaid or Medicare — wouldn't exist without the long-ago effort of one man, Dr. Henry G. Berry.

It was Dr. Berry, who was born in 1865 in Ontario, Canada, and moved his medical practice to Mount Clemens in 1907, who bequeathed \$273,000 to Macomb County for medical care to benefit the needy.

His will insisted the facility be named after his wife, Martha T. Berry, who died in 1942, nearly three years before his own death.

The Macomb County Board of Supervisors funded the remainder of the \$675,000 facility, hailed in 1950 as the first county-operated convalescent home in Michigan. It remains today as the only such county facility in the tri-county area.

The Martha T. Berry Medical Care facility has undergone many upgrades over the years and now includes a 1,081-square-foot therapy room, library, café, beauty salon and landscaped courtyards and gardens.

At the helm of the care center since August, 2010, is Executive Director/Administrator Jennifer Morgan, who has worked in health care for 20 years and has degrees from Tennessee State University and Central

Michigan University.

“Without the commitment from the community, we wouldn’t be here,” said Morgan, who is in charge of 310 employees. “I believe the contributions of our residents to society should not go unnoticed because of their conditions.”

The improvements under Morgan also have not gone unnoticed.

“Martha T. Berry has come a long way in the last few years to now be the premier skilled nursing and rehab center in the county. Under the direction of Jennifer, both residents and the employees are happier and healthier. It is about quality of life for residents and peace of mind for their families.” said Thomas Isett, president of Always Best Care Senior Services and vice-chair of the Martha T. Berry Foundation, established in 2012 to raise funds to “enhance the lives of residents.”

The foundation is hosting the “65th Anniversary of Martha T. Berry MCF” on Thursday, Sept. 10.

The event, which will include strolling barbeque food stations in a tent on the grounds at 43533 Elizabeth Road, Mount Clemens, also will provide soft drinks, carnival games, entertainment and music.

The fundraiser, which runs from 4 p.m. to 8 p.m., is open to the public and tickets are \$65. Visit [marthatberryfoundation.org](http://marthatberryfoundation.org) or call 586-738-0188 for tickets or more information.

Morgan said the foundation hopes to raise \$50,000 from ticket sales and company sponsorships.

The proceeds will be used by residents to help pay for personal items, bus rentals and hopefully setting up Internet access.

“It should be a wonderful evening for our residents, the community and local officials,” Morgan said.

“And it will help those in need.”

Ken Kish, a retired Macomb Daily editor and contributing columnist, may be reached at [kennethkish12@gmail.com](mailto:kennethkish12@gmail.com).

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URL: <http://www.macombdaily.com/opinion/20150815/celebration-planned-for-county-health-care-facility>

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**2015 RESOLUTION NO. \_\_\_\_\_**

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

**Resolution Supporting The Repeal of Michigan's 2011 Fireworks Law  
Within House Bills 4725 and 4726**

**Commissioner Andrey Duzyj On Behalf of the Board of Commissioners,  
Offers the Following Resolution:**

WHEREAS, the Michigan Fireworks Safety Act was passed in 2011 and allows the sale and use of consumer-grade fireworks including bottle rockets, Roman candles and firecrackers across the state; and

WHEREAS, in 2014 there were 890 brick and mortar stores and tents across the state selling fireworks; and

WHEREAS, on the day before, day of and day after a national holiday, Macomb County municipalities may only regulate the discharge of fireworks between midnight and 8 a.m. or 1 a.m. and 8 a.m. depending on population; and

WHEREAS, such policy limits the ability of all Macomb County municipalities, but notably the most populous ones, to assure the safety of their residents; and

WHEREAS, House Bills 4725 and 2726 would repeal the Michigan Fireworks Safety Act in order to prohibit the sale and use of consumer grade fireworks in Michigan; and

WHEREAS, such policy would increase the safety of Macomb County residents by reducing the risk of fire, injury, or trauma as a result of fireworks and sky lanterns.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners supports House Bills 4725 and 4726 which would repeal Michigan's 2011 fireworks law.

BE IT FURTHER RESOLVED that the Macomb County Board of Commissioners urges all members of the Macomb County State Legislative Delegation to support House Bills 4725 and 4726.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to all members of the Macomb County State Legislative Delegation, Fire Chiefs of all Macomb County municipalities, Macomb County Executive Mark Hackel, Macomb County Sheriff Anthony Wickersham, Michigan Department of Licensing and Regulatory Affairs Director Mike Zimmer, and Michigan State Fire Marshall Richard Miller.

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Dave Flynn  
Chairman, Macomb County Commission  
Commissioner, District 4

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Andrey Duzyj  
Macomb County Commissioner, District 1

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Carmella Sabaugh  
Macomb County Clerk/Register of Deeds

*Passed at <Date> Full Board Meeting*

**2015 RESOLUTION NO. \_\_\_**

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

**Resolution Supporting Michigan Senate Bill No. 352,  
The Caregiver Advice, Record and Enable (CARE) Act**

**Commissioner Andrey Duzyj On Behalf of the Board of Commissioners,  
Offers the Following Resolution:**

WHEREAS, the Office of Services to the Aging (OSA) supports a range of Macomb County social, nutritional, access and long-term care services to the elderly population; and

WHEREAS, one in four Macomb County residents will be 65 years of age or older by 2030 and this elderly population will continue to grow as the number of residents age 0 to 64 years will decrease from 86 percent in 2005 to 75 percent in 2030. Consequently, Macomb County will age faster than the nation, state and surrounding regions; and

WHEREAS, Macomb County is currently home to 130,000 senior residents; and

WHEREAS, in Michigan, nearly 4,500 seniors are not receiving much needed in-home services including home-delivered meals, and in Southeast Michigan, half of the seniors qualifying for services must wait six months or more to receive them; and

WHEREAS, across Michigan, more than two million family caregivers help to meet the unserved needs of seniors, with these family caregivers volunteering nearly 1.4 billion hours in service to their elderly family members; if these hours were paid, this time would be worth \$15.5 billion; and

WHEREAS, the service of friends and family caregivers for the elderly population allows older adults to continue living independently at home for a longer period of time and helps this population and others realize savings on medical care costs; and

WHEREAS, The Caregiver Advise, Report and Enable (CARE) Act supports the elderly population, as well as others needing care, and their family caregivers and is consistent with the mission of Governor Rick Snyder, the Michigan state legislature, the Macomb County Board of Commissioners and community organizations to make Michigan a “no wait state” for senior in-home services; and

WHEREAS, the CARE Act enables a patient or guardian to designate a family caregiver on medical records, ensuring notification of family caregivers when their loved one is to be discharged home or to another treatment facility and assures that a thorough explanation of medical tasks necessary for proper patient care are included in the patient’s discharge plans. Such instruction may include demonstrations of management of medications, injections, and wound care; and

WHEREAS, the provisions of the CARE Act promote improved senior health by providing family caregivers knowledge and training to improve their ability to provide proper care and are of great benefit to the elderly population and the family and friends who serve as their caregivers.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners supports Michigan Senate Bill No. 352, The Caregiver Advise, Record and Enable (CARE) Act.

BE IT FURTHER RESOLVED that the Macomb County Board of Commissioners urges all members of the Macomb County State legislative delegation to support The Caregiver Advise, Record and Enable Act.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to all members of the Macomb County State Legislative Delegation, Macomb County Executive Mark Hackel, Macomb County Health and Community Services Director Steve Gold, Macomb County Community Services Agency Director Rhonda Powell, Macomb County Office of Senior Services Director Katherine Benford, AAA 1-B Board of Directors Chair Amin Irving, and AAA 1-B CEO Tina Marzolf.

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Dave Flynn  
Chairman, Macomb County Commission  
Commissioner, District 4

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Andrey Duzyj  
Macomb County Commissioner, District 1

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Carmella Sabaugh  
Macomb County Clerk/Register of Deeds

*Passed at <Date> Full Board Meeting*

**2015 RESOLUTION NO. \_\_\_\_**

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

**Resolution Supporting Michigan House Bill No. 4763  
To Create the Position of State Poet Laureate within the Department of Education**

**Board Chairman David Flynn, On Behalf of the Board of Commissioners,  
Offers the Following Resolution:**

WHEREAS, on July 14, 2015, Michigan House Bill 4763 was introduced to create the position of State Poet Laureate with the Department of Education; and

WHEREAS, Michigan is one of only five states in the country without such a position; and

WHEREAS, the state's literary history is rich, with many notable poets such as Marge Piercy, Robert Frost, Edgar A. Guest and Pulitzer Prize winner Theodore Roethke claiming Michigan as their home. Guest also served as Michigan's only Poet Laureate from 1952 until he died in 1959, because the position was created through a Senate Concurrent Resolution; and

WHEREAS, if the Michigan Poet Laureate position is created that person will be appointed by the Governor and serve for the duration of his or her term; the Poet Laureate will not be a paid position except for direct expenses incurred related to the position's duties; and

WHEREAS, the Poet Laureate will encourage the citizens of Michigan to expand their literary horizons and read poetry for personal enjoyment and to celebrate the great poets that have hailed from Michigan and those who continue to reside here and exercise their talents.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners supports Michigan House Bill No. 4763 to create the Poet Laureate position within the Department of Education.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to Governor Rick Snyder; House of Representatives Government Operations Chair Rep. Brad Jacobsen; all members of the Macomb County State Legislative Delegation; Macomb County Executive Mark Hackel; Michigan Association of Counties (MAC) Director of Legislative Affairs Deena Bosworth; and GCSI Associate Gary Owens.

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Dave Flynn  
Chairman, Macomb County Commission  
Commissioner, District 4

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Carmella Sabaugh  
Macomb County Clerk/Register of Deeds

*Passed at <Date> Full Board Meeting*

Proclamation Number 15

Official Proclamation of the Board of Commissioners  
Macomb County, Michigan

**A Proclamation Recognizing the 65<sup>th</sup> Anniversary of the Martha T. Berry Medical Care Facility**

The Macomb County Board of Commissioners,  
Offers the Following Proclamation:

**Whereas**, the Board of Commissioners congratulates the Martha T. Berry Medical Care Facility on its 65<sup>th</sup> anniversary of serving the residents of Macomb County; and

**Whereas**, established in 1950 by the late Dr. Henry G. Berry, a Mount Clemens based doctor, this facility was built with the intention to serve the less fortunate with the quality health care that everyone is entitled to; and

**Whereas**, Dr. Berry, who insisted in his will that this facility be built and named after his late wife, Martha T. Berry, was known for carrying out the same mission as the medical care facility during his 50 years of practice; and

**Whereas**, today the 217 bed medical care facility has 88 percent of residents utilizing Medicaid or Medicare; and

**Whereas**, in recent years the facility has continued to grow into a welcoming home for a portion of Macomb County's underserved population, with an expansive therapy room, salon, and café being added; and

**Whereas**, as the state's first county-owned medical care facility and the only one in the tri-county area, the Martha T. Berry Medical Care Facility serves a specific and vital purpose in the community and does so through the expertise of dedicated staff; and

**Whereas**, the success of the facility deserves nothing short of a celebration, which is set to occur on September 10, 2015;

**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 publicly commends, acknowledges, and expresses congratulations to the Martha T. Berry Medical Care Facility on the occasion of its 65<sup>th</sup> anniversary.

**II**

**Be it Further Resolved** that a suitable copy of this Proclamation be presented to the Martha T. Berry Medical Care Facility in the testimony of the high esteem which it is held by the Macomb County Board of Commissioners.

## M E M O R A N D U M

To: David Flynn, Chairperson  
Macomb County Board of Commissioners

From: Scott G. Smith

Re: Use of Liquor Tax Funds for Substance Abuse Programs

Date: August 19, 2015

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Subsection 24e(11) of the General Property Tax Act, 1893 PA 206, MCL 211.24e(11) requires counties to distribute 50% of their liquor tax collections to their designated substance abuse coordinating agency and requires that those funds be used solely for substance abuse treatment and prevention programs. A Commissioner asked whether Macomb County Community Mental Health (“MCCMH”) is the only agency that may receive these funds for Macomb County and if there is a way for the funds to be used to pay for substance abuse services provided by other County agencies.

MCCMH has historically operated as both a “department-designated community mental health entity” for purposes of the Mental Health Code, 1974 PA 258, MCL 330.1001 *et seq.*, and as a substance abuse coordinating agency under the Public Health Code, 1978 PA 368, MCL 333.1101 *et seq.* As noted above, MCL 211.24e(11) requires distribution of the liquor tax funds to the “coordinating agency designated for that county pursuant to section 6226 of the Public Health Code.” But because that section was repealed in 2012, no coordinating agency is “designated...pursuant to section 6226.”

However, 2012 PA 500 subsequently modified section 1100a of the Mental Health Code to include the following relevant definition:

\* \* \*

(22) "Department-designated community mental health entity" means the community mental health authority, community mental health organization, community mental health services program, county community mental health agency, or community mental health regional entity designated by the department to represent a region of community mental health authorities, community mental health organizations, community mental health services programs, or county community mental health agencies.

MCCMH is a “department-designated community mental health entity,” which, in turn, is designated by MCL 330.1287(8) as the “coordinating agency for the purposes of receiving any funds statutorily required to be distributed to coordinating agencies.” Accordingly, the liquor tax funds may only be distributed to MCCMH. The plain text of the statute and an informal letter of the Attorney General dated July 16, 2004, indicate that there is no other way these funds can be distributed. MCCMH may, however, use those funds to pay for substance abuse programs provided by other governmental agencies or private entities pursuant to MCL 330.1269, which states:

The department-designated community mental health entity and its community mental health services program provider network may contract for and spend funds for the prevention of substance use disorder and for the counseling and treatment of individuals with substance use disorder. A department-designated community mental health entity and other community mental health services program may make contracts with the governing bodies of other department-designated community mental health entities and other community mental health services programs and other persons for these purposes.

There does not appear to be any statutory limitations in terms of how MCCMH expend the funds, so long as the funds are used solely on the programs themselves and not on MCCMH’s administrative expenses in selecting and contracting for the programs. Therefore, MCCMH could contract with public or private entities to provide the programs, or could provide the services itself.





Mark A. Hackel  
County Executive

## CORPORATION COUNSEL

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**Corporation Counsel**  
John A. Schapka

**Assistant Corporation Counsel**  
Frank Krycia  
Jill K. Smith  
Robert S. Gazall

TO: Dave Flynn, Chairman  
Macomb County Board of Commissioners

FROM: John Schapka, Corporation Counsel *JAS*

DATE: August 20, 2015

RE: Liquor Tax Distribution Funding for Substance Abuse Treatment

This responds to your inquiry regarding the permissible allocation of Liquor Tax funds received by the County under the provisions of the State Convention Facility Development Act, PA 106 (1985), MCL 2007.630.

**Opinion:** The allocation of Liquor Tax funds dedicated to substance abuse treatment and/or prevention is controlled by clear and unambiguous statutory language which provides that such funds may be used solely to fund substance abuse treatment programs. There is no authority for the discretionary use of such funds for any other purpose, including defraying the costs of administration of such programs.

**Basis:** The State Convention Facility Development Act, PA 106 (1985), MCL 2007.630 generally provides that liquor tax revenues which exceed convention facility debt service costs shall be distributed to the counties in accordance with the Act's detailed schedule. Sub-section (3) of the Act mandates an allocation of fifty-per cent of the County's liquor tax distribution if the County approves an additional millage under Section 24e of the General Property Tax Act.

A distribution to a county pursuant to this section shall be included for purposes of the calculations required to be made by section 24e of the general property tax act, 1893 PA 206, MCL 211.24e. If the governing body of a taxing unit approves the additional millage rate under section 24e of the general property tax act, 1893 PA 206, MCL 211.24e, which is due to distributions pursuant to this section, then an amount equal to 50% of the distribution under this section shall be used for substance abuse treatment within the taxing unit. (emphasis added)

The General Property Tax Act, MCL 211.24e, is consonant with MCL 207.630's requirement regarding the use of fifty-per cent of the liquor tax distribution for substance

abuse treatment within the County (the taxing unit). MCL 211.24e further requires that the County's substance abuse treatment liquor tax distribution proceeds be distributed to the County's coordinating agency.

If the sum of a county's operating property tax levy for the ensuing fiscal year plus the county's distribution to be received pursuant to section 10 of the state convention facility development act, 1985 PA 106, MCL 207.630, exceeds the product of the county's taxable value for the ensuing fiscal year times the greater of the county's base tax rate or concluding fiscal year's operating millage rate, then an amount equal to the lesser of 50% of the excess or 50% of the state convention facility development act distribution shall be used for substance abuse treatment programs within the county. The proceeds received by the taxing unit shall be distributed to the coordinating agency designated for that county pursuant to section 6226 of the public health code, 1978 PA 368, MCL 333.6226, and used only for substance abuse prevention and treatment programs in the county from which the proceeds originated.<sup>1</sup> (emphasis added)

Sub-section 22 of MCL 330.110a, PA 258 (1974), the Mental Health Code, identifies a designated coordinating agency as being either the community mental health authority, community mental health organization, community mental health services program, county community mental health agency, or community mental health regional entity. Macomb County Community Mental Health is the County's designated coordinating agency.

Sub-sections (2) of MCL 300.1287 imposes a legal duty on the designated community mental health entity – here, Macomb Community Mental Health – under which it “shall ensure that funding dedicated to substance use disorder services shall be retained for substance use disorder services and not diverted to fund services that are not for substance use disorders.” Emphasis added.

The statutory language cited above is clear and unambiguous in the manner it limits the permissible use of Act 106 funds distributed to the County. I find no legal authority supporting the redirection of the County's Act 106 substance abuse treatment funds to any County agency other than Community Mental Health, or for any purpose other than treatment services, such as the administrative costs or functions of those programs.

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<sup>1</sup> PA 368 (1978), MCL 333.6226, was repealed on December 28, 2012 and replaced by PA 500 (2012), MCL 330.1287.