

**OFFICIAL MINUTES OF THE
MACOMB COUNTY BOARD OF COMMISSIONERS
FULL BOARD MEETING
NOVEMBER 23, 2010**

The Macomb County Board of Commissioners met at 7:00 p.m. on Tuesday, November 23, 2010 on the 9th Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chairman Gielegem called the meeting to order. A roll call was taken for attendance as follows:

NAME	DISTRICT	PRESENT	NOT PRESENT
Andrey Duzyj	1	X	
Marvin Sauger	2	X	
Phillip A. DiMaria	3	X	
Toni Mocerì	4	X	
Susan L. Doherty	5	X	
Joan Flynn	6	X	
Sue Rocca	7	X	
David J. Flynn	8	X	
Robert Mijac	9	X	
Ken Lampar	10	X	
Ed Szczepanski	11	X	
James L. Carabelli	12	X	
Don Brown	13	X	
Brian Brdak	14	X	
Keith Rengert	15	X	
Carey Torrice	16	X	
Ed Bruley	17	X	
Dana Camphous-Peterson	18	X	
Paul Gielegem	19	X	
Kathleen E. Tocco	20	X	
Irene M. Kepler	21	X	
Frank Accavitti, Jr.	22	X	
William A. Crouchman	23	X	
Michael A. Boyle	24	X	
Kathy D. Vosburg	25	X	
Jeffery S. Sprys	26	X	

INVOCATION

Commissioner Vosburg gave the invocation.

AGENDA

MOTION

A motion was made by Commissioner Duzyj, to adopt the agenda, supported by Commissioner Torrice. **THE MOTION CARRIED.**

MINUTES

MOTION

A motion was made by Commissioner J. Flynn, to approve the minutes dated October 21, 2010, supported by Commissioner Vosburg. **THE MOTION CARRIED.**

PRESENTATION OF RESOLUTION TO JERRY DeMAIRE

PUBLIC PARTICIPATION

Karen Madden, 12864 Corbin Drive, Sterling Heights

COMMITTEE REPORTS

TECHNOLOGY & COMMUNICATIONS COMMITTEE – November 8, 2010

The clerk read the recommendations from the Technology & Communications Committee and a motion was made by Chair Accavitti, supported by Vice-Chair Boyle, to adopt the committee recommendations:

1. Approve the purchase of a video security system (seven video cameras with sound recording, supporting software, storage and monitoring equipment) for the County Clerk's Vital Records counter, Court Section counter and Elections Department at a cost not to exceed \$12,369.89; funding is available in the Clerk's Special Projects fund.
2. Approve the purchase of an upgrade of the Mitchell & McCormick Visual Health Net Clinical Information System currently in use at the Public Health Department at a cost not to exceed \$120,637; funding is available in the Public Health – Computer Projects Account.
3. Approve the purchase of two laptop computers, two docking stations with monitors, keyboards and mouse (2), two flash drives, two Microsoft licenses and two notebook bags on wheels for the Veterans' Services Department at a cost not to exceed \$3,582; funding is available in the Veterans' Affairs Capital Expense – computer equipment funds.

THE MOTION CARRIED.

BUILDING, ROADS AND PUBLIC WORKS COMMITTEE – November 8, 2010

The clerk read the recommendations from the Building, Roads and Public Works Committee and a motion was made by Chair Duzyj, supported by Vice-Chair Carabelli, to adopt the committee recommendations:

Commissioner Vosburg asked to separate Item #2. There were **NO** objections.

1. Authorize payment of the following invoice:

Jail Kitchen Renovation	Braun Construction Group	\$330,033.26
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Further, funds are available in the Capital budget.

3. Authorize the Macomb County Community Services Agency to extend the North Action Center lease.

THE MOTION CARRIED.

SEPARATED MOTION

2. Approve retrofitting of the Court Building lobby lights to more energy efficient T-8 fluorescent lighting or replacing with a T-5 fixture if recommended by the firm conducting the energy audit & replacing the existing ceiling with decorative 2' x 4' egg crate grills; estimated cost for materials is \$14,000; funds for this project are available in the Facilities & Operations Building Operating Budget. (Record **NO** votes for Carabelli and Szczepanski)

THE SEPARATED MOTION CARRIED.

AD HOC COMMITTEE TO BEGIN DELIBERATIONS REGARDING TRANSITIONAL ISSUES RELATED TO THE COUNTY CHARTER – November 8, 2010

The clerk read the recommendations from the Ad Hoc Committee and a motion was made by Chair Tocco, supported by Vice-Chair D. Flynn, to adopt the committee recommendations:

Commissioner Brown asked to separate Item #1. There were **NO** objections.

2. The Board Library, Board Conference Room and the office previously used by the Director of Board Services or the office of Vice-Chair (whichever is not in use) be made available to the County Executive on a temporary basis.
3. All county employees, including department heads, be authorized between now and January 1, 2011 to work with the County Executive and his staff in providing any information they need.

THE MOTION CARRIED.

SEPARATED MOTION

1. Outside legal counsel is retained for this Ad Hoc Committee and proposals are being sought from three firms.

THE SEPARATED MOTION CARRIED. (Record NO vote for Szczepanski)

PUBLIC SAFETY AND CORRECTIONS COMMITTEE – November 9, 2010

The clerk read the recommendations from the Public Safety and Corrections Committee and a motion was made by Chair DiMaria, supported by Vice-Chair Boyle, to adopt the committee recommendations:

Commissioner Tocco asked to separate Item #2. There were **NO** objections.

1. Adopt the 2011 COMET (County of Macomb Enforcement Team) budget as recommended by the COMET Board of Directors at their meeting on September 1, 2010 at no cost to the County of Macomb.

THE MOTION CARRIED.

SEPARATED MOTION

2. Board of Commissioners award the bid for professional counseling services for the Juvenile Justice Center (Bid 17-10) to the low bidder, Sound Counseling in the amount of \$229,000 without accreditation.

THE SEPARATED MOTION CARRIED.

COURTS AND LEGAL AFFAIRS COMMITTEE – November 9, 2010

The clerk read the recommendation from the Courts and Legal Affairs Committee and a motion was made by Chair Crouchman, supported by Vice-Chair Sprys, to adopt the committee recommendation:

1. Approve the fiscal year 2010 Access and Visitation Contract in the amount of \$13,550 which is 100% federally funded. This contract covers the period of October 1, 2010 through September 30, 2011.

THE MOTION CARRIED.

ADMINISTRATIVE SERVICES COMMITTEE – November 10, 2010

The clerk read the recommendations from the Administrative Services Committee and a motion was made by Chair Vosburg, supported by Vice-Chair Sauger, to adopt the committee recommendations:

1. Authorize the Clerk/Register of Deeds to purchase scanning services from Rex Corporation enabling the clerk to increase access to election records from 1838 to the present and provide for their preservation by posting them on the internet at a cost not to exceed \$3,740; funds are available in the Elections revolving fund.
2. Improve the concealed weapons permit process for thousands of Macomb County residents per year by authorizing the Clerk/Register of Deeds to purchase an Identiphoto 400CCW Card System at an initial cost not to exceed \$8,009 and an annual cost of \$6,000 from Identiphoto Company Ltd; funds for the initial cost are available in the Clerk's special projects account and funds for the annual cost are available in the clerk's supplies account annually starting in 2011; further, authorize the Clerk/Register of Deeds to accept any photo fees authorized by the concealed weapons licensing board and authorize the clerk to deposit such fees in a new clerk's office account called the Vital Records Technology fund to be dedicated to improving customer service through the application of technology.
3. Authorize the Clerk/Register of Deeds to improve customer service by promoting self-service in the clerk's vital records, court and elections lobbies through the purchase and installation of large computer monitors from ABC Warehouse at a cost not to exceed \$3,072; funds are available in the Clerk's data processing account (\$2,559) and office supplies account (\$513).
4. Approve the publication of Macomb County services and phone numbers, county logo and artwork in the 2011 AT&T yellow pages at no cost to Macomb County and grant permission to the AT&T yellow pages to use the designation "official yellow pages of Macomb County; further, approve continuation of the advertising contract at \$255.50 per month.

THE MOTION CARRIED.

HEALTH & ENVIRONMENTAL SERVICES COMMITTEE– November 10, 2010

The clerk read the recommendations from the Health & Environmental Services Committee and a motion was made by Chair Camphous-Peterson, supported by Commissioner Brdak, to adopt the committee recommendations:

1. Authorize the Health Department to accept a U.S.E.P.A. Great Lakes Restoration Initiative

Grant of \$250,005 to continue operation of the Household Hazardous Waste Collection Program.

2. Authorize the Health Department to accept a U.S.E.P.A. Great Lakes Restoration Initiative Grant of \$250,000 to continue operation of the Illicit Discharge Elimination Program.
3. Approve the Macomb County Health Department's "Plan of Organization" as required for accreditation in 2011 by the Michigan Departments of Community Health, Agriculture, and Natural Resources and Environment.

THE MOTION CARRIED.

AD HOC COMMITTEE TO BEGIN DELIBERATIONS REGARDING TRANSITIONAL ISSUES RELATED TO THE COUNTY CHARTER – November 17, 2010

The clerk read the recommendations from the Ad Hoc Committee and a motion was made by Chair Tocco, supported by Vice-Chair D. Flynn, to adopt the committee recommendations:

1. Recognize that in order to be prepared to assume office on January 1, 2011, the Executive-Elect and/or his representatives will need to have freedom of access to county staff and records, the Board of Commissioners will encourage full cooperation with the Executive and his team during this period of transition; in addition, the Executive-Elect only will have access to all electronic files and passwords with the exception of those exempted by law.
2. The County Board Chair and Chair of this Ad Hoc Committee be authorized to approve any additional individual's access to electronic files and passwords.
3. Recognize that after January 1, 2011, appointments to county boards and commissions will be made by the County Executive and approved by the Board of Commissioners, and that in order to not limit the future role of the Executive and Board, the current Board of Commissioners agrees to limit such appointments during this interim period and will review any such appointments deemed necessary with the Executive-Elect before they are made.
4. Authorize the Director of the Facilities and Operations Department to work with Corporation Counsel and the Department of Planning, Economic Development and Research Department to facilitate the moving of Corporation Counsel with the least amount of financial impact to the County.

THE MOTION CARRIED.

FINANCE COMMITTEE – November 23, 2010

The clerk read the recommendations from the Finance Committee and a motion was made by Chair Kepler, supported by Vice-Chair Bruley, to adopt the committee recommendations:

1. Approve the monthly bills and authorize payment; further, to approve the payroll in the amount of \$14,576,008.66, with necessary modifications to the appropriations. (Record Sprys abstaining from bills for Jeffrey Sprys.)
2. Approve entering into an agreement to lease approximately 1,500 square feet of office space at the Clemens Center to the Macomb Health Plan; this space was formerly leased to DTE for a Customer Service Center and is adjacent to the current Macomb Health Plan Office; the terms and conditions of the lease would be similar to the current Macomb Health

- Plan lease which is a five year lease with two five-year renewal options that have step rent increases. (Record Doherty abstaining.)
3. Receive and file the report from the Macomb Conservation District, but that they are paid the funds previously allocated to them. (Record **NO** votes for Brdak, Gielegem and Lampar)
 4. Approve \$50,000 of discretionary monies out of the contingency fund be made immediately available to the county Executive-elect to assist in establishing the office of county executive as called for by the new county charter and to be used to support ordinary and necessary expenditures commonly appropriated through the county's general fund budget; the Executive-elect will submit an audit report of expenditures to the 2011-12 county Board of Commissioners. (Record **NO** vote for Vosburg)
 5. Recognize that the Office of County Executive and his immediate staff should be located on the ninth floor of the County Administration Building; the Board of Commissioners will continue to utilize the large meeting room on the ninth floor for both committee and full board meetings; the offices of the Board of Commissioners and its immediate staff will be relocated to the eighth floor in space currently occupied by Corporation Counsel; it is understood that some build out may be necessary to house the Office of Corporation Counsel, but every effort will be made to have both the County Executive and Board of Commissioners utilize existing space on the respective floors; since both the Executive and Board of Commissioners want to be fully operational on January 1, 2011, physical moves as well as telephone and technology relocations will be implemented during the last two weeks of December or as soon as practical; further, that any costs associated with the transition would come out of the 2010 contingency fund.
 6. Approve the five newly elected commissioners to attend a Michigan State University Extension "New County Commissioner Workshop" at a registration cost of \$150, with reimbursement to be made upon completion of the program. (Record **NO** votes for DiMaria, Doherty, Lampar, Rocca, Sprys and Szczepanski)
 7. Concur in the recommendation of Corporation Counsel regarding the case of County of Macomb vs A&R Macomb, LLC.
 8. Concur in the recommendation of Corporation Counsel regarding the case of County of Macomb vs Brian DeMuyneck.

THE MOTION CARRIED.

PERSONNEL COMMITTEE – November 23, 2010

The clerk read the recommendations from the Personnel Committee and a motion was made by Chair Mijac, supported by Vice-Chair Tocco, to adopt the committee recommendations:

1. Approve a title change only for two positions in the Finance Department – Purchasing Division: one Microfilm Coordinator to Warehouse Services Manager and one Inventory Services Coordinator to Warehouse Services Assistant.
2. Approve an upgrade of one part-time Account Clerk IV position to one full-time Account Clerk IV in the Community Services Agency.
3. Approve the elimination of one vacant Assignment Clerk position and creation of one

Communications and Technology Specialist position in the office of Circuit Court Administration.

4. Approve closing of county operations on the following days: Friday, February 18, Friday, May 27, Friday, July 1, Friday, September 2, Wednesday, November 23 and Tuesday, December 27, 2011; also to schedule six furlough/dock days for the calendar year 2011 for non-union employees and drop participants to coincide with the closure of county operations for 2011.
5. Approve suspension of 2011 longevity payments for all eligible non-union employees and non-union drop participants.
6. Approve ratification of a one-year labor agreement with the Police Officers Association of Michigan (POAM) - Juvenile Justice Center from January 1, 2011 to December 31, 2011.
7. Approve ratification of a one-year labor agreement with the Macomb County Environmental Health Association (MCEHA) from January 1, 2011 to December 31, 2011. (Record **NO** votes for Brown, Carabelli and Doherty)

THE MOTION CARRIED.

BUDGET COMMITTEE – November 23, 2010

The clerk read the recommendations from the Budget Committee and a motion was made by Chair Brdak, supported by Vice-Chair Sprys, to adopt the committee recommendations:

Commissioner Brdak asked to separate Item #2-15. There were **NO** objections.
Commissioner Boyle asked to separate Item #2-13. There were **NO** objections.

1. Authorize the filing of the Juvenile Accountability Block Grant in the amount of \$50,767 with a county cash match of \$5,077 to support Juvenile Drug Court Operations.
2. Approve the following recommendations:
 - (1) Adopt the reduction of \$600,000 from the Circuit Court operations as submitted by the Circuit Court as contained in the Board of Commissioners approved 2011 budget deficit reduction plan;
 - (2) Adopt the reduction of \$615,966 from the elimination of one Circuit Court judge as contained in the Board of Commissioners approved 2011 budget deficit reduction plan. Further, to increase the amount of the budget reduction in the Prosecuting Attorney's Office from \$233,955 to \$333,955;
 - (4) Adopt the reduction of \$128,270 in overtime as part of the \$500,000 overtime reduction initiative as submitted by the Facilities & Operations Department as contained in the Board of Commissioners approved 2011 budget deficit reduction plan;
 - (5) Adopt the reduction of \$500,000 in overtime as submitted by the Macomb County Sheriff as contained in the Board of Commissioners approved 2011 budget deficit reduction plan;

- (6) Adopt the reduction of \$250,000 in attorney fees utilized by Corporation Counsel in the defense of lawsuits and legal work as required as contained in the Board of Commissioners approved 2011 budget deficit reduction plan;
 - (7) Adopt the reduction of \$250,000 in the Facilities & Operations energy savings initiative as submitted by the Facilities & Operations Department as contained in the Board of Commissioners approved 2011 budget deficit reduction plan;
 - (8) Adopt the carry forward, into the 2011 budget, of \$2,028,000 from the general fund balance representing the estimated 2010 savings from the labor contract settlements in the Sheriff's Department as contained in the Board of Commissioners approved 2011 budget deficit reduction plan;
 - (9) Approve the 2011 budget reduction plan submitted by the 42nd District Court-Romeo in the amount of \$4,903;
 - (10) Approve the 2011 budget reduction plan submitted by the 42nd District Court-New Baltimore in the amount of \$9,876;
 - (11) Approve the 2011 budget reduction plan for the Protective Services Division (Blue Coats) in the amount of \$21,485;
 - (12) Approve the 2011 budget reduction plan for the Child Care–DHS general fund budget subsidy in the amount of \$80,478;
 - (14) Approve the 2011 budget reduction plan submitted by the Substance Abuse Department in the amount of \$11,000; and
3. Increase the 2011 revenue lines in the amount of \$250,000 in the Romeo and New Baltimore District Courts for a total of \$500,000.
 4. Authorize the purchase of carpeting for the clerk's offices, utilizing the current blanket order at a total cost of \$30,955.75. This project would be scheduled to coordinate with the installation of the new filing system. Funds for this project are available from the capital budget.

THE MOTION CARRIED.

SEPARATED MOTION

- (15) Carry \$1 million of the 2010 Martha T. Berry savings to the 2011 budget and reduce the future restructuring as required by the Charter to \$2,380,355. (Record **NO** votes for Rengert, Sprys and Vosburg)

MOTION TO AMEND

A motion to amend was made by Commissioner Brdak to adjust the revenue totals to include an additional \$30,579 for a total of \$2,410,934, supported by Commissioner Kepler. **THE MOTION TO AMEND CARRIED.**

THE AMENDED SEPARATED MOTION CARRIED. (Record **NO** vote for Sprys)

SEPARATED MOTION

- (13) Approve the 2011 budget reduction plan submitted by the Health Director and eliminate the position of Laboratory Supervisor at a savings of \$84,620, subject to negotiations; (Record **NO** votes for Boyle, Bruley, Mijac and Tocco)

MOTION TO REFER

A motion was made by Commissioner Brown, to refer this item back to the Health Services Committee, but require the Health Department to meet the targeted dollar amount, supported by Commissioner Tocco.

MOTION TO CALL THE QUESTION

A motion was made by Commissioner Crouchman, to call the question, supported by Commissioner DiMaria. **THE MOTION TO CALL THE QUESTION CARRIED.**

THE MOTION TO REFER FAILED.

A roll call vote was taken:

Voting Yes were: Accavitti, Brown, Camphous-Peterson, Carabelli, DiMaria, Doherty, Duzyj, D. Flynn, J. Flynn, Kepler, Lampar, Mocerri, Rengert, Rocca, Sauger, Szczepanski, Vosburg and Gielegem. There were 18 Yes votes.

Voting No were: Boyle, Brdak, Bruley, Crouchman, Mijac, Sprys, Tocco and Torrice. There were 8 No votes.

THE SEPARATED MOTION CARRIED.

RESOLUTIONS/TRIBUTES

MOTION

A motion was made by Commissioner Carabelli, to adopt the following Resolutions in their entirety, supported by Commissioner Kepler.

Res. No. 10-73 Eric Brunk, on the Honor of Achieving the Status of Eagle Scout in the Boy Scouts of America (offered by Carabelli, recommended by Finance Committee on 11/23/10)

THE MOTION CARRIED.

ITEMS WAIVED BY PUBLIC SAFETY & CORRECTIONS COMMITTEE CHAIR

MOTION

A motion was made by Commissioner Kepler, to approve the items waived by the Chair of the Public Safety & Corrections Committee in their entirety, supported by Commissioner D. Flynn.

- a. Authorize Community Services Agency to extend agreement with Washtenaw County ETCS to provide commodity foods to low income families.
- b. Authorize Community Services Agency to receive funds from the Michigan Community Action Agency Association to assist low-income families to reduce long-term energy costs
- c. Authorize Community Services Agency to receive funds from SMART under the specialized services operating assistance program.
- d. Authorize Community Services Agency to receive funds from SMART under the job access and reverse commute program.

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- e. Authorize Community Services Agency to receive funds from the Department of Human Services to provide tax preparation assistance.
- f. Authorize Community Services Agency to receive Community Development Block Grant funds from the City of St. Clair Shores for Continuum of Care Coordinator.
- g. Authorize Community Services Agency to receive Community Development Block Grant funds from the City of St. Clair Shores for Senior Chore Program.
- h. Authorize Community Services Agency to receive Community Development Block Grant funds from the City of Warren for Continuum of Care Coordinator.

THE MOTION CARRIED.

NEW BUSINESS

Commissioner J. Flynn spoke about ordering Christmas flowers.

PUBLIC PARTICIPATION

None

ROLL CALL

NAME	DISTRICT	PRESENT	NOT PRESENT
Andrey Duzyj	1	X	
Marvin Sauger	2	X	
Phillip A. DiMaria	3	X	
Toni Mocerri	4	X	
Susan L. Doherty	5	X	
Joan Flynn	6	X	
Sue Rocca	7	X	
David J. Flynn	8	X	
Robert Mijac	9	X	
Ken Lampar	10	X	
Ed Szczepanski	11	X	
James L. Carabelli	12	X	
Don Brown	13	X	
Brian Brdak	14	X	
Keith Rengert	15	X	
Carey Torrice	16	X	
Ed Bruley	17	X	
Dana Camphous-Peterson	18	X	
Paul Gielegghem	19	X	
Kathleen E. Tocco	20	X	
Irene M. Kepler	21	X	
Frank Accavitti, Jr.	22	X	
William A. Crouchman	23	X	
Michael A. Boyle	24	X	
Kathy D. Vosburg	25	X	
Jeffery S. Sprys	26	X	

ADJOURNMENT

MOTION

A motion was made by Commissioner Duzyj, to adjourn, supported by Commissioner Szczepanski.

THE MOTION CARRIED.

Chair Gieleghem adjourned the meeting at 8:10 p.m., until the call of the Chair.

Paul Gieleghem, Chairman

Todd Schmitz, Deputy County Clerk