



# 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

## NOTICE OF MEETING

There will be a meeting of the **BOARD OF COMMISSIONERS** on Thursday, October 9, 2014, **IMMEDIATELY FOLLOWING A MEETING OF THE FINANCE COMMITTEE WHICH BEGINS AT 9 A.M.**, on the 9<sup>th</sup> Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens.

## PRELIMINARY AGENDA

1. **Public Hearing** on Great Lakes Water Authority Memorandum of Understanding and Articles of Incorporation
2. Correspondence from Executive
3. **APPOINTMENTS:**

### Executive Appointment

- a) Brownfield Redevelopment Authority Board  
1 vacancy – 3 year term to expire 9-30-17  
(1 application is attached) (page 1)

### Board Appointment

- b) Jury Commission  
(1 application is attached) (page 5)

### Board Appointment

- c) Social Services Board  
1 vacancy – 3 year term beginning 11-1-14 through 10-31-17  
(7 applications are attached) (page 12)

## MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair  
District 4

Kathy Tocco – Vice Chair  
District 11

Mike Boyle – Sergeant-At-Arms  
District 10

Toni Mocerì – District 1  
Don Brown – District 7

Marvin Sauger – District 2  
Kathy Vosburg – District 8

Veronica Klinefelt – District 3  
Fred Miller – District 9

Robert Mijac - District 5  
Bob Smith – District 12

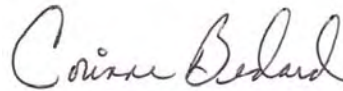
James Carabelli – District 6  
Joe Sabatini – District 13

4. **COMMITTEE REPORTS:**

- a) Government Operations, October 6 (to be provided)
- b) Justice and Public Safety, October 7 (to be provided)
- c) Economic Development, October 8 (to be provided)
- d) Finance, October 9 (to be provided)

5. Discussion and Vote on Great Lakes Water Authority Memorandum of Understanding and Articles of Incorporation (page 57)

**(attached)**



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**Corinne Bedard  
Committee Reporter**



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## Macomb County Executive Mark A. Hackel

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Mark F. Deldin  
Deputy County Executive

TO: Dave Flynn, Board Chair

FROM: Mark A. Hackel, County Executive 

DATE: September 11, 2014

RE: **BROWNFIELD REDEVELOPMENT AUTHORITY BOARD APPOINTMENT**

As provided under Macomb County Home Rule Charter, Section 2.4.2, this memorandum serves as notice of the Executive's nomination to the Brownfield Redevelopment Authority Board as presented to you for Board approval:

- Ms. Carrie L. Fortune to fill a term to expire September 30, 2017 (see attached application)

Thank you for your attention to this transmittal and I am available to answer any questions or concerns which you or the Board members may have.

MAH



**APPLICATION FOR APPOINTMENT  
MACOMB COUNTY BOARD OR COMMISSION**  
(Please note: Only legible applications can be considered)

I, Carrie L. Fortune hereby make application for appointment to the Macomb Brownsfield  
(Name - Please print legibly)  
Redevelopment Authority for 3 year from \_\_\_\_\_  
(Name of Board or commission - Please print legibly) (Number of Years) (Exact Dates of Appointment)

to \_\_\_\_\_

TO THE MACOMB COUNTY EXECUTIVE:  
STATE OF MICHIGAN)  
                                  )SS  
COUNTY OF MACOMB)

I reside at (Present Address): <b>31904 St. Margaret</b>	Since: <b>2001</b>	Citizen of: <b>United States</b>
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City: <b>St. Clair Shores</b>	State: <b>MI</b>	Zip Code: <b>48082</b>
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Home Telephone Number: <b>(586 ) 294.0167</b>	Work Telephone Number: <b>(586 ) 783.0916</b>	Cell Phone Number: <b>( )</b>
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E-mail Address: <b>carrie.fortune@macombgov.org</b>	I am at least 18 Years of Age: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Mailing Address (if different than above): <b>MCCSA, 21885 Dunham Road, Suite 10</b>	I am currently registered to vote: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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City: <b>Clinton Twp</b>	State: <b>MI</b>	Zip Code: <b>48036</b>
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Employer: <b>Macomb County</b>	Telephone: <b>(586 ) 466.6256</b>	Title: <b>Associate Planner</b>
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City: <b>Clinton Twp</b>	State: <b>MI</b>	Zip Code: <b>48036</b>	Nature of Work: <b>Grant Administration</b>
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**Education – Graduate from High School?:**  Yes     No

Degree Received: <b>J.D. - Wayne State School of Law</b>	Degree Received: <b>B.A. - Oakland University</b>	Degree Received: <b>H.S. Diploma - South Lake High</b>
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**I presently hold the following appointments and elected positions:**

Title:	Appointment or Election Date:
Title:	Appointment or Election Date:
Title:	Appointment or Election Date:

**Previously held appointments and/or elected positions:**

Title:	Dates Served:
Title:	Dates Served:
Title:	Dates Served:

**Have you ever been convicted of a felony? If yes, list each below:**

Date of Offense:	Nature of Offense/Violation:	Name/Location of Court:	Penalty Imposed (if any) / Disposition:
Date of Offense:	Nature of Offense/Violation:	Name/Location of Court:	Penalty Imposed (if any) / Disposition:
Date of Offense:	Nature of Offense/Violation:	Name/Location of Court:	Penalty Imposed (if any) / Disposition:

Do you have a conflict of interest or a potential conflict of interest? Such as a financial or business interest in any contracts, grants, permits, etc. with Macomb County? If so, list the interest (except where required for the appointment):

I assist in the administration of Macomb County's grants from the U.S. Department of Housing and Urban Development (HUD). However, I do not believe any of these grants would cause a conflict of interest with this Authority.

List any family members who are or have been employed by Macomb County or are or have been elected to County Offices:

Deborah R. Szatkiewski - Macomb/St. Clair Workforce Development Board

Is this an application for reappointment?:

Yes  No

If so, how many years have you served on this board?:

Please indicate your attendance record for the term(s) served:

# of Meetings Attended:	# of Meetings Held:
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Comments/Clarification (only if necessary):

Briefly indicate your qualifications for appointment to this specific board and why you believe your appointment will benefit Macomb County:

I have written and administered a number of grants from the HUD as part of my employment with the Macomb Homeless Coalition, Macomb County Department of Planning and Economic Development and Macomb County Community Services Agency. This includes grants for the Supportive Housing Program (SHP), Community Development Block Grant (CDBG), Homeless Prevention and Rapid Re-Housing (HPRP), and HOME. My experience dates back to Feb. 2004. I currently administer CDBG for Macomb County Community Development. This includes ensuring compliance with the appropriate federal regulations including eligibility of projects and recipients. I conduct environmental reviews on all CDBG and some HOME projects, making sure that each project complies with NEPA and other environmental laws and authorities. I am also responsible for labor compliance on all CDBG and some HOME projects.

I hereby apply for appointment to: Macomb Brownsfield Redevelopment Authority  
Board or Commission

and do swear or affirm that (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointed position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking.

I further certify that I can and will upon request substantiate all statements and information provided by myself on this application and that all statements are complete and correct to the best of my knowledge.

I also understand that any false statements or erroneous information provided in connection with this application may be cause for rejection of appointment.

Carrie L. Fortune  
Signature

Carrie L. Fortune, Esq.  
Name (Print or Type)

August 5, 2014  
Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
5th day of August, 20 14.  
[Signature]  
Notary Public, Macomb County, Michigan  
4-5-15  
My Commission Expires:

PLEASE SIGN AND RETURN YOUR COMPLETED APPLICATION TO:  
**PAMELA LAVERS**  
**C/O MACOMB COUNTY EXECUTIVE OFFICE**  
**1 S. MAIN, 8TH FLOOR**  
**MT. CLEMENS, MI 48043**

Note: Applicants may - but it is not required - attach additional information pertaining to this Application for Appointment. Attachments may not exceed the maximum for each of the listed below:

- Resume - Up to one page
- Letter of Reference - up to two pages
- Letter of Intent - up to one page

The following is for Office use only: Appointment:  Approved  Denied  
\_\_\_\_\_  
Signature of Authorized Personnel



# Carmella Sabaugh

Todd Schmitz  
Deputy Clerk

Macomb County  
Clerk/Register of Deeds

Craig A. Jones  
Deputy Register of Deeds

TO: David Flynn, Chair  
Macomb County Commission

FR: Carmella Sabaugh  
Macomb County Clerk / Register of Deeds

RE: Nominee from Chief Judge for Jury Commission

DATE: September 9, 2014

=====

Attached you will find an Application for Appointment to the Macomb County Jury Commission for Leo R. Lalonde.

There are currently two vacancies on the Jury Commission. The court nominates candidates who must be confirmed by the county commission.

The only current member is Lenore Trammell, who was appointed in May 2013. Her application at the time stated she does not have an affiliation with either party and considers herself an Independent.

William Froberg's term expired on May 31, 2013.

On July 10, 2013 we received a resignation letter from long-time Jury Commissioner Jeanne Peddy. She was a commissioner from 2007 to present.

Per MCL 600.1301, "a jury board consists of 3 qualified electors of the county appointed by the county board of commissioners on recommendation of the circuit court judges of the judicial circuit in which the county is situated, not more than two of whom shall be members of the same political party."

Also attached is a blank application form with the political party affiliation field added, as this information is required by statute.

**Clerk's Office**  
 40 North Main Street, 1<sup>st</sup> Floor  
 Mount Clemens, MI 48043  
 586-469-5120; Fax: 877-443-9505  
 macombgov.org/clerksoffice  
 clerksoffice@macombgov.org

Fax-on-Demand:  
 1-800-514-0451

**Register of Deeds**  
 32 Market Street  
 Mount Clemens, MI 48043  
 586-469-7953; Fax: 586-469-5130  
 macombgov.org/registerofdeeds  
 registerofdeeds@macombgov.org

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## JURY COMMISSION

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40 North Main Street, 5th Floor, Mount Clemens, MI 48043  
Phone: (586) 469-5158; Fax: (586) 466-8709

*Commissioner, William A. Froberg ..... Term expires: 05/31/13*  
*Commissioner, Jeanne Peddy..... Term expires: 04/30/15*  
*Commissioner, Lenore Trammel ..... Term expires: 05/31/19*  
*Carmella Sabaugh ..... Clerk of the Commission*

The commissioners are appointed for six-year terms by the Macomb County Board of Commissioners based upon recommendation of the circuit court bench. Their basic function is to maintain rosters of eligible jurors. Each year approximately 120,000 citizens are contacted to determine their eligibility to serve as jurors.

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## JUVENILE JUSTICE CENTER

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400 North Rose, Mount Clemens, MI 48043  
Phone: (586) 469-5375; Fax: (586) 469-0815

*Director..... Charles Seidelman*

The Macomb County Juvenile Justice Center is a Child Care Institution providing secure detention and behavioral intervention programs within a safe, secure, caring environment for youth that are remanded into custody through Macomb County Courts.

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## LAND FILE DIVISION

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One South Main Street, 2nd Floor, Mount Clemens, MI 48043  
Phone: (586) 469-5312; Fax: (586) 307-8290

*Tax Services Coordinator ..... Maureen Alexandrowicz*

This department manages the records of approximately 361,000 individual real estate parcels, including legal descriptions, taxpayer names and addresses, and delinquent tax information. A drafting section updates and maintains the accuracy of all property line drawings by plotting new subdivisions, acreage divisions and consolidation of lots.



**APPLICATION FOR APPOINTMENT  
MACOMB COUNTY BOARD OR COMMISSION**  
(Please note only legible applications can be considered)

I, LEO R LALONDE, hereby make application for appointment to \_\_\_\_\_  
Name

JURY COMMISSION for \_\_\_\_\_ from \_\_\_\_\_  
Name of Board or Commission                  Number of years                  Exact Dates of Appointment

to \_\_\_\_\_.

**TO THE MACOMB COUNTY BOARD OF COMMISSIONERS:**

STATE OF MICHIGAN )  
                                       )ss  
 COUNTY OF MACOMB)

1. I reside at 24801 ROSALIND EASTPOINTE, MI 48021  
Street    City    Zip

MACOMB and have since 1979.  
County

Mailing address if different than above: \_\_\_\_\_

Telephone: (586) 774-5803 Cell Phone: (586) 838-9851  
 Email: leolalonde154@gmail.com Political Party Affiliation: DEMOCRAT

2. I am at least 18 years of age: Yes  No

3. I am currently registered to vote: Yes  No

4. Citizen of U.S.  
Country

5. Employer: RETIRED

Telephone: \_\_\_\_\_

a. Indicate nature of your work: \_\_\_\_\_

b. Title: \_\_\_\_\_

6. Educational level and degrees received: BA & MA degrees from WAYNE STATE UNIVERSITY. MA degree from MICHIGAN STATE UNIVERSITY.

7. I presently hold the following appointments and elected positions:

EASTPOINTE PLANNING COMMISSION 6-2014  
Title Appointment or Election Date

EASTPOINTE HOUSING COMMISSION 2012  
Title Appointment or Election Date

Title Appointment or Election Date

8. Previously held appointments and/or elected positions:

STATE REPRESENTATIVE 1979-1982  
Title Dates Served

EASTPOINTE BOARD OF CANVASSERS  
Title Dates Served

Title Dates Served

9. Have you even been convicted of a felony? If yes, list each, giving date, nature of offense or violation, name and location of court, the penalty imposed, if any, or the disposition of the case. A conviction will not automatically bar you from an appointment.

No

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc. with Macomb County? If so, list the interest (except where required for the appointment).

No

11. List any family members who are or have been employed by Macomb County or are or have been elected to County offices.

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Is this an application for reappointment? Yes  No

If yes, how many years have you served on this board? \_\_\_\_\_

Please indicate your attendance record for the term(s) served \_\_\_\_\_ / \_\_\_\_\_  
No. of meetings attended No. of meetings held

Comments/Clarification (only if necessary) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Briefly indicate your qualifications for appointment to this specific board and why you believe your appointment will benefit Macomb County.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby apply for appointment to JURY COMMISSION and do swear or affirm  
Board or Commission  
that (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointed position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking.

Leo R. Lalonde  
Signature  
LEO R. LALONDE  
Name (Print or Type)

Subscribed and sworn to before me this  
29<sup>th</sup> day of August, 2014.

Joseph White Lalonde  
Notary Public  
Macomb County, Michigan

My commission expires: 8/26/2020

Note: Applicants may – but it is not required – attach additional information pertaining to this Application for Appointment if attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

The following is for Board Office use only:

Overseeing Committee: \_\_\_\_\_

Chair Review for Compliance: \_\_\_\_\_  
(Commissioner Sign-off)

(revised 02/09 pd)

**REVISED JUDICATURE ACT OF 1961 (EXCERPT)**  
**Act 236 of 1961**

**CHAPTER 13**  
**JURORS**

**600.1300 Definitions.**

Sec. 1300. As used in this chapter:

(a) "Driver's license list" means a compilation of names of individuals who are 18 years of age or older, addresses, zip codes, dates of birth, and sexes of persons licensed in Michigan as motor vehicle operators and chauffeurs under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

(b) "Personal identification cardholder list" means a compilation of names of individuals who are 18 years of age or older, addresses, zip codes, dates of birth, and sexes of Michigan residents who have received an official state personal identification card under Act No. 222 of the Public Acts of 1972, being sections 28.291 to 28.295 of the Michigan Compiled Laws.

History: Add. 1986, Act 104, Eff. Jan. 1, 1987.

**600.1301 Jury board; appointment; qualifications; terms; existing boards; vacancies.**

Sec. 1301. (1) In counties having a population of less than 2,000,000, the jury board consists of 3 qualified electors of the county appointed by the county board of commissioners on recommendation of the circuit judges of the judicial circuit in which the county is situated, not more than 2 of whom shall be members of the same political party. The appointments shall be for 6-year terms.

(2) In counties having a population of 2,000,000 or more, the jury board consists of 7 qualified electors of the county appointed for 6-year terms by the county executive, with the concurrence of the county board of commissioners, on recommendation of the circuit judges of the judicial circuit in which the county is situated, not more than 4 of whom shall be members of the same political party. The executive secretary and stenographer shall receive compensation in an amount fixed by the county board of commissioners.

(3) A jury board member who was appointed under this section and is serving as a member on the effective date of the 2000 amendatory act that amended this section shall continue to serve as a member of that jury board until a vacancy is created by expiration of term or otherwise. A new appointment or an appointment to fill a vacancy in a jury board shall be made as provided in subsections (1) and (2).

History: Add. 1968, Act 326, Eff. Nov. 15, 1968;—Am. 1969, Act 326, Eff. Sept. 1, 1969;—Am. 2000, Act 454, Imd. Eff. Jan. 9, 2001.

**600.1301a Courts in which selection of juries governed by chapter; exceptions.**

Sec. 1301a. (1) Except as provided in subsection (2), this chapter governs the selection of juries in the following courts:

- (a) Circuit court.
- (b) Probate court.
- (c) District court.

(2) Sections 1310, 1311, 1312, 1321(1), 1322, 1323, 1330, 1338, and 1343 do not apply to a court that adopts a method of jury selection described in section 1371.

History: Add. 1969, Act 326, Eff. Sept. 1, 1969;—Am. 1978, Act 11, Imd. Eff. Feb. 8, 1978;—Am. 1986, Act 104, Eff. Jan. 1, 1987;—Am. 2004, Act 12, Eff. June 1, 2004.

**600.1301b Modified system of jury selection; development of plan; goals; review, approval, adoption, and implementation of plan; exceptions.**

Sec. 1301b. (1) Within 2 years after the effective date of this section each circuit of the circuit court shall develop a plan for the implementation of a modified system of jury selection in their respective courts.

(2) Each plan shall specify methods for utilizing eligible jurors to further the following goals:

- (a) Lessening the inconvenience to citizens of serving as a juror.
- (b) Broadening citizen participation in the jury system.
- (c) Distributing the responsibility for participation in the jury system among the people in as fair a manner as possible.

(d) Increasing the efficiency and effectiveness of circuit court activity.

(e) Reducing the length of the term of service of a juror.

(f) Reducing the number of trials on which an individual juror serves during the juror's term.

(3) Each circuit of the circuit court shall submit their plan to the supreme court for review to determine that

SEPTEMBER 2014 – Summary of Boards & Commissions Appointments

**Social Services Board – BOC Vote**

**One position opening due to term expiration.**

BOC appoints two members to the Social Services Board; third position appointed by the State. Current membership is: Roger Facione, SSB Chairperson; Penny Hader; Janice Nearon.

PA 280 (1939); MCL 400.45; MCL 400.46

JOA 01-22-2009

Page 18, 19 County Organizational Plan

Per PA 280 (1939) the Social Services Board, (Macomb County's human services board), administers the provision of social welfare services in the County. Operations of the Marthat T. Berry Medical Facility are under the general control of the Social Services Board, as required under the Social Welfare Act. Additionally, the Joint Operation Agreement of January 22, 2009, specifies the operational control of the Martha T. Berry Facility belongs with the Social Services Board.

Term of Office

Member shall be appointed for a **term of three (3) years, beginning on November 1, 2014 through October 31, 2017.**

**Seven applications received for one (1) position:**

Applying for Reappointment:

1. Margaret (Penny) Hader

Applying for Appointment:

2. Thomas Ensign
3. Jeremy Fisher
4. Kevin Haynes
5. Robert Jones
6. Kindra Speech
7. James Timpa



# **NEWS**

## **Macomb County Board of Commissioners**

FOR IMMEDIATE RELEASE  
Aug. 12, 2014

Media contact: Courtney Flynn  
(586) 469-5713  
[Courtney.Flynn@macombgov.org](mailto:Courtney.Flynn@macombgov.org)

### **Board of Commissioners Seeking Social Services Board Applicants**

MOUNT CLEMENS- The Macomb County Board of Commissioners is seeking to fill a vacancy on the Social Services Board.

As Macomb County's human services board, this board administers the provisions of the county's social welfare services. Particularly, the operations of the Martha T. Berry Medical Facility are under the purview of the Macomb County Social Services Board.

This is a three year term and the appointed candidate would serve with another appointed Macomb County resident and a delegate appointed by the State Welfare Commission.

Applications for this appointment are due by 5 p.m. on Sept. 26. Public interviews will be held at noon Oct. 6 during the Government Operations Committee meeting. The appointment will then be made at the next full board meeting.

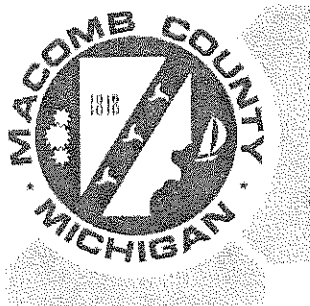
Application forms are available at [www.macombBOC.com](http://www.macombBOC.com) through the "Boards and Commissions" tab. Submission materials should be sent to:

Macomb County Board of Commissioners  
1 S. Main Street, 9th Floor  
Mt. Clemens, MI 48043

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*For more news from the Macomb County Board of Commissioners, check [www.MacombBOC.com](http://www.MacombBOC.com) or visit us on Facebook or @MacombBoC on Twitter.*

# Vacancy Notice



Application forms (available at [www.macombBOC.com](http://www.macombBOC.com)) and submission materials should be sent to:

Macomb County Board of Commissioners  
1 S. Main Street, 9<sup>th</sup> Floor  
Mt. Clemens, MI 48043

One vacancy created by term expiring on 10-31-14. Applications due by **5pm on Friday, Sept. 26, 2014**. Public interviews to be held on **Monday, October 6, 2014 at 12pm** during the Government Operations Committee meeting. Applicants are encouraged to attend this meeting. Appointment is expected to be made at a Full Board meeting to be held in October, 2014.

<b>Name of Board/Commission</b>	<b>Social Services Board</b>
<b>Origin</b>	PA 280 ('39) MCL 400.45 and MCL 400.46 Page 18, 19 of County Organizational Plan
<b>Appointment Authority</b>	Board of Commissioners (R13-124)
<b>Function</b>	Per PA 280 (1939), the Social Services Board, (Macomb County's human services board), administers the provision of social welfare services in the County. Operations of the Martha T. Berry Medical Facility are under the general control of the Social Services Board, as required under the Social Welfare Act. Additionally, the Joint Operation Agreement of January 22, 2009, specifies the operational control of the Martha T. Berry Facility belongs with the Social Services Board.  MCL §400.45 requires the existence of the board. MCL §400.46 requires per diem, (\$35) established by BOC.
<b>Membership Composition</b>	3 members. In addition to the 2 appointees by Macomb County, the State Welfare Commission appoints 1 delegate
<b>Term</b>	3 years



# Position description



Application forms and submission materials should be sent to:

Macomb County Board of Commissioners  
 1 S. Main Street, 9<sup>th</sup> Floor  
 Mt. Clemens, MI 48043

586.469.5125  
[www.macombBOC.com](http://www.macombBOC.com)

<b>Name of Board/Commission</b>	<b>Social Services Board</b>
<b>Origin</b>	PA 280 ('39) MCL 400.45 and MCL 400.46 Page 18, 19 of County Organizational Plan
<b>Appointment Authority</b>	Board of Commissioners (R13-124)
<b>Function</b>  MCL §400.45 requires the existence of the board. MCL §400.46 requires per diem, (\$35) established by BOC.	Per PA 280 (1939), the Social Services Board, (Macomb County's human services board), administers the provision of social welfare services in the County. Operations of the Martha T. Berry Medical Facility are under the general control of the Social Services Board, as required under the Social Welfare Act. Additionally, the Joint Operation Agreement of January 22, 2009, specifies the operational control of the Martha T. Berry Facility belongs with the Social Services Board.
<b>Membership Composition</b>	3 members; in addition to the 2 appointees by Macomb County, the State Welfare Commission appoints 1 delegate
<b>Term</b>	3 years

Application for Appointment or Re-Appointment to  
Macomb County Board/Commission

TO THE MACOMB COUNTY BOARD OF COMMISSIONERS:

STATE OF MICHIGAN)

)ss

COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Department of Human Services / social Services Board

Term:  years; from  (date/year) to  (date/year)

1. Applicant Information

Name:

Residence Address:

City, Zip Code:

County of Residence:

Mailing Address (if different than above):

Preferred Phone:

Email:

Best method of contact:

2. I am at least 18 years of age:  Yes  No

3. I am currently registered to vote:  Yes  No

4. Citizenship:

5. Employer:

Employer Address:

Nature of your work:

Position:

6. Educational level, degree(s) received, other relevant certification or endorsements:

Master of Social work  
Bachelor of Sociology

7. I presently hold the following appointments and elected positions:

Title/Board-Commission: Department of Human Services <sup>AKA</sup> Social Services Board

Appointment/Election Date: April 2005 to present

Title/Board-Commission: Martha Berry Board

Appointment/Election Date: April 2005 to present

Title/Board-Commission:

Appointment/Election Date:

8. Previously-held appointments and/or elected positions:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*

If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

NO

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

Stephanie Lange, daughter contractor with Macomb County Community Mental Health

12. Is this an application for re-appointment?  Yes  No

If yes, how many years have you served on this board/commission? 6 years

Please indicate your attendance record for term(s) served:

Number of meetings attended 142 Number of meetings held 147

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

I am requesting re-appointment to the Social Services Board. I have been employed for the past 50 years in leadership positions, developing and supervising programs for the underserved, seniors, advocacy, homeless and unemployed. I have volunteered at Neighbors Caring for Neighbors, the Warming Center, MCEST, and SERT. I feel confident I can continue to make a positive contribution to the work of the Board.

14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: *Margaret A Hader*

Printed Name: Margaret A Hader

Date: 7-11-14

Subscribed and sworn to before me this 11<sup>th</sup> day of July, 2014

*Patricia E. Dib*

Notary Public  
Macomb County, Michigan

My Commission expires: 10-5-2017

PATRICIA E. DIB  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires October 5, 2017  
Acting in the County of Macomb

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

Application for Appointment or Re-Appointment to  
Macomb County Board/CommissionSTATE OF MICHIGAN)  
)ss  
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Social Services Board

Term: 3 years; from (date/year) to (date/year)

## 1. Applicant Information

Name: Thomas J. Ensign

Residence Address: 37669 Charter Oaks Blvd.

City, Zip Code: Clinton Township, 48036

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: (616) 283-1606

Email: tjensign@aol.com

Best method of contact: phone

2. I am at least 18 years of age:  Yes  No3. I am currently registered to vote:  Yes  No

4. Citizenship: USA

5. Employer: Bortz HealthCare Facilities

Employer Address: 11700 E. Ten Mile Road, Warren, MI 48089

Nature of your work: Nursing home, skilled-care facility

Position: Nursing Home Administrator

6. Educational level, degree(s) received, other relevant certification or endorsements:

B.S. degree, Health Care Systems Administration  
Ferris State University

7. I presently hold the following appointments and elected positions:

Title/Board-Commission: [ ]  
Appointment/Election Date: [ ]  
Title/Board-Commission: [ ]  
Appointment/Election Date: [ ]  
Title/Board-Commission: [ ]  
Appointment/Election Date: [ ]

8. Previously-held appointments and/or elected positions:

Title/Board-Commission: [ ]  
Dates Served: [ ]  
Title/Board-Commission: [ ]  
Dates Served: [ ]  
Title/Board-Commission: [ ]  
Dates Served: [ ]

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

[ ]

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*

If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

No

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

Harley Ensign  
Joan Ensign  
Janet Ramales  
Marvin Sauger

12. Is this an application for re-appointment?  Yes  No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended  Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

I have been a nursing home administrator for the past 18 years. My experience and education I would bring to the position.



14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature:



Printed Name:

Thomas J. Ensign

Date:

September 23, 2014

Subscribed and sworn to before me this

22<sup>nd</sup>

day of

SEPTEMBER

2014



Notary Public  
Macomb County, Michigan  
WAYNE

My Commission expires:

12-12-2015

TIMOTHY D. COLLINS  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Dec 12, 2015  
SITING IN COUNTY OF WAYNE

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

Application for Appointment or Re-Appointment to  
Macomb County Board/CommissionSTATE OF MICHIGAN)  
)ss  
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Social Services Board

Term: 3 years; from 11/1/2014 (date/year) to 10/31/2017 (date/year)

## 1. Applicant Information

Name: Jeremy Fisher

Residence Address: 31428 Saratoga

City, Zip Code: Warren, MI 48093

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: 586-214-3556

Email: scls.fisher@yahoo.com

Best method of contact: Phone

2. I am at least 18 years of age:  Yes  No3. I am currently registered to vote:  Yes  No

4. Citizenship: United States

5. Employer: Second Chance Legal Services

Employer Address: 30250 John R, Madison Heights, MI 48071

Nature of your work: Bankruptcy Attorney

Position: Owner/Attorney

6. Educational level, degree(s) received, other relevant certification or endorsements:

Juris Doctor from University of Detroit Mercy School of Law Bachelor of Arts, University of Detroit Mercy
--

7. I presently hold the following appointments and elected positions:

Title/Board-Commission:	N/A
Appointment/Election Date:	N/A
Title/Board-Commission:	N/A
Appointment/Election Date:	N/A
Title/Board-Commission:	N/A
Appointment/Election Date:	N/A

8. Previously-held appointments and/or elected positions:

Title/Board-Commission:	N/A
Dates Served:	N/A
Title/Board-Commission:	N/A
Dates Served:	N/A
Title/Board-Commission:	N/A
Dates Served:	N/A

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

--

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*

If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

NO

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

NONE

12. Is this an application for re-appointment?  Yes  No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended  Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

Growing up the son of a farmer/factory worker, there were times in my youth when my family relied on county and state social services. My parents worked hard to make sure that we never felt the struggle they were going through. It was due to their hard work, and the help of these programs, that allowed me to be the first person in my family to graduate college and law school. Because of their sacrifice I was able to make a better life for myself and my family.

As a bankruptcy attorney I currently work with many of Macomb County's under privileged and most vulnerable. Individuals who are hard working, great parents, and good citizens, but who need a some assistance. In 2012 and 2013 I was awarded a Certificate of Appreciation for my pro bono work by the Federal Bankruptcy Court for the Eastern District of Michigan. I have been a licensed attorney since 2006 and have run my own law firm since 2010.

I believe that my appointment will benefit Macomb County because I have first hand experience moving from an individual who relies on social services, to being someone who assists individuals living under the system. This unique perspective will allow me to provide a fresh voice on the board.

14. Statement of Application to Board/Commission


I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: 

Printed Name:

Date:

Subscribed and sworn to before me this  day of  2014

  
Notary Public  
Macomb County, Michigan, Acting in Oakland County  
*Oakland*

My Commission expires:

ZENON M KWIK  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires June 22, 2016

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

# Jeremy F. Fisher, Esq.

30250 John R., Madison Heights, Michigan 48071 · (586) 214-3556 · scl.fisherj@yahoo.com

## Experience

### Second Chance Legal Services

Madison Heights, MI

April 2010-Present

Owner and Principle Attorney

Second Chance Legal Services specializes in bankruptcy law. Responsibilities include office management, accounting, completing emergency petitions, schedules and Chapter 13 Plans; drafting OCP's, plan modifications, motions to extend, fee applications, confirmation certificates and motions to incur; responding to motions; reviewing Pacer, Claims Register and 13 Network calculations; consulting with and advising clients; representing clients during 341 meeting of creditors, motions to extend and confirmation hearings; negotiating reaffirmation agreements and loan modifications; and representing clients in adversary proceedings.

### Weik, Chimko and Associates

Royal Oak, MI

September 2009 – March 2010

Associate Attorney

Responsibilities include: completing emergency petitions, schedules and Chapter 13 Plans; drafting OCP's, plan modifications, motions to extend, fee applications, confirmation certificates and motions to incur; responding to motions; reviewing Pacer, Claims Register and 13 Network calculations; consulting with and advising clients; representing clients during 341 meeting of creditors, motions to extend and confirmation hearings; negotiating reaffirmation agreements and loan modifications; and limited experience representing clients in adversary proceedings.

### FIREBAUGH & ANDREWS PLLC

Westland, MI

November 2008 – September 2009

Associate Attorney

Responsibilities include: completing emergency petitions, schedules and Chapter 13 Plans; drafting OCP's, plan modifications, motions to extend, fee applications, confirmation certificates and motions to incur; responding to motions; reviewing Pacer, Claims Register and 13 Network calculations; consulting with and advising clients; representing clients during 341 meeting of creditors, motions to extend and confirmation hearings; negotiating reaffirmation agreements and loan modifications; and limited experience representing clients in adversary proceedings.

### NIGOHSIAN AND ASSOCIATES

Madison Heights, MI

May 2008 – November 2008

Associate Attorney

Responsibilities include: completing emergency petitions, schedules and Chapter 13 Plans; drafting OCP's, plan modifications, motions to extend, fee applications, confirmation certificates and motions to incur; responding to motions; reviewing Pacer, Claims Register and 13 Network calculations; consulting with and advising clients; representing clients during 341 meeting of creditors, motions to extend and confirmation hearings; and limited experience representing clients in adversary proceedings.

### d.DIVERSIFIED

Bingham Farms, MI

March 2008 to April 2008

Document Review Attorney

### JONATHAN R. CRANE, P.C.

Rochester, Michigan

April – December 2007

Associate Attorney

## Education

### UNIVERSITY OF DETROIT MERCY SCHOOL OF LAW

Juris Doctorate, Cum Laude, May 2006

GPA: 3.402

Class Rank: 15 of 118

Multi-State Bar Exam Score: 170

· Quarter-finalist in the G. Mennen Williams Moot Court Competition, March 2004 · Who's Who Among Students in American Universities and Colleges · CALI Excellence for the Future Award-- Teaching Law in High School · CALI Excellence for the Future Award-- Death Penalty in America · Legal Extern for Justice Marilyn Kelly of the Michigan Supreme Court · Legal Extern for the Michigan Attorney General's Office – Child Support Division · Teacher at Mumford High School as a participant in the UDM Law School Street Law program.

### UNIVERSITY OF DETROIT MERCY

Bachelor of Arts, Magna Cum Laude, May 2001

Political Science; History Pre-law program

· Recipient of the Benefactor's Scholarship 1997-2001 · Member, Phi Kappa Theta Executive Board 1998-2001 · Hands for Harvest Organizer 2000 · President of Michigan Omega Alumni Association, 2004-Present

## Membership

- State Bar of Michigan 2006-Present
- Consumer Bankruptcy Association
- American Bankruptcy Institute
- Business Networking International—Greater Royal Oak -- President

### Application for Appointment or Re-Appointment to Macomb County Board/Commission

STATE OF MICHIGAN)  
  )ss  
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Social Services Board

Term:  years; from  (date/year) to  (date/year)

#### 1. Applicant Information

Name: Kevin Haynes

Residence Address: 27250 Crestwood

City, Zip Code: 48088

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: (313) 335-3602

Email: kbhaynes90@yahoo.com

Best method of contact: Phone

2. I am at least 18 years of age:  Yes  No

3. I am currently registered to vote:  Yes  No

4. Citizenship: U.S

5. Employer: Department of Labor

Employer Address: 11801 Woodrow Wilson, Detroit, 48206

Nature of your work: Human Services

Position: Deputy Director

6. Educational level, degree(s) received, other relevant certification or endorsements:

Bachelors - Business Management Masters - Public Administration
--

7. I presently hold the following appointments and elected positions:

Title/Board-Commission:	n/a
Appointment/Election Date:	n/a
Title/Board-Commission:	n/a
Appointment/Election Date:	n/a
Title/Board-Commission:	n/a
Appointment/Election Date:	n/a

8. Previously-held appointments and/or elected positions:

Title/Board-Commission:	n/a
Dates Served:	n/a
Title/Board-Commission:	n/a
Dates Served:	n/a
Title/Board-Commission:	n/a
Dates Served:	n/a

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

--



10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*

If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

No

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

n/a

12. Is this an application for re-appointment?  Yes  No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended  Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

I believe my academic background and work experience qualifies me for consideration for this appointment. Specifically by receiving my Masters Degree (Public Administration) in a field that highlights Policy as a cornerstone and has focus in understanding the significance of buy in, inspection and output with regards to policy making.

Having an undergraduates degree in Business Management is also a qualifier as it has a focus on value add that considers the key components (Cost, Customers, Labor) required to implement any policy changes.

My appointment would benefit Macomb County, as I have more than 15 years of being responsible for managing outcomes for both Public and Private Operations at a senior level. During those years, Personnel Management, Financial Management, and Project Management were all apart of the core responsibilities which I believe the county could benefit from. The county would benefit from having a representative that has the Public and it's primary customers at the center of all decisions being made which I've proven to be capable of by supporting a Job Corps Center currently ranked six of 124 across the Nation in key areas such as Student Satisfaction & Service delivery.

14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: *Andrew Cayo*  
Printed Name: Andrew Cayo  
Date: 9-19-14

Subscribed and sworn to before me this 20 day of September 2014

*Patricia E. Dib*

Notary Public  
Macomb County, Michigan

My Commission expires: 10-17-2014

PATRICIA E. DIB  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires October 5, 2017  
Acting in the County of \_\_\_\_\_

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

# KEVIN B. HAYNES

27250 Crestwood  
Warren, MI 48088

H: (313) 335-3602  
kbhaynes90@yahoo.com

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## MANAGEMENT PROFESSIONAL

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*Customer Loyalty & Retention ♦ Process Improvements ♦ Strategic Planning ♦ Financial Management  
♦ Business Scorecard Alignment ♦ Team Building ♦ Project Management ♦ Relationship Management ♦  
Cross-functional Team Leadership ♦ Problem Resolution ♦ Production Management*

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### PROFESSIONAL EXPERIENCE

**Department of Labor; Detroit, MI**

2013 – Present

#### **DEPUTY DIRECTOR**

Overall contract compliance and uniformity in application of Department of Labor (DOL), Corporate and Center guidelines: Ensures compliance with DOL, Federal Acquisition Regulations (FAR), and other regulatory guidelines. Oversee the communication and immediate application of all directives put forward by the DOL and Corporate Office. Audits existing Center systems to ensure that all departments are in compliance with DOL and Corporate directives. Monitors and oversees Center's fiscal expenditures, leading to a balanced budget: Ensures that Center resources are effectively and appropriately distributed. Ensures that fiscal expenditures are in line with FAR and DOL guidelines. Develops and directs community support programs and linkages: Oversees Center's participation on Workforce Investment boards and Youth Councils. Ensures Center has a relevant and active Community Relations Council that supports Center's initiatives and community partnership.

**Department of Labor; Detroit, MI**

2011 - 2013

#### **DIRECTOR OF ADMINISTRATIVE SERVICES**

Provide overall direction for ten functional departments as well as facilitate cross division collaboration while ensuring high quality and efficiency. Demonstrate effective public contact in all interactions with government representatives, vendors, and subcontractors. Conduct internal audits to ensure compliance with Department of Labor requirements. Prepare and review reports, records of activity, and other data to ensure progress towards specific objectives. Monitors the statistical performance of division and develop action plans to close output gaps. Create and monitor methods and programs to motivate and encourage staff morale. Manage overall budget and department assigned budgets and maintain spending limits. Create a culture of excellence through timely coaching and feedback as well as employee empowerment and accountability. Display management effectiveness by building pride & commitment through effective teamwork and collaboration.

**Xerox Corporation; Madison Heights, MI**

2007 - 2011

#### **DIRECTOR MANAGED SERVICES OPERATIONS**

Provide day-to day senior leadership and account management to the client. Supervise the implementation of initiatives to support high quality and timely product delivery. Drive a high growth culture, supported by the continued development of processes and operational efficiencies to maximize current financial performance and support overall growth strategies. Profit & Loss responsibility of \$15 million in revenue, 300 + staff members across five cross functional departments. Serve as Manager of Business Services, managing customer escalations, customer relations, trainings and communication. Developed and implemented policies and procedures for program operation that met Federal guidelines.

### Application for Appointment or Re-Appointment to Macomb County Board/Commission

STATE OF MICHIGAN)  
)ss  
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Social Services Board Appointment

Term: 3 years; from 2015 (date/year) to 2017 (date/year)

#### 1. Applicant Information

Name: Robert Charles Jones

Residence Address: 62347 Hidden Pond Dr.

City, Zip Code: Washington, MI 48094

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: 586-6772513

Email: rmjones@provide.net

Best method of contact: Phone

2. I am at least 18 years of age:  Yes  No

3. I am currently registered to vote:  Yes  No

4. Citizenship: United States of America

5. Employer: Retired educator

Employer Address:

Nature of your work:

Position:

6. Educational level, degree(s) received, other relevant certification or endorsements:

BA Elementary Education Michigan St. University  
Masters degree - Sp. Education Wayne St. University  
Specialist degree - Administration Wayne St. University  
Learning disability TC Program - Marygrove College

7. I presently hold the following appointments and elected positions:

Title/Board-Commission:

Appointment/Election Date:

Title/Board-Commission:

Appointment/Election Date:

Title/Board-Commission:

Appointment/Election Date:

8. Previously-held appointments and/or elected positions:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*

If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

No

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

None

12. Is this an application for re-appointment?  Yes  No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended

Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

I have taught and administered educational programs in Macomb county school districts for over forty four years.  
I have the expertise to advise the county board on these social service programs.  
I have worked collaboratively with Macomb County works program implementing many programs in the district I taught (Richmond).  
The wise and pragmatic use of social service funds would be a priority for me to pursue.

## 14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature:

Robert C. Jones

Printed Name:

Robert C Jones

Date:

September 11, 2014

Subscribed and sworn to before me this

9

day of

September

2014

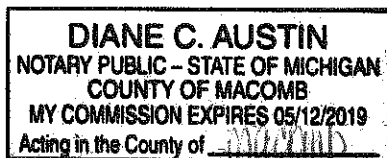


Notary Public

Macomb County, Michigan

My Commission expires:

5-12-2019



Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

9/11/2014.

To whom it may concern:

I assume the budget for the social service program is online. I will peruse it before the interview.

I also assume I will be contacted as to the exact location of the interview October 6th.

I look forward to discussing this very important appointed position with you then.

Sincerely:  
Bob Jones.



Robert C. Jones  
 62347 Hidden Pond Drive  
 Washington, Michigan 48094  
 (586) 677-2513  
 rmjones@provide.net

### Objective

To acquire a research grant writing position or an administrative position related to job placement and training.

### Experience

2002 – Present	Macomb Intermediate School System	
• Instructor		
• Grant writer		
• Workshop presenter		
1975 – 2002	Richmond Community Schools	Richmond, Michigan
• Resource teacher		
• Teacher consultant		
• Supervisor of special education		
• Work study coordinator		
• Grant writer		
• Job training developer		
1968 – 1974	Utica Schools	Utica, Michigan
• Sixth grade teacher		
• Resource teacher		
1967 – 1968	Lakeshore Schools	St. Clair Shores, Michigan
• Sixth grade teacher		

### Education

1967	Michigan State University	East Lansing, Michigan
• B.A. Elementary Education		
1969	Wayne State University	Detroit, Michigan
• M.A. Special Education—Emotionally Impaired		
1973		
• Specialist Program—Supervisor Special Education		
1975	Marygrove College	Detroit, Michigan
• Learning disabilities Teacher consultant endorsement		
1983	Macomb Community College	
• Field studies special populations recreation programming		

### Employment History—Specialized

- Executive Director—Family Matters Performing Arts Program, 2002 – Present
- Macomb ISD—Workshop presenter for new special education teachers, Summer 1998
- Executive Director—Macomb County Special Recreation, 1992 – 1993
- Job Training Coordinator—Richmond Community Schools, 1984 – 1996
- Title II Government Program Coordinator—Utica Community Schools, Summers 1972 – 1973

Robert C. Jones  
 62347 Hidden Pond Drive  
 Washington, Michigan 48094  
 (586) 677-2513  
 rmjones@provide.net

### Special Grants Written

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#### Target Foundation

- \$6,000 for Performing Arts program for Family Matters Theatre Productions, 2002 – Present

#### Technology Grant

- \$2,000 for assistive technology—Special Needs program—Richmond High School, 2000

#### MBEMIC Foundation Grant

- \$5,000 for Internet Club Activities, 2001 – 2002
- Pontiac Rescue Mission—Summer recreation—Clubhouse program

#### Very Special Arts Grant

- \$500 Photography program for special education students, 1999 – 2000

#### St. Joseph Mercy Health Care System

- \$500 for materials for health classes at Richmond High School, 2000 – 2001

#### Michigan Council of Arts Grant

- \$2,000 to implement a Sensory/Motor Arts program for Richmond High School, 1998 – 1999

#### Summer Job Training Grants

- \$30,000 each year, 1984 – 1990

#### Special Recreation Grants

- \$30,000 for special population recreation programming—Macomb Community College, 1992 – 1993

#### Target Foundation

- \$2,000 grant to run a concert in the Park Series in the Richmond Community Park, Summer 1993

#### Gannett Grant

- \$4,000 to assist in the construction of a Gazebo in the Beebe Street Park, 1992

#### Special Arts Grant

- \$500 to contract with artists to work with special education youth in Richmond High School, 1990 – 1991 school year

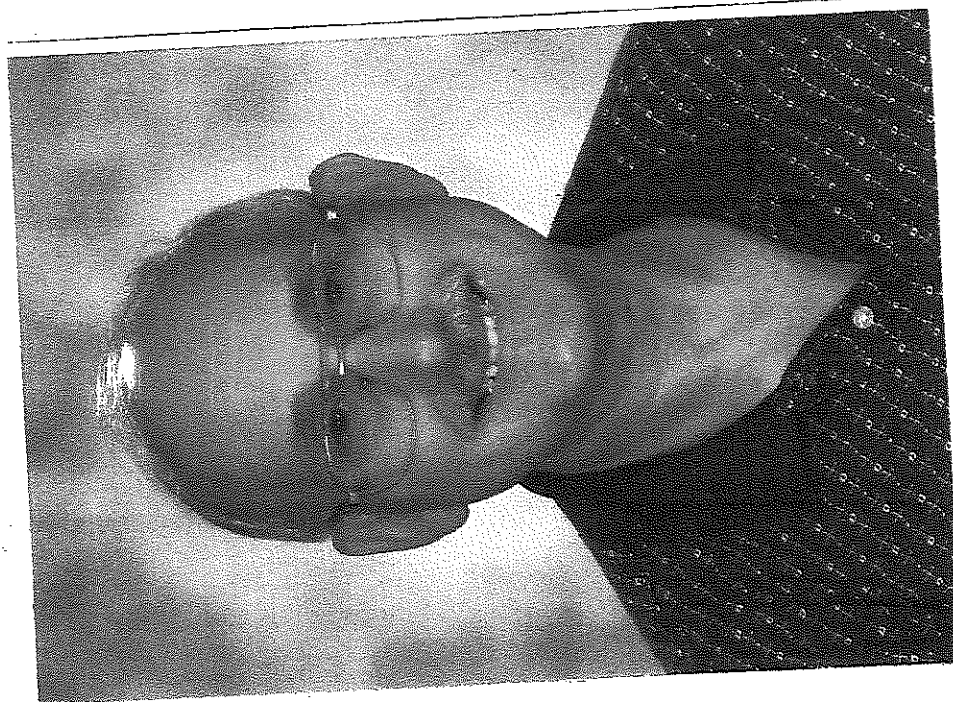
- Recreation supervisor—Playgrounds Lakeshore Schools, Utica Community Schools, Summers 1968 – 1971

### Special Recognition

- VICA Club Advisor—Richmond High School, 1987 – 2002
- Regional winners in electronics, auto mechanics, food service
- VICA Community Service Award—Presented by the US Air Force, June 1987
- Honoree—City of Richmond Recreation Board—Outstanding service volunteer—Richmond Gazebo project, June 1986
- Special Recognition—Richmond Rotary—For advising the Richmond High School Interact Club for ten years, June 1990
- Special presenter—State conference—Council on Exceptional Children State Conference—in conjunction with Macomb ISD—“Job skill development for the special needs student”, March 1986
- Michigan Association of Career Education—Presenter “Pre employability skills for the special student”, March 1985
- Teacher of the year—Michigan Industrial Education Society Macomb Chapter, June 1985
- Wrote first job training grant for a public school in Macomb/St. Clair Service delivery area, March 1984

### Personal/Professional Involvement

- Writer/Editor—“Introspective” Magazine—Romeo
- Contributor—“Senior Living Magazine”—Macomb County
- Winner—in class B, Mt. Clemens Soapbox Derby 2000 – 2001
- Chairperson—Technology Committee School Improvement, Richmond community Schools, 1990 – 1992
- Vice President—All the World’s A Stage, 2000 – 2002
- Special Grant Writer—Pontiac Rescue Mission
- Chairperson Donation Committee—Special events, Samaritan House, Washington Township, 2000 – Present
- Special Activities Chairperson—Summer Recreation Program, City of Richmond, 2003 – Present



Robert C. Jones  
62347 Hidden Pond Drive  
Washington, Michigan 48094  
(586) 677-2513  
mjones@provide.net

Personal References

---

1. Dr. Pam Clark  
Director—Women's and Children's Programs  
P.O. Box 420725  
Pontiac, Michigan 48342  
Work (248) 334-2187
2. Lou Fazzini  
Executive Director—All the World's A Stage  
Work (586) 228-9525
3. Professor Bill Hart  
Mathematics Department  
Macomb Community College  
Clinton Township, Michigan 48038  
Work (586) 286-2018
4. Dr. Janet Higgins  
Director Special Education  
Richmond Community Schools  
68931 Main Street, Richmond 48062  
Work (586) 727-3565
5. George Negoshian  
Prep Tech Teacher/Social Studies Instructor  
Troy Middle School  
Home (586) 286-6930
6. Tom Powers  
Special Projects Coordinator  
Macomb Intermediate School District  
44041 Garfield, Clinton Township 48043  
Work (586) 228-3300
7. Bob Winkler  
Prep Tech Counselor  
Richmond High School  
35320 Division Road  
Richmond, Michigan 48062  
Work (586) 727-3225
8. Gary Dobbins  
Supervisor—Michigan Works  
43630 Hayes  
Clinton Township  
Work (586) 263-1501

## Application for Appointment or Re-Appointment to Macomb County Board/Commission

STATE OF MICHIGAN)

)ss

COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Social Services Board

Term:  years; from  (date/year) to  (date/year)

### 1. Applicant Information

Name:

Residence Address:

City, Zip Code:

County of Residence:

Mailing Address (if different than above):

Preferred Phone:

Email:

Best method of contact:

2. I am at least 18 years of age:  Yes  No

3. I am currently registered to vote:  Yes  No

4. Citizenship:

5. Employer:

Employer Address:

Nature of your work:

Position:

## 6. Educational level, degree(s) received, other relevant certification or endorsements:

Bachelor of Arts Degree in English Literature and Women's Studies, 06/16/1999

## 7. I presently hold the following appointments and elected positions:

Title/Board-Commission: Precinct Delegate/City of Eastpointe

Appointment/Election Date: 08/2014

Title/Board-Commission: Board of Directors/Women Officials Network

Appointment/Election Date: 7/2014

Title/Board-Commission: Correspondence Secretary/Lousie Saks Parliamentary Unit

Appointment/Election Date: 1/2014

## 8. Previously-held appointments and/or elected positions:

Title/Board-Commission: Board Treasurer/Women Officials Network

Dates Served: 7/2012-7/2014

Title/Board-Commission: Precint Delegate/City of Oak Park

Dates Served: 7/2012-7/2014

Title/Board-Commission:

Dates Served:

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*

If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

I do not have any conflicts of interest or potential conflicts of interest with Macomb County.

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

I do not have any family members who are or have been employed by Macomb County.

12. Is this an application for re-appointment?  Yes  No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended  Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

In today's economy, it is hard to discern who can qualify for what many term "welfare" and who does not. Many years ago, it would have been easy to get a job that prevented the need for food assistance, medical benefits, or any other government assisted help. As someone who has been termed "the working poor" and "the working homeless", I know from personal experience, that providing caring services and assistance to individuals in need is of the utmost importance. I have had the opportunity to benefit from a number of these types of services, and remember fondly those who were professional and gracious during my most difficult times.

My background in foster care and as a Guardian ad Litem, the things I experienced as an educator in Japan and the US, and then my own personal hardships, have equipped me with a certain deference to dealing with people from where they are in life, and not from where I think they should be. It really makes a difference when there is respect and professionalism given from the beginning, and it shows in how they interact with you and react to you.

I know that I would be an asset to the Macomb County Board of Commissioners Social Services Board, and to Macomb County residents, because I believe in compassionate care, I value the worth and rights of all people, I know that effective and respectful communication is possible and works to make efficient work relationships as well as client/patient relationships, and I will endeavour to make sure that Macomb County is delivering the best and most timely cost-effective social, medical, and economic programs to its residents.

## 14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: *Kindra R. Speech*

Printed Name: Kindra R. Speech

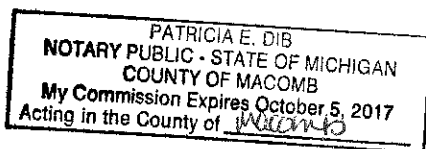
Date: 09/23/2014

Subscribed and sworn to before me this 26<sup>th</sup> day of September 2014

*Patricia E. Dib*

Notary Public  
Macomb County, Michigan

My Commission expires: 10-17-2014



Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page



## KINDRA R. SPEECH

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22430 Gratiot Avenue, #623 • Eastpointe, MI 48021 • (248)383-5373 • kindraspeech@gmail.com

September 23, 2014

Macomb County Board of Commissioners  
1 S. Main Street, 9<sup>th</sup> Floor  
Mt. Clemens, MI 48043

Re: Letter of Intent to Apply for Appointment

Dear Board of Commissioners,

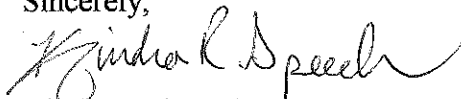
It is with great enthusiasm that I write this letter informing you of my intent to apply for appointment to the Social Services Board in Macomb County for the upcoming term. It would truly be an honor to serve the citizens of Macomb County.

As a current Board Member and past Treasurer of the Women's Officials Network, an organization that has several members who hold appointed and elected positions on Commissions throughout Michigan, I know that becoming a member of the Social Services Board would serve as a strong connection for me to the community and the state.

I believe that my present involvement in Macomb County as an elected Precinct Delegate, my past involvement with the foster care system, my experience as an educator, my personal interaction as a recipient of social services, as well as my deep commitment to social and community wellbeing, all make me the perfect candidate for this position.

I am dedicated to improving Macomb County on every level, and I am grateful for every opportunity to serve its citizens. For these reasons, please accept and approve my application for the Social Services Board for the 2014-2017.

Sincerely,



Kindra R. Speech  
22430 Gratiot Avenue, #623  
Eastpointe, MI 48021  
C: (248)383-5373  
E: kindraspeech@gmail.com

# Kindra R. Speech

22430 Gratiot Avenue, #623 · Eastpointe, MI 48021 · (248) 383-5373 · krspeech@yahoo.com

**Expertise:** Effective Communication; Creating Systematic and Social Change; Strong Administration and Organizational Skills; Departmental Collaboration; Training and Development; Customer Satisfaction and Enhancement; Grievance Resolution; Government and Legal culture; Time Management

## Relevant Experience and Skills

- Over fifteen successful and productive years in education/instruction, administrative, customer service, and management roles
- Able to apply knowledge of regulations and administrative policies in relation to program specific services; responsible for conducting meetings, briefings, and presenting information to senior management, supervisors and others concerning major corporate policy initiatives
- Case management experience-determine client eligibility for program based on federal guidelines; facilitate appropriate support services and/or make referrals; identify and evaluate barriers and explore solutions to barriers for successful completion of 2-year IDA homeownership program
- Recorded and maintained case notes, service plans, program-related expenditures, and exit outcomes; coordinate with other employment and training programs as necessary; enter new and/or updated data in multiple data management systems; Managed and tracked data for federal reporting
- Conducted individual interviews and presentations to articulate program services and activities; identify components applicable to customer need; develop recommendations for continuous engagement
- Determined eligibility and/or appropriateness for program; enroll and explain program participation requirements; develop employment and training contracts and agreements based on applicable regulations, customer eligibility and assessment
- Conducted group and individual orientations, and workshops; supply program specific information about services, benefits, and eligibility
- Managed and tracked federally and locally funded EITC/VITA tax program and budget; recruited volunteers, interviewed and hired staffed; supervised nine different tax site locations and staff
- Exceptional organizational and leadership skills; unique ability to work well in challenging and high-energy environments; strong creative problem solving and multitasking skills; ability to work under minimal supervision; able to set and achieve goals independently or as team member

## Career History

<b>Substitute Teacher, Professional Education Services Group, Macomb County, MI</b>	<b>8/2014 – Present</b>
<b>Customer Account Executive (Retention), Comcast, Sterling Heights, MI</b>	<b>2/2013 – 9/2013</b>
<b>Sales Associate, Lane Bryant, Troy, MI</b>	<b>8/2012 – 3/2013</b>
<b>Experiment in Self-Reliance, Inc. (ESR), Winston-Salem, NC</b>	<b>4/2010 – 4/2012</b>
<ul style="list-style-type: none"> <li>▪ EITC/VITA Tax Program Manager</li> <li>▪ IDA Home Ownership Success Coach Case Manager</li> <li>▪ Receptionist/Resource and Referral Agent</li> </ul>	
<b>Mix Coordinator Assistant/Inventory Specialist, Temporary Resources, Winston-Salem, NC</b>	<b>12/2008 – 12/2009</b>
<b>Kelly Services/First Resources Staffing, Columbia SC</b>	<b>6/2005 – 3/2008</b>
<ul style="list-style-type: none"> <li>• Executive Administrative Specialist/HR Associate</li> <li>• Hearing and Appeals Support Staff for DME Supplies</li> </ul>	
<b>Language Arts Teacher, Guilford County Schools, Greensboro, NC</b>	<b>9/2003 – 9/2004</b>
<b>ESL Teacher, JET Programme, Fukuoka-Ken, Japan</b>	<b>7/1999 – 7/2002</b>
<b>Case Manager Intern, Housing Authority of Winston-Salem, NC</b>	<b>5/1997 – 8/1998</b>

## Education

**Randolph-Macon Woman's College, Lynchburg, VA**  
*Earned: Bachelor of Arts English Literature and Women's Studies*

## Community Leadership

Louise Saks Parliamentary Unit, Correspondence Secretary	American Red Cross
Women Officials Network, Board Treasurer	Girl Scouts of America
City of Eastpointe, Precinct Delegate	City of Oak Park, Precinct Delegate
Friends of Kiesha Speech P.A.C., Copy Editor	Turning Pages Adult Literacy
National Congress of Black Women, Executive Board	Forsyth County Guardian ad Litem
Coalition of Labor Union Women	Reading is Power International



## CITY OF ALBION

Office of the City Manager

Sheryl L. Mitchell

112 W. Cass Street

Albion, MI 49224

September 25, 2014

Ms. Carol Spoelma  
Western Michigan University-Cooley Law School

**SENT VIA EMAIL: [spoelmac@cooley.edu](mailto:spoelmac@cooley.edu)**

Dear Ms. Spoelma:

It is with great delight that I write this letter of recommendation in full and enthusiastic support of the application of Kindra Speech to be admitted to law school.

I have known Kindra for nearly 5 years. We first met while I was serving as a Senior Analyst for the Oakland County Board of Commissioners and Vice President in the Women Officials Network (WON). Kindra had newly relocated to Michigan and was very interested in becoming engaged in local community organizations, especially those that supported and empowered children and women.

Kindra attended a few of the WON meetings. The members were immediately impressed with her passion for developing strategic partnerships that positively impact youth and women, while modeling the values that strengthen families. Ms. Speech was invited to join the WON Board and I had the pleasure of witnessing first hand her immediate rise to a leadership role. She was elected to serve as Treasurer of the WON Board. In this capacity, she had the responsibility of maintaining the financial records. She has performed with complete professionalism in this role where she consistently demonstrated integrity, honesty, and trustworthiness.

Shortly, after assuming this role of responsibility, Ms. Speech was diagnosed with breast cancer. She faced this health challenge with an unrelenting positive outlook. She never once wavered in making certain that the responsibilities of her position were met. Her dedication, faith, and spirit of optimism uplifts me to this day. Without question, this same commitment, dedication, a true spirit of perseverance will enable to meet the academic demands of law school.

She is an exceptionally caring and committed person. There is no question in my mind that she will not only meet the challenges of law school, but will excel in this academic

arena. Kindra is very intelligent, articulate, engaging and has outstanding communication and analytical skills.

Recently, I invited Kindra to attend a meeting of the Louis Saks Parliamentary Unit, which focuses on training individuals on parliamentary rules and procedures. She has become a very active member and has already contributed her creative and writing skills in designing marketing materials for the organization.

Ms. Speech is always a pleasure to work with on any project. She upholds her commitments, makes valuable contributions, and meets all tasks in a timely manner. Kindra distinguishes herself by striving for excellence at all times and incorporating creativity and innovation. She possesses high-level critical thinking skills and offers insightful comments and questions to often-complex conversations.

I can affirm that Kindra Speech is a woman of vision and passion. She clearly possesses a heartfelt commitment to public service. She will undoubtedly excel in her chosen career in the legal arena. As a college instructor, I recognize that as a student, she will certainly be engaged and raise the caliber of dialogue and deliberation with her cohorts.

Kindra, because of her life experiences, will bring a unique perspective and diversity that will enrich the learning environment. Ms. Speech is exceptionally capable and qualified to be an exemplary law school student and I wholeheartedly offer my recommendation on a personal, professional, and academic level. I eagerly welcome the opportunity to answer any questions or provide additional information.

Sincerely,



Dr. Sheryl L. Mitchell  
Albion City Manager

517.269.7172 (office)  
248.709.2492 (cell)  
smitchell@cityofalbionmi.gov

福岡県

FUKUOKA  
Prefectural Government〒812-8577 日本国福岡市博多区東公園7番7号  
TEL : 81-92-641-4014 FAX : 81-92-641-40317-7 Higashi-Koen, Hakataku-ku  
Fukuoka 812-8577 Japan

Subject: Letter of Recommendation for Kindra R. Speech

To Whom It May Concern:

I have managed the Japan Exchange Teaching (JET) Programme for Fukuoka Prefecture from 2000 to 2002 while working in the Fukuoka Prefecture International Relations Division and have received much assistance from Ms. Speech in administering said program over those two years.

Ms. Speech is slated to end her three-year term as an Assistant Language Teacher (ALT) at Yanagawa City and Koga City. In 2001 Ms. Speech served as a Municipal ALT coordinator, outside of her regular duties of teaching English in school. She was invaluable as an intermediary between my division and the Municipal ALTs, planning and running monthly ALT meetings, building regional networks, and answering questions from other municipal ALTs. Ms. Speech has exhibited her leadership abilities in other areas as well, taking an active role in planning the orientation program for newly arrived JET Programme participants in Fukuoka.

Ms. Speech has strived to improve her Japanese and has become a part of the community with her radiant personality, even in a situation of differing customs where very few people speak English. With regards to her primary duty of English instruction, she has presented many useful lesson plans at monthly meetings and is truly a model ALT.

It is my sincere belief that Ms. Speech's three years of experience on the JET Programme assures her of great success in the future. I whole-heartedly recommend her to you.

Sincerely,

Tomoko Uchida

Senior Staff

Fukuoka Prefecture International Relations Division  
Fukuoka City, Higashi-ku Higashi-koen 7-7

## Application for Appointment or Re-Appointment to Macomb County Board/Commission

TO THE MACOMB COUNTY BOARD OF COMMISSIONERS:

STATE OF MICHIGAN)

)ss

COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Social Services Board

Term:  years; from  (date/year) to  (date/year)

1. Applicant Information

Name: James G. Timpa

Residence Address: 39378 Aynesley

City, Zip Code: Clinton Township, MI 48038-2719

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: 586-226-1550 Fax 586-286-7005

Email: timpainsurance@wowway.com or jtimpa@sagepointadvisor.com

Best method of contact: phone or e-mail

2. I am at least 18 years of age:  Yes  No

3. I am currently registered to vote:  Yes  No

4. Citizenship: USA

5. Employer: Self Employed at Timpa Insurance

Employer Address: 39378 Aynesley, Clinton Township MI 48038-2719

Nature of your work: Insurance Sales, Registered Rep with Financial Resources

Position: Owner of Timpa Insurance Registered Rep for Sagepoint Advisors

6. Educational level, degree(s) received, other relevant certification or endorsements:

2 year Business degree from MCC.  
Licensed Barber instructor  
Series 7 securities license.  
Life ,health, and accident License (Michigan and FL)

7. I presently hold the following appointments and elected positions:

Title/Board-Commission: Civilian Coordinator Selfridge Open House and Air Show. the post is non-paid.  
Appointment/Election Date: Appointed January 2013 Term is open ended .  
Title/Board-Commission:   
Appointment/Election Date:   
Title/Board-Commission:   
Appointment/Election Date:

8. Previously-held appointments and/or elected positions:

Title/Board-Commission: Precinct Delegate for both (Parties. work for the best Candidate)  
Dates Served: 1978-1984 and 2011 to present  
Title/Board-Commission:   
Dates Served:   
Title/Board-Commission:   
Dates Served:

9. Have you been convicted of a felony?  Yes  No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

[Empty box for listing convictions]

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? \*  
 If so, please explain. \*Please reference the Macomb County Ethics Policy at [www.macombBOC.com](http://www.macombBOC.com).

None  
 I would serve as a non professional for the benefit of others. I have no contracts or business with any form of government or agency of the government.  
  
 I do serve at election time in a precinct as a Township challenger.

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

None

12. Is this an application for re-appointment?       Yes       No

If yes, how many years have you served on this board/commission? none

Please indicate your attendance record for term(s) served:

Number of meetings attended  Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

As the owner of a private trade school, I worked with both the public and the government to help others. As a member of many service clubs, I have served the community in many different ways. Over the years, I have served as the president and as a board member for many organization for the benefit of the public. I have chaired many different committees and have helped other by my service.

- I have been president of the Kiwanus club of Eastpoine two times. Been on many committees
- I have been president of the Century Club. (benefits the Henry Ford Hospital) Also on the fund raising committee.
- I have been a board member of the Italian-American Chamber of Commerce. Also on the charity golf committee.
- I have been a board member of the Mt. Clemens Lions Club. Also on the fund raising committee.
- I have been a board member and recording secretary for the Americans of Italian Origin.

I am a member of the following:

- Italian Cultural Society.
- Feternal Order of Police 112.
- Saint Paul of Tarsus

As the Civilian Coordinator of the 2014 Selfridge Open House and Air Show, I worked with many different groups to organize the 2014 event. I was in charge of all things that was non- Military. Some of my duties where:

- Arraigning the Acts for the event, Paying the non- military bills, arranging for volunteers, overseeing the VIP area, sales and management, VIP Hospitality, just to mention some of my areas of concern.

I can produce many letters of support upon request.



14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: *James G. Timpa*

Printed Name: James G. Timpa

Date: September 25, 2014

Subscribed and sworn to before me this 25<sup>th</sup> day of September, 2014

*Patricia E. Dib*

Notary Public  
Macomb County, Michigan

My Commission expires: 10-5-2017

PATRICIA E. DIB  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires October 5, 2017  
Acting in the County of \_\_\_\_\_

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page



**Jim Timpa**  
AIRSHOW CIVILIAN COORDINATOR

c. 586.904.7142  
e. jim@selfridgeopenhouse.com

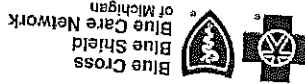
2980 Wilbur Wright Blvd Bldg 17  
Selfridge ANGB, MI 48045

[www.SelfridgeOpenHouse.com](http://www.SelfridgeOpenHouse.com)

Phone: (586) 226-1550  
Fax: (586) 286-7005  
timpainurance@wowway.com

*Authorized Independent Agent*  
James G. Timpa, LUTCF

39378 Aynesley Clinton Twp., MI 48038  
**TIMPA INSURANCE**



# FINANCIAL

R · E · S · O · U · R · C · E · S

Tax, Mortgage & Financial Consulting Services



803 W. Big Beaver Rd.  
Suite 355  
Troy, MI 48084  
(586) 226-1550  
(586) 286-7005 Fax

**James Timpa**  
Financial Consultant  
Branch Office:  
39378 Aynesley  
Clinton Township, MI 48038  
jtimpa@sagepointadvisor.com



TO: Members of the Macomb County Commission

FROM: Mark A. Hackel, County Executive

DATE: September 10, 2014

RE: Great Lakes Water Authority

The attached Memorandum of Understanding and the associated Articles of Incorporation, which would create the Great Lakes Water Authority, are hereby transmitted to you as required by Section 3.10 of the Macomb County Home Rule Charter.

Until finalized and presented to the press on September 9, 2014, the attached documents were subject to strict confidentiality through a federal court gag order. As the negotiating representative for Macomb County, that gag order prevented me from discussing the details of these documents with the people most impacted by the terms – our rate payers and local municipal leaders. Simply put, the court imposed process denied the public the transparency it deserved. But by placing these documents in the hands of your legislative body, the much needed public disclosure and discussion that I was prevented from having can now occur.

In order for Macomb County to become a member of this regional authority, the Commission will have to give its formal approval. The documents set October 10, 2014 as the deadline for that action to occur. I'm confident that the Commission will give serious consideration to reaction of County residents now that the terms and conditions of this proposal have become public. Please know that I will respectfully support whatever decision your body makes.

**MEMORANDUM OF UNDERSTANDING  
REGARDING THE FORMATION OF THE GREAT LAKES WATER AUTHORITY**

The following memorandum of understanding (MOU) represents a framework for the establishment by the City of Detroit, Oakland County, Wayne County and Macomb County (each, an "Incorporating Municipality") of a regional water and sewer/stormwater authority to be called the Great Lakes Water Authority, pursuant to Act 233 of 1955 (Act 233), to operate, control, and improve both the Water Supply and Sewage Disposal Systems (Systems) owned by the City and presently operated by the Detroit Water and Sewerage Department (DWSD). This framework describes terms to be incorporated into articles of incorporation which shall be presented to the City and the legislative bodies of the Counties as soon as practicable, for approval or disapproval no later than October 10, 2014. The Authority shall be established upon adoption of the articles of incorporation by the City and the legislative body of at least one County, and the publication and filing of the articles of incorporation as provided in Act 233.

**GOVERNANCE**

The Board of the Authority shall be comprised of six voting members:

- Two members appointed by the Mayor of the City
- One member appointed by each County which adopts the articles of incorporation
- One member resident of a service area outside the territories of the three Counties appointed by the Governor

In the event that Wayne, Oakland or Macomb County does not adopt the articles of incorporation the Governor shall also appoint a Board member resident in the service area within that County. Board members shall have four year, staggered terms, with no more than two members' terms expiring in same year. Each Board member shall serve at the will of and may be removed by the appointing authority.

The Board shall act by simple majority vote, except that a supermajority (5/6) shall be required for:

- Appointment of the Authority's general manager/executive director
- Approval of rates, fees and charges and rate-setting protocols
- Issuance of debt, which shall be revenue-backed debt
- Approval of annual operating budget
- Annual approval of a rolling Five Year Capital Improvement Plan
- Adoption of a procurement policy, which will include the terms on which any aspect of the operations of either System may be privatized
- Approval of a Lease of the Systems from the City
- Removal of any Board member for cause.

All Board members shall possess minimum education and professional experience standards, to wit: at least seven years of experience in a regulated industry, a utility, engineering, finance, accounting or law.

Compensation of Board members shall be determined by a supermajority vote of the Authority Board, and shall be consistent with the practices for other large public utilities.

**LEASE**

The City shall lease the Systems (except the Detroit local system infrastructure) to the Authority for an initial term of 40 years, extendable to at least match the term of any outstanding bonds of the Authority. Consideration for the Lease shall be the \$50 million common-to-all charge per year (not subject to further Board approval) to be held by the Authority in the funds described below and used at the City's direction and discretion to fund any or a combination of the following: Detroit local system infrastructure improvements, debt service associated with such improvements or the City's share of the cost of common-to-all improvements. The parties agree that no Lease shall be entered into if the payment in consideration for the Lease would cause the Systems to be unable to provide a reasonable level of service, satisfy its debt obligations and adhere to the rate structure set forth in the Plan of Adjustment. Initially, 45% of the charge shall be allocated to Water Supply System customers and 55% shall be allocated to Sewage Disposal System customers, such allocation to be subject to review and adjustment by the Board every three to five years consistent with the method of allocation of other common-to-all charges between the two Systems, provided, that no such adjustment shall reduce the availability of such revenues to pay debt service on bonds issued to finance Detroit local system improvements below the level in anticipation of which such bonds were issued.

#### **KEY FINANCIAL TERMS**

The Authority shall have no taxing power.

A financial obligation of the Authority shall be the financial obligation of the Authority only and not a financial obligation of an Incorporating Municipality or a constituent municipality except to the extent a municipality which is a wholesale customer may have liability in that capacity.

The State shall allow the Authority to use the Michigan Finance Authority to issue bonds on behalf of the Authority.

The Authority's common-to-all rate structure shall include:

- The \$50 million annual charge to be deposited with the Authority and applied, at the City's direction and discretion, (i) in the case of funds to be used for pay-as-you-go Detroit local system improvements, in a separate subaccount within the Authority's Construction Fund or Extraordinary Repair and Replacement Reserve Fund, as appropriate, for the related System, to be dedicated to Detroit local system infrastructure improvements; and/or (ii) in the case of funds to be applied to the payment of debt service on Authority bonds (either debt service allocable to Detroit's share of the cost of common-to-all capital improvements or to bonds issued by the Authority to finance Detroit local system improvements) to the appropriate Debt Service Account.
- \$4.5 million in 2014/15 and an amount equal to .5% of base budgeted operating revenues per year thereafter, for deposit to an independently-administered Water Residential Assistance Program fund to provide assistance to indigent residential customers throughout the Systems who agree to take appropriate actions to reduce consumption.

The existing recognitions of the City's ownership and system support in the water and sewer system rate structures (return on equity for water and per settlement for sewer) will be frozen and continue at \$26.216 million per year [\$20,700,000 as the rate of return for the water

system and \$5,516,000 pursuant to settlements for the sewer system] during the term of the Authority.

The transfer of the Systems to the Authority shall not cause impairment of tax treatment of outstanding DWSD bonds. New debt and refunding bonds shall be issued pursuant to the Revenue Bond Act (PA 94 of 1933) or other statutory authority.

The MOU is predicated in part upon the assumption that the Bankruptcy Court will approve the terms of the City's Sixth Amended Plan of Adjustment (as it may be modified, supplemented or amended) (the "Plan of Adjustment") allocating liability to DWSD for funding the City's frozen General Retirement System (GRS) pension plan (the Pension Liability) and the City's settlement of claims associated with the swaps for its Pension Obligation Certificates, and for payments relating to debt service on DWSD's allocated share of liability on the New B Notes attributable to the GRS VEBA and Pension Obligation Certificates. The financial analysis undertaken by the parties assumes that the Authority will issue bonds to prepay its Pension Liability or identify other savings should such financing prove to be infeasible and the Pension Liability is paid over the schedule provided in the Plan. Within 90 days after the establishment of the Authority, the Authority, working with the City and the Investment Committee of the GRS (Investment Committee) shall develop a process to reach agreement on the dollar amount which the Authority would need to deposit with the GRS as a one-time payment in lieu of the Pension Liability payments payable at the rate of \$42.9 million per year (not including \$2.5 million in annual administrative expenses or the one-time restructuring cost payment of \$20 million in 2014/15) over nine years pursuant to the Plan of Adjustment. Notwithstanding the foregoing, nothing in this MOU modifies, or purports to modify, the obligations of DWSD as set forth in the Plan of Adjustment, and the Authority shall assume and comply with such obligations.

The Investment Committee established for the GRS pursuant to Section 13g of the Public Employee Retirement System Investment Act (MCL 38.1133g) (PERSIA) is obligated to receive and approve summary annual report, a public document prepared pursuant to Section 13(3) of PERSIA. It is the expectation of the parties that the Investment Committee will provide the Authority with a copy of each summary annual report prior to the formal approval of such report. The parties understand that the summary annual report will continue to (a) track DWSD retirees, deferred retirees, and active vested members, pension benefits paid and actuarial accrued liabilities separately from other GRS members and (b) shall allocate to the DWSD/Authority an undivided interest in GRS administrative expenses and in each investment and class of investment in the GRS, to enable the Authority to verify the appropriateness of allocations to the Authority. For each fiscal year commencing from and after July 1, 2023, on its normal schedule for determining the current fiscal year's contributions to GRS, GRS shall determine whether DWSD's/Authority's unfunded accrued actuarial liability on a market value of assets basis for its component of the frozen GRS plan ("DWSD GRS Component II UAAL") is fully funded at 100%. If DWSD GRS Component II UAAL is funded at 100% or more, no contributions for the current fiscal year will be required from the Authority. If DWSD GRS Component II UAAL is less than 100% funded, then the Authority shall make such level annual contributions to GRS as necessary to amortize such shortfall over 5 years at an interest rate equal to the then current GRS investment return assumption.

Each System, as a whole, is assumed to experience revenue requirement increases of not more than 4% for each of the first ten years under Authority management. The rates and percentage increases for different customers may vary in order to meet their specific revenue requirements.

The Authority shall commit to and adopt reporting practices which provide transparency in system operations and management. By Fiscal Year 2017 the Authority shall adopt a two year operating budget.

The City and each wholesale customer shall retain complete responsibility for all obligations associated with their individual revenue requirements.

The Authority shall make every effort to employ individuals and contract with vendors from throughout the service areas.

#### **OPERATION AND MANAGEMENT OF DETROIT AND OTHER LOCAL SYSTEMS**

The City shall have the right to continue to operate and retain employees to operate, maintain, repair and improve the local system in Detroit, including capital improvements and repairs, and billing and collection services and any other services or may contract with the Authority or another third party for all or a portion of those or other functions. The City shall continue to develop the capital improvement program for the Detroit local system infrastructure and may elect to administer the maintenance and improvements to that system, and in any event, will direct the expenditure of the funds dedicated for those purposes. Billing and collection shall be managed such that the statutory lien on net revenues created by the Revenue Bond Act applies to payments received by the Authority or its trustee from Detroit local system customers and the Authority will have the power to enforce the collection of such payments. The Authority will finance Detroit local system improvements through the issuance of Authority bonds under the Revenue Bond Act, with the debt service to be allocated solely to Detroit local system ratepayers. City local rates may fund the Rate Stabilization Fund, contemplated by prior rate settlement agreements but as yet unfunded, from a portion of improved local collections until the accumulated balance is sufficient to stabilize rates and reduce delinquencies. The City will adopt metering or other practical methods of measuring water loss in the Detroit local system.

The Authority may provide services and issue bonds to finance improvements for other local systems within its service areas on the same basis.

#### **CAPITAL IMPROVEMENTS**

The State agrees to identify ways to facilitate access and eligibility for the Authority to the Clean Water State Revolving Fund and Drinking Water State Revolving Fund (collectively, SRF), grants and other sources of State funding to mitigate the cost of improvements for the Systems and local system improvements, particularly for the areas of greatest health and environmental need, and commits to using its best efforts to facilitate such funding for the Authority. The City will determine priorities for capital improvements to the Detroit local system.

#### **TREATMENT OF EXISTING CONTRACTS**

Unless otherwise agreed by the parties, the City will assign all customer contracts to the Authority, which shall assume the same.

The Authority shall be a successor employer to DWSD for those employees transferring to the Authority, and will assume and honor DWSD's collective bargaining agreements for those employees.

Existing DWSD vendor contracts shall be assigned to and assumed by the Authority.

#### **EVALUATION AND TRANSITIONAL/TRANSACTIONAL COSTS**

The State's Competitive Grant Assistance Program (CGAP) provides incentive-based grants to stimulate smaller, more efficient government and encourage mergers, consolidations, and cooperation between two or more qualified jurisdictions. The program is focused on stimulating projects between two or more qualified jurisdictions that are creating new mergers, consolidations, and/or cooperative efforts/collaborations of existing services.

The State agrees to give priority consideration to a grant from any of the parties to this MOU to assist with payment of transactional costs associated with establishing and transferring the Systems to the Authority.

The City shall retain Veolia to undertake an assessment of the Systems and make recommendations to assist the parties in evaluating operating models, capital requirements and savings opportunities, with no commitment by DWSD, the City or the Authority to enter into a contract with Veolia to operate, manage or maintain the Systems. The Authority will be free to adopt ideas generated by such assessment and recommendations without any further obligation to Veolia. In the event the Authority is formed and a CGAP grant is received, sufficient of such funds shall be used to reimburse the City for the cost of the Veolia assessment.

#### **MANAGEMENT OF THE SYSTEMS FOR BENEFIT OF CUSTOMERS**

It is the parties' expectation that the Authority will use its best efforts to manage the Systems for the benefit of all Authority customers. Upon commencement of operations the Authority will review and revise as necessary the DWSD water and wastewater Master Plans. In reviewing those plans the Authority will use its best efforts to optimize the capacity of the water supply system and optimize and maximize the capacity of the wastewater system to treat flow so that operational economies of scale may be realized. The Board will take into account the needs of the region in planning and operating the water and wastewater systems and will strive to become the provider of choice for southeastern Michigan and consider incentives for customers to utilize the system for their water supply needs and wastewater flow.

#### **TERMINATION OF AUTHORITY OR WITHDRAWAL FROM MEMBERSHIP**

Any withdrawing Incorporating Municipality shall remain liable for any contractual obligations it has to the Authority. Upon withdrawal of an Incorporating Municipality, the Governor shall thereafter appoint the member of the Board previously appointed by the withdrawing Incorporating Municipality; such member shall be a resident of the service area previously represented by the withdrawing Incorporating Municipality.

The City will forego its consideration for the Lease if it withdraws from the Authority.

#### **CONDITIONS PRECEDENT TO TRANSFER**

This MOU is subject to the negotiation and execution of definitive documentation and the receipt of all required consents and approvals required for the transactions contemplated herein, including, but not limited to, the following:



The Incorporating Municipalities shall have established the Authority and the Board will have adopted an ordinance or resolution addressing all matters for which an ordinance is required to permit the contemplated transaction and operation of the Systems by the Authority.

The Authority and the City shall have negotiated a Lease, an agreement regarding the operation and management of the Detroit local system effective on the transfer date, and an agreement relating to the provision of services on a transitional basis by the City to the Authority.

The Authority shall have secured all necessary permits and other approvals to operate the Systems.

The City will have received approvals required under PA 436 of 2012 and will have a confirmed plan of adjustment that contemplates the creation of the Authority.

The City shall have secured the consent to the transfer of the Systems to a regional authority from the credit enhancers and a majority of the holders of DWSD bonds.

*Tender Financing and Creditor Settlement Terms regarding Transfer*

The Authority shall, in connection with its assumption of or substitution for outstanding DWSD bonds, covenant to:

- maintain compliance with DWSD's three-part combined coverage requirements of 1.20, 1.10 and 1.00 for senior lien, second lien, and SRF junior lien indebtedness, respectively, for both additional bonds test and rate covenant purposes; and
- maintain, pursuant to such ordinances or indentures, a flow of funds consistent with Act 94, in the following order of priority required by Act 94: (x) operation and maintenance expenses of the related System, and (y) debt service on all bonds payable from net revenues of the related System before making deposits to other accounts in the flow of funds; and
- comply with the provisions of the Bankruptcy Court Order dated August 25, 2014 approving the DWSD tender and new money financing, including but not limited to paragraph 24 thereof [requiring the method of making the pension payments to the frozen defined GRS plan].

The Authority shall also have (I) received (a) an opinion of nationally recognized bond counsel to the effect that the transfer of the Systems to the Authority and assumption of the outstanding DWSD bonds, in and of themselves, will not materially impair the tax-exempt status of the interest on such bonds; and (b) confirmation from one or more nationally recognized rating agencies that the bonds, after assumption or substitution by the Authority are rated not less than the then-current rating on the bonds; (II) demonstrated the ability of each System, under the additional bonds test described above, to issue at least One Dollar of additional indebtedness at each level of priority; and (III) provide in the Lease or other relevant agreement that any lease or other payment by the Authority to the City's general fund or other fund at the City (other than payments for customary services historically provided by the City to DWSD that constitute operation and maintenance expenses under the related DWSD Ordinance and payments in respect of pension obligations to be paid as operation and maintenance expense consistent with the Bankruptcy Court Order referred to above) shall be subordinated to all payments on the DWSD bonds assumed by the Authority.

**STATEMENT REGARDING STATE COMMITMENTS**

In agreeing to the terms of this MOU, the Representatives understand that the State will undertake all efforts, subject to all legal requirements, to facilitate the transaction as relates to consideration of permit matters (including a transfer of the current NPDES permit and associated Administrative Consent Order without material change to existing requirements), and applications for grant or loan funding. The State agrees to make such efforts.

**PLAN OBJECTIONS**

Upon execution of the MOU the Counties represented by the signatories to this MOU which have filed objections to the Plan of Adjustment shall each immediately withdraw with prejudice their objections to the Confirmation of the Plan of Adjustment.

**COUNTERPARTS**

This MOU may be executed in counterparts.

**EXECUTION BY REPRESENTATIVES  
CITY OF DETROIT**

---

Kevyn D. Orr  
Emergency Manager

---

Mike Duggan  
Mayor

**WAYNE COUNTY**

---

Robert A. Ficano  
County Executive

**OAKLAND COUNTY**

---

L. Brooks Patterson  
County Executive

**MACOMB COUNTY**

---

Mark A. Hackel  
County Executive

**STATE OF MICHIGAN**

---

Rick Snyder  
Governor  
September \_\_\_\_, 2014

**ARTICLES OF INCORPORATION  
OF  
GREAT LAKES WATER AUTHORITY**

These Articles of Incorporation are adopted by the incorporating municipalities identified in Article 2 hereof to create an authority under the provisions of 1955 PA 233, as amended, MCL 124.281 *et seq.* (the "Act").

**ARTICLE 1 - NAME**

The name of the Authority is the "Great Lakes Water Authority." The principal office of the Great Lakes Water Authority ("Authority") will initially be located at Detroit, Michigan, the mailing address of which is 735 Randolph Street, Suite 501, Detroit, MI 48226, or at such other location(s) as the Board (as defined herein) shall determine from time to time.

**ARTICLE 2 - INCORPORATING  
MUNICIPALITIES**

The incorporating municipalities creating this Authority are the City of Detroit, Michigan (the "City"), and any overlapping or contiguous Charter or 1973 PA 139 County whose legislative body adopts these Articles of Incorporation pursuant to section 2 of the Act (individually a "County" and collectively the "Counties"), which are designated as the "Incorporating Municipalities."

**ARTICLE 3 - PURPOSE**

The Authority is incorporated for the purpose of acquiring, owning, leasing, improving, enlarging, extending, financing, refinancing and operating a water supply system and a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems, and for exercising any of the powers of the Authority under these Articles and for purposes authorized under Article 7, Section 28 of the Michigan Constitution, the Act and other Michigan law. The terms "water supply system" and "sewage disposal system", as used in these Articles of Incorporation shall be as now or later defined in Section 1 of the Act.

**ARTICLE 4 - POWERS**

A. The Authority shall be a public body corporate with the power to sue and be sued in any court of this State. The Authority shall be comprised of all of the territory within the corporate boundaries of the Incorporating Municipalities. The Authority shall possess all of the powers now or later granted by the Act, the State of Michigan Constitution of 1963, as may be amended, or by any other applicable statute or law and by these Articles and all other powers incident thereto, including all powers necessary to carry out its purposes and all powers incident thereto, except that the Authority shall not exercise any of the powers set forth in Section 7 of the Act without the consent of the applicable Incorporating Municipality or constituent municipality. The Authority may acquire property by purchase, construction, lease, grant, gift, devise or

condemnation, either within or without its corporate limits, and may hold, manage, control, sell, exchange or lease such property. For the purpose of condemnation it may proceed under any statute which grants any municipality or public body the authority to acquire private property for public use. The enumeration of any powers in these Articles shall not be construed as a limitation upon the Authority's general powers unless the context shall clearly indicate otherwise. The Authority shall have a corporate seal.

B. Except as otherwise provided in the Act or these Articles, and without limiting the generality of the foregoing paragraph (A), the Authority may do all things necessary or convenient to implement the purposes, objectives, and provisions of the Act and the purposes, objectives, and jurisdictions vested in the Authority or the Board by the Act or other law, including, but not limited to, all of the following:

(1) Borrow money and issue bonds and notes according to the provisions of the Act and these Articles.

(2) Make and enter into contracts, agreements, or instruments necessary, incidental, or convenient to the performance of its duties and execution of its powers, duties, and jurisdictions under the Act with any federal, state, local, or intergovernmental governmental agency or with any other person or entity, public or private, upon terms and conditions acceptable to the Authority. No contract shall be for a period exceeding 40 years.

(3) Engage in collective negotiation or collective bargaining and enter into agreements with a bargaining representative as provided by 1947 PA 336, MCL 423.201 to 423.217.

(4) Solicit, receive, and accept gifts, grants, labor, loans, contributions of money, property, or other things of value, and other aid or payment from any federal, state, local, or intergovernmental government agency or from any other person or entity, public or private, upon terms and conditions acceptable to the Authority, or participate in any other way in a federal, state, local, or intergovernmental government program.

(5) Make application for and receive loans, grants, guarantees, or other financial assistance in aid of a water supply system or a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems, from any state, federal, local, or intergovernmental government or agency or from any other source, public or private, including, but not limited to, financial assistance for purposes of developing, planning, constructing, improving, and operating a water supply system or a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems.

(6) Procure insurance or become a self-funded insurer against loss in connection with the property, assets, or activities of the Authority.

(7) Indemnify and procure insurance indemnifying Board members from personal loss or accountability for liability asserted by a person with regard to bonds or other obligations of the Authority, or from any personal liability or accountability by reason of the issuance of the bonds or other obligations or by reason of any other action taken or the failure to act by the Authority.

(8) Invest money of the Authority, at the discretion of the Board, in instruments, obligations, securities, or property determined proper by the Board and name and use depositories for Authority money. Investments shall be made consistent with an investment policy adopted by the Board that complies with the Act and 1943 PA 20, MCL 129.91 to 129.96.

(9) Contract for goods and services as necessary and as provided under the Act. The Authority may contract with a management firm, either corporate or otherwise, to operate a water supply system or a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems, under the supervision of the Authority.

(10) Employ legal and technical experts, other officers, agents, employees, or other personnel, permanent or temporary, as considered necessary by the Board as provided under the Act.

(11) Contract for the services of persons or entities for rendering professional or technical assistance, including, but not limited to, consultants, managers, legal counsel, engineers, accountants, and auditors, as provided under the Act.

(12) Establish and maintain an office.

(13) Acquire by gift, devise, transfer, exchange, purchase, lease, or otherwise on terms and conditions and in a manner the Authority considers proper property or rights or interests in property. Property or rights or interests in property acquired by the Authority may be by purchase contract, lease purchase, agreement, installment sales contract, land contract, or otherwise. The acquisition of any property by the Authority for a water supply system or a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems, in furtherance of the purposes of the Authority is for a public use, and the exercise of any other powers granted to the Authority is declared to be public, governmental, and municipal functions, purposes, and uses exercised for a public purpose and matters of public necessity.

(14) Hold, clear, remediate, improve, maintain, manage, protect, control, sell, exchange, lease, or grant easements and licenses on property or rights or interests in property that the Authority acquires, holds, or controls.

(15) Except as may be provided under state or federal law, convey, sell, transfer, exchange, lease, or otherwise dispose of property or rights or interest in property, to any person or entity on terms and conditions, and in a manner and for consideration the Authority considers proper, fair, and valuable.

(16) Develop a water supply system or a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems.

(17) Assume and perform the obligations and covenants, including the debt obligations, of a local government, including without limitation the City, related to a water supply system or sewage disposal system, including a storm water collection and treatment system, or a combination of such systems.

(18) Enter into contracts or other arrangements with persons or entities, for granting the privilege of naming or placing advertising on or in all or any portion of a water supply system or sewage disposal system, including a storm water collection and treatment system, or a combination of such systems.

(19) Establish and fix a schedule of rates, fees, or other charges for use of, or services provided with respect to, any water supply system or sewage disposal system, including a storm water collection and treatment system, or a combination of such systems, operated by the Authority and provide for the collection and enforcement of those rates, fees, or other charges.

(20) Do all other acts and things necessary or convenient to exercise the powers, duties, and jurisdictions of the Authority under the Act or other laws that relate to the purposes, powers, duties, and jurisdictions of the Authority.

C. Notwithstanding any other provision of law to the contrary, the Authority shall not have the power to impose or levy a tax.

D. Any further limitation of powers granted under these Articles must be accomplished by rule or regulation adopted by the Authority in accordance with the procedure therefor set forth in the Act. All other aspects of the operation of the Authority shall be through policies adopted by the Board, unless otherwise provided by law.

#### **ARTICLE 5 - TERM OF EXISTENCE**

A. The Authority shall continue in existence until dissolved by unanimous act of the Board or by law, but in no event before all existing and future indebtedness of the Authority has been paid or provision for payment thereof has been made in accordance with the terms of such indebtedness. The Authority shall not be dissolved if such dissolution could operate as an impairment of any of its contracts or the terms of any of its indebtedness. After the affirmative unanimous vote of the Board to dissolve the Authority, the Board shall determine how assets of the Authority are to be distributed by vote of the Board as set forth in Article 9.

B. Notwithstanding any other provision of these Articles, an Incorporating Municipality may be released from membership in the Authority if all of the following conditions are met:

(1) Adoption of a resolution by a 2/3 majority vote of the members elected to and serving on the legislative body of the Incorporating Municipality requesting release from membership.

(2) Acceptance of the request by a unanimous vote of the members serving on the Board of the Authority, excluding the member representing the Incorporating Municipality requesting release.

(3) Payment or the provision for is made regarding all obligations of the Incorporating Municipality to the Authority or its creditors.

(4) An Incorporating Municipality that withdraws from the Authority may continue to receive services from the Authority pursuant to contract upon such terms and conditions are otherwise authorized or permitted by law and mutually agreed upon by the Authority and the Incorporating Municipality.

C. Automatic Dissolution. The Authority shall immediately dissolve upon the occurrence of any of the following:

(1) If at any time before the issuance of debt in the name of the Authority a Bankruptcy Court or other court of competent jurisdiction rejects, modifies, revokes, suspends, severs or otherwise alters, with a material adverse impact on any of the City's water supply or sewage disposal system or the Authority, any material provision of these Articles or the provisions in the City's Sixth Amended Plan of Adjustment addressing the Detroit Water and Sewerage Department ("DWSD") component of the City's General Retirement System pension liabilities.

(2) If, within 200 days of the effective date of the establishment of the Authority, the Board fails to approve and execute separate leases with the City (collectively, the "DWSD Lease") for the City's water supply system and sewage disposal system, respectively, which have been under the control of DWSD. The 200-day time period shall be tolled during any period where the Board's authority to act is enjoined or restrained by a court of competent jurisdiction.

(3) The DWSD Lease differs in any material respect from the Memorandum of Understanding, executed as of September 9, 2014, by the Emergency Manager and Mayor of the City, the County Executive of each County and the Governor of the State of Michigan (the "MOU").

D. In approving these Articles, the City agrees to execute and enter into a lease for each of its water supply and sewage disposal systems and to transfer or lease of related personal property with terms which conform to the parameters for such lease set forth in the MOU and these Articles, and the Mayor of the City is hereby empowered to negotiate and enter into such lease with the Authority.

#### **ARTICLE 6 - FISCAL YEAR**

The fiscal year of the Authority shall commence on July 1 and end on June 30.

#### **ARTICLE 7- BOARD OF DIRECTORS AND OFFICERS**

The governing body of the Authority shall be a Board of Directors (the "Board") composed of six voting members selected in the following manner:

A. Two members of the Board shall be residents of the City of Detroit, shall be appointed by the Mayor of the City and shall serve at the appointing authority's pleasure. The initial term for the members appointed under this paragraph shall be three (3) years and all subsequent terms shall be for four (4) years.

B. Each Charter or 1973 PA 139 County that adopts these articles of incorporation shall appoint one member who shall be a resident of the County from which appointed. The appointments shall be made by the Executive or Administrative authority designated under the respective Charters or 1973 PA 139 and the appointees shall serve at the appointing authority's pleasure. The initial term for the appointees from the Counties with the highest and second highest population shall be two (2) years and all subsequent terms shall be for four (4) years. The initial term for the appointees from any other county shall be one (1) year and all subsequent



terms shall be four (4) years.

C. One member of the Board who shall be a resident of an area served by the Authority outside of the City of Detroit and the Counties of Wayne, Oakland and Macomb shall be appointed by the Governor of the State of Michigan. Such member shall serve at the pleasure of the Governor. The initial term for the member appointed under this paragraph shall be four (4) years and all subsequent terms shall be for four (4) years.

D. If an Authority is incorporated under Section 2 of Act 233 but the legislative body of any of Wayne County, Oakland County or Macomb County fails or refuses to adopt these Articles of Incorporation on or before October 10, 2014, then the Governor of the State of Michigan shall appoint a board member for that County who shall be a resident of the area to be served by the Authority located within the County failing or refusing to adopt these Articles and such member shall serve at the pleasure of the Governor. The initial term for a member appointed under this paragraph shall, on the basis of population, be as set forth in paragraph B above. If any County that failed to adopt these Articles on or before October 10, 2014 subsequently adopts these Articles prior to the execution and delivery of the DWSD Lease, then such County shall appoint a member to the Board and such member shall replace the member appointed by the Governor as provided in this paragraph D.

E. All members of the Board appointed under this Article 7 shall have at least seven years of experience in a regulated industry, a utility, engineering, finance, accounting or law. Members may be compensated within the limits set by the affirmative vote of at least 5 members of the Board and approved by the Mayor of the City and the County Executives of each County, consistent with practices for other large public utilities. Board members may be reimbursed for actual and necessary expenses incurred while attending Board meetings or performing other authorized official business of the Authority.

F. No later than 30 days after the date on which the Authority becomes effective as provided in Article 17, members of the Board shall be appointed. Upon appointment to the Board and upon taking and filing the oath of office required by section 1 of article XI of the state constitution of 1963, a Board member shall enter office and exercise the duties of the office of Board member.

G. Within not more than 30 days following the appointment of at least 4 of the members of the Board, the Board shall meet for the purpose of organizing the Board. The time and place for such initial meeting shall be fixed by the Mayor of the City, and notice of that meeting shall be served upon all members in the manner provided in these Articles and the Open Meetings Act (OMA), 1976 PA 267, as amended, MCL 15.261 to 15.275. No appointment to the Board and no selection of an officer of the Board shall be deemed to be invalid because it was not made within or at the time specified in these Articles. The Authority shall, at its organizational meeting, enter into an interlocal agreement to permit the appointment of any gubernatorial appointee.

H. The Board shall elect from among its members a Chairperson, a Vice-Chairperson and a Secretary. The Board shall also elect or appoint a Treasurer, who shall not be a member of the Board and who shall serve as the chief financial officer of the Authority. The Board may elect other officers as the Board considers necessary. All officers shall be elected annually by the Board.

I. An individual who has been convicted of, pled guilty or no contest to, or forfeited bail concerning a felony under the laws of this state, any other state, or the United States shall not be appointed or remain as a member of the Board. A member of the Board to whom this paragraph applies may be removed at the pleasure of the appointing authority or shall be removed for cause by the Board as provided herein.

J. The Board shall appoint an audit committee consisting of 3 members of the Board. The audit committee shall hold its first meeting within 60 days after the effective date of the Authority. A majority of members appointed and designated as audit committee members by the Board under this paragraph may conduct the business of the committee. The audit committee shall meet not less than 4 times each year with the chief financial officer and the chief executive officer of the Authority, and the Authority's independent public auditors to review the reports related to the financial condition, operations, performance, and management of the Authority, including, but not limited to, all contractors and subcontractors, and may also order special investigations or audits, the cost of which shall be paid by the Authority. The audit committee shall also review the activities and reports of the internal auditor of the Authority who shall be appointed by the chief executive officer of the Authority. The audit committee shall, once every 3 years, recommend 3 independent certified public accounting firms that, in the judgment of the audit committee, possess sufficient resources and qualifications to conduct annual financial audits of the accounts of the Authority. From the 3 recommendations of the audit committee, the Board may select, not more than 30 days after receipt of the recommendations of the audit committee, the independent certified public accounting firm with whom the Authority shall execute an agreement to conduct annual financial audits for the succeeding 3 fiscal years of the accounts of the Authority. If the Board does not select 1 of the recommended independent certified public accounting firms to conduct annual financial audits for the next 3 fiscal years of the Authority within 30 days after receipt of the recommendations of the audit committee, the audit committee shall have the sole power to select the independent certified public accounting firm with whom the Authority shall execute an agreement to conduct annual financial audits of the accounts of the Authority for the next 3 fiscal years. A person may not prevent or prohibit the internal auditor or the audit committee from carrying out or completing any audit or investigation. The internal auditor and members of the audit committee shall be protected under the whistleblowers' protection act, 1980 PA 469, MCL 15.361 to 15.369.

K. The members of the Board shall, at time of appointment meet all of the following qualifications: (a) neither the Board member, nor his or her spouse nor his or her siblings, children or step-children or their spouses, parents, or siblings or their spouses of the Board member maybe actively engaged or employed in any other businesses, vocation, or employment of any of the business having a contractual relationship with the Authority or under the control of the Authority, (b) neither the Board member, nor his or her spouse nor his or her siblings, children or step-children or their spouses, parents, or siblings or their spouses of the Board member, may have a combined 1% or greater direct pecuniary interest in any enterprise having a contractual relationship with the Authority or under the control of the Authority; and (c) the Board member would not be considered to have a conflict of interest under 1968 PA 318, MCL 15.301 - 15.310, in respect of any contract or subcontract involving the Authority if the Board member were considered a state officer under 1968 PA 318, MCL 15.301 - 15.310. Nothing in this paragraph shall preclude an Incorporating Municipality from appointing an employee or

other official of the Incorporating Municipality to serve on the Board.

A Board member who, at any time during his or her term of service, becomes in violation of the preceding paragraph shall have 30 days to divest, or arrange for the divestment of, the interest that caused the violation. If the Board member or his or her relative is still in violation of subparagraph (a), (b) or (c) of the preceding paragraph after the expiration of the 30-day period, the appointing authority that appointed that Board member shall remove the Board member from office and such removal shall be deemed “for cause”.

With respect to the management of the affairs of the Authority, a Board member shall exercise the duties of a fiduciary toward the Authority and shall discharge the duties of his or her position in a nonpartisan manner, in good faith, and with the degree of diligence, care and skill that an ordinarily prudent person would exercise under similar circumstances in a like position. In discharging his or her duties, a Board member, when acting in good faith, may rely upon the opinion of counsel for the Authority and other experts or advisors retained by the Authority, the report of an independent appraiser selected by the Board, financial statements of the Authority represented to the Board member to be correct by the person having charge of the Authority’s books of account or stated in a written report by or a certified public account, a firm of certificated accountants, to reflect the financial condition of the Authority.

#### **ARTICLE 8 – VACANCIES**

A. A member of the Board may resign by written notice to the Board and the appointing authority. The resignation will be effective upon its receipt by the Board or a subsequent time as set forth in the notice of resignation. A member of the Board may be removed at the pleasure of the appointing authority or, as set forth in paragraph J or K of Article 7, for cause, by the affirmative vote of 5 members of the Board.

B. If a vacancy occurs on the Board due to resignation, cause, death, disability, change in required residency, conflict of interest, or other condition set forth in these Articles, the Authority shall notify the appointing authority and such seat shall be filled in accordance with the provisions of paragraphs A, B, C, D or E of Article 7 hereof, as applicable.

C. If an Incorporating Municipality withdraws from the Authority as provided in these Articles, the Governor shall appoint a replacement Board member who shall be a resident of the withdrawing municipality and who shall serve at the Governor’s pleasure.

#### **ARTICLE 9 - BOARD MEETINGS, VOTING**

A. The Board shall conduct regular meetings as needed and not less than at least once during each quarter of each year. The business of the Board shall be conducted at a public meeting of the Board held in compliance with the OMA. Public notice of the time, date, and place of the meeting shall be given in the manner required by the OMA. After organization, the Board shall adopt a schedule of regular meetings and adopt a regular meeting date, place, and time. A special meeting of the Board may be called by the Chairperson of the Board or as provided in bylaws adopted by the Board. Notice of a special meeting shall be given in the manner required by the OMA.

B. At least a majority of the members of the Board constitute a quorum for ordinary business. Each Board member shall have one vote. The Board shall act by resolution or may act, if permitted or required by law, by ordinance.

C. For the adoption of any action there shall be required a majority vote of all of the members of the Board, unless a greater majority or a unanimous vote of all Board members is required by the Act, these Articles or the Authority's bylaws. Action required to (i) set or approve rates and/or charges for the provision of water and sewer services, including storm water collection and treatment services, or for a combination of such services, (ii) establish and adopt the Authority's operating budget, (iii) establish and annually approve a five year capital improvement program, (iv) establish and adopt procurement rules and regulations, (v) select a chief executive officer, (vi) authorize the issuance of debt, (vii) remove a Board member for cause, or (viii) approve or modify the DWSD Lease, shall require compliance with the Act and the affirmative vote of at least 5 members of the Board. Any amendment to these Articles of Incorporation shall require compliance with section 6 of the Act and the unanimous vote of the Board.

D. The Board shall adopt bylaws governing its procedures and regulating the affairs of the Authority which are not in conflict with the terms of the Act, any other statute, or these Articles.

E. Subject to paragraph D of Article 5, the Board shall adopt rules and regulations by resolution and with concurrence by resolution of constituent municipalities in accordance with the Act.

F. The Board shall keep a written or printed record of each meeting, which record and any other document or record prepared, owned, used, in the possession of, or retained by the Authority in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The Board's written or printed record shall be signed by the Secretary and shall show how each member voted. Each member shall vote upon all motions, resolutions and ordinances unless disqualified from voting thereon by reason of any personal interest as defined by the conflict of interest laws of the State of Michigan or these Articles. All votes shall be "yeas" and "nays," except that where the vote is unanimous, it shall only be necessary to so state.

G. The Board shall provide for a system of accounts for the Authority to conform to a uniform system required by law and for the auditing of the accounts of an authority. The Board shall obtain an annual audit of the Authority by an independent certified public accountant and report on the audit and auditing procedures in the manner provided by sections 6 to 13 of the uniform budgeting and accounting act, 1968 PA 2, MCL 141.426 to 141.433. The audit also shall be in accordance with generally accepted government auditing standards and shall satisfy federal regulations relating to federal grant compliance audit requirements.

H. Before the beginning of each fiscal year, the Board shall cause to be prepared a budget for the Authority containing an itemized statement of the estimated current operational expenses and the expenses for capital outlay including funds for the operation and development of the facilities under the jurisdiction of the Board, including the amount necessary to pay the principal and interest of any outstanding bonds or other obligations of the Authority maturing during the next fiscal year or that have previously matured and are unpaid, and an estimate of the estimated revenue of the Authority from all sources for the next fiscal year. The Board shall adopt a budget for each fiscal year in accordance with the uniform budget and accounting act, 1968 PA 2, MCL

141.421 to 141.440a.

I. For fiscal year 2017 and beyond, the Board shall formally adopt a two-year operating budget.

J. Not less than quarterly, the chief executive officer shall present to the Board reports showing budget to actual comparisons of expenses and revenues incurred and received together with projections of operations through the current fiscal year. Explanations for variances from the operating budget and proposed adjustments to the operating budget relating thereto shall also be presented to the Board for their consideration and action.

K. The Board shall adopt a procurement policy meeting the requirements of this Article 9. The procurement policy shall provide for all of the following:

(1) the purchase of, the contracting for, and the providing of supplies, materials, services, insurance, utilities, third-party financing, equipment, printing, and all other items as needed by the Authority the cost of which exceeds a threshold to be established by the Board to efficiently and effectively meet the needs of the Authority using competitive procurement methods to secure the best value for the Authority.

(2) the acquisition of professional services in accordance with a competitive, qualifications-based selection process and procedure for the type of professional service required by the Authority. The Authority shall not be required to use competitive bidding when acquiring proprietary services, equipment, or information available from a single source, such as a software license agreement or for emergency repairs, or to respond to a declared state of emergency or if procurement is necessary for the imminent protection of or mitigation of an imminent threat to public health or safety. The Board may enter into a cooperative purchasing agreement with the federal government, the state, or other public entities for the purchase of goods or services necessary for the Authority.

(3) a requirement for the Authority to use its best efforts within the competitive solicitation requirements of these Articles to achieve fairness in the number and value of contracts for goods or services entered into by the Authority with persons or firms based in the Authority territory area consistent with applicable law.

(4) the control, supervision, management, and oversight of each contract to which the Authority is a party.

(5) monitoring the performance of each contract for goods or services including, but not limited to, a contract that exists on the date the Authority assumes control of a water supply system or sewage disposal system, to assure execution of the contract within the budget and time periods provided under the contract and compliance with the terms of the contract, the Act, these Articles and federal and state procurement law.

(6) unless specifically provided for in the procurement policy, that the chief executive officer or other authorized employee of the Authority shall not sign or execute a contract until the contract is approved by the Board.

(7) preclude the Authority from entering into a procurement or employment contract with a person who has been convicted of a criminal offense incident to the application for or performance of a contract or subcontract with a local government, state or federal governmental entity or with a person who has been held liable in a civil proceeding or has been convicted of

a criminal offense that negatively reflects on the person's business integrity, based on a finding of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or violation of state or federal antitrust statutes, or similar laws.

L. The Board shall prepare an annual report detailing all contracts entered into by the Authority during the immediately preceding fiscal year, which report shall be made publically available and posted on the Authority's website. As used in this paragraph, if a person is a business entity, person includes affiliates, subsidiaries, officers, directors, managerial employees, and any person who, directly or indirectly, holds a pecuniary interest in that business entity of 20% or more. Nothing in this paragraph shall be construed as creating a quota or set-aside for any city or any county in the Authority territory area.

M. The Board may employ personnel as the Board considers necessary to assist the Board in performing the power, duties, and jurisdictions of the Authority, including, but not limited to, employment of a chief executive officer. The Board shall adopt an employment policy consistent with applicable law that includes a requirement for the Authority to use best efforts to achieve fairness in the hiring of employees from among residents of the City of Detroit and each Incorporating Municipality within the Authority territory area. Nothing in this paragraph shall be construed as creating a quota or set-aside for any city or any county in the Authority territory area.

N. The Board shall establish policies to assure that the Board and the Authority shall not do either of the following:

(1) Fail or refuse to hire, recruit, or promote; demote; discharge; or otherwise discriminate against a person with respect to employment, compensation, or a term, condition, or privilege of employment, or a contract with the Authority because of religion, race, color, national origin, age, sex, sexual orientation, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job, position, or contract.

(2) Limit, segregate, or classify an employee, a contractor, or applicant for employment or a contract in a way that deprives or tends to deprive the employee, contractor, or applicant of an employment opportunity or otherwise adversely affects the status of an employee, contractor, or applicant because of religion, race, color, national origin, age, sex, sexual orientation, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.

#### **ARTICLE 10 - BOARD AFFAIRS**

A. The Chairperson of the Board shall be its presiding officer and except as otherwise provided in these Articles, the Chairperson shall not have any executive or administrative functions other than as a member of the Board. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Secretary of the Board shall be the recording officer of the Board.

B. The Treasurer of the Board shall be custodian of the funds of the Authority and shall provide a bond conditioned upon the faithful performance of the duties of his or her office as provided in paragraph D of Article 13. The cost of this bond shall be paid by the Authority. All money shall be deposited in financial institutions designated by the Board as permitted by 1943

PA 20, MCL 129.91 to 129.96, and all checks or other forms of withdrawal therefrom shall be signed by the Chairperson or Vice-Chairperson and by the Treasurer or Secretary. The Board shall appoint and employ a chief financial officer who is not a member of the Board as Treasurer.

C. The officers of the Board shall have such other powers and duties as may be conferred upon them by the Board.

D. The provisions of this Article shall be considered controlling over all other provisions of these Articles of Incorporation.

#### **ARTICLE - 11 REVENUES**

A. In addition to the requirements set forth in paragraph C of this Article 11, the Authority may raise revenues to fund all of its activities, operations, and improvements consistent with its purposes. The sources of revenue available to the Authority may include, but are not limited to, any of the following:

(1) Rents, fees, or other charges for use of a water supply system or a sewage disposal system, including a storm water collection and treatment system, or a combination of such systems, which the Authority may fix, regulate, and collect.

(2) Federal, state, or local government grants, loans, appropriations, payments, or contributions.

(3) The proceeds from the sale, exchange, lease, or other disposition of property to which the Authority has title.

(4) Grants, loans, appropriations, payments, proceeds from repayments of loans made by the Authority, or contributions from public or private sources.

(5) Investment earnings on the revenues described in subparagraphs (1) to (4).

B. The revenues raised by the Authority may be pledged, in whole or in part, for the repayment of bonded indebtedness and other expenditures issued or incurred by the Authority.

C. The Board by resolution shall establish and fund a separate segregated fund for each water supply system and sewage disposal system under its jurisdiction for the sole purpose of receiving rates and charges imposed in consideration for the lease of the related system from the City which shall be used at the City's direction and discretion to fund any or a combination of the following: Detroit local system infrastructure improvements, debt service associated with such improvements or the City's share of the cost of common-to-all improvements.

#### **ARTICLE 12 – SALE AND ISSUANCE OF BONDS, NOTES AND OTHER INDEBTEDNESS**

A. The Authority may borrow money and issue bonds, notes, and other evidences of indebtedness in accordance with and exercise all of the powers conferred upon the Authority by the laws of the state, including without limitation, the Act, the revenue bond act of 1933, 1933 PA 94, MCL 141.101 to MCL 141.140, and the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

B. Bonds issued by the Authority are debt of the Authority and not a debt of any Incorporating Municipality except to the extent that a withdrawing Incorporating Municipality retains liability.

C. The issuance of bonds, notes, or other evidences of indebtedness by the Authority shall require approval of the Board as set forth in paragraph C of Article 9.

### **ARTICLE 13 - EMPLOYEES**

A. The Board shall appoint and fix the compensation of a chief executive officer for the Authority. The Board shall prescribe the duties and responsibilities of the chief executive officer in addition to any duties and responsibilities imposed upon the chief executive officer under the Act, these Articles or law. The chief executive officer of the Authority shall serve at the pleasure of the Board.

B. The chief executive officer shall supervise and be responsible for the day-to-day operation of the Authority, including the control, supervision, management, and oversight of a water supply system or a sewage disposal system (including a storm water collection and treatment system, or a combination of such systems), the issuance of bonds, notes and other evidences of indebtedness, approved by the Board, the negotiation and establishment of compensation and other terms and conditions of employment for any employees of the Authority, the negotiation, supervision, and enforcement of contracts entered into by the Authority and approved by the Board, and the supervision of contractors of the Authority in their performance of their duties. The Board may delegate to the chief executive officer of the Authority the power and responsibility to execute and deliver, and sign for, contracts, leases, obligations, and other instruments as have been approved by the Board.

C. The chief executive officer of the Authority shall have all powers as are incident to the performance of his or her duties that are prescribed by the Act, these Articles or by the Board. All actions of the chief executive officer of the Authority shall be in conformance with the policies of the Board and in compliance with applicable law.

D. The Board shall require the chief executive officer of the Authority and the Treasurer and chief financial officer of the Authority to post a suitable bond of not less than \$50,000.00 issued by a responsible bonding entity, with the cost of the premium of the bond paid by the Authority.

E. The Board shall not authorize the chief executive officer of the Authority to do any of the following:

- (1) Appoint a successor to the chief executive officer.
- (2) Except as may be specifically provided in the procurement policy adopted pursuant to Article 9, approve a contract or a contract amendment.
- (3) Appoint or hire legal counsel for the Board.

(4) Prescribe ethical standards for the Board or Authority employees without Board approval.

F. The Board shall have power to hire employees to assist the Board in the execution of Board functions and to fix the compensation therefor.

### **ARTICLE 14 - FEDERAL, STATE OR LOCAL GRANTS IN AID**



The Board, on behalf of the Authority, shall have the power to accept contributions, capital, grants, gifts, donations, services, loans or other financial assistance from the United States of America or any agency or instrumentality thereof or from the State of Michigan or any agency, instrumentality or political subdivision thereof.

#### **ARTICLE 15 - AUDIT**

The Board shall cause an annual audit to be made of its financial statements, including such federal and state audits as may be required relating to grants and awards, by a certified public accountant, and shall furnish at least two copies to each Incorporating Municipality. The books and records of the Authority shall be open for inspection by any Incorporating Municipality at all reasonable times upon reasonable notice.

#### **ARTICLE 16 - PUBLICATION**

A. These Articles shall be published once in the Detroit News, Detroit, Michigan, which newspaper has general circulation within the territory encompassed by the Authority. One printed copy of the Articles of Incorporation as printed in this newspaper, certified as a true copy thereof as provided below, with the date and place of publication shown by a publisher's affidavit of publication attached thereto, shall be filed with the Michigan Secretary of State and also the Clerk of the City of Detroit and the Clerk of the Counties which are Incorporating Municipalities after the execution and publication thereof has been completed. The fact of the adoption of these Articles shall be endorsed on the Articles in the manner mandated by section 2 of the Act, MCL 124.282.

B. The Oakland County Clerk is hereby designated as the person to cause these Articles of Incorporation to be published, certified and filed as described.

C. All expenses for the publication of these Articles and all other expenses incurred in the incorporation and establishment of the Authority shall be paid as a common-to-all expense by DWSD or from such grant funds as may be secured to support such expenses.

#### **ARTICLE 17 - EFFECTIVE DATE**

This Authority shall become effective upon the filing of certified copies of these Articles of Incorporation, as provided in the preceding Article 16.

#### **ARTICLE 18 - EXEMPTION FROM TAXATION**

The property of the Authority shall be exempt from all taxation and assessment and no writ of attachment or writ of execution shall be levied upon the property of the Authority.

#### **ARTICLE 19 - AMENDMENTS**

These Articles of Incorporation may be amended at any time as provided in the Act and these Articles so as to permit any county, city, village, township or charter township to become a member of the Authority, if such amendment to the Articles of Incorporation is adopted by the legislative body of such county, city, village, township or charter township proposing to become a member, and if such amendment is adopted by the legislative body of each Incorporating Municipality of which the Authority is composed. Other amendments may be made to these Articles of Incorporation at any time if adopted by the legislative body of each Incorporating Municipality of which the Authority is composed. Any such amendment shall be endorsed,

published, and certified and printed copies filed in the same manner as the original Articles of Incorporation, except that the filed and printed copies shall be certified by the recording officer of this Authority.

**ARTICLE 20 - MISCELLANEOUS**

A. These Articles of Incorporation may be executed in two or more counterparts, each of which shall be deemed an original.

B. The captions in these Articles of Incorporation are for convenience only and shall not be considered as part of these Articles of Incorporation or in any way limiting or amplifying the terms and provisions hereof.

C. These Articles have been adopted by the Incorporating Municipalities, as is set forth in the following endorsements and the designated officials of each Incorporating Municipality have endorsed a statement of such adoption.

These Articles of Incorporation were approved by the \_\_\_\_\_ of the City of Detroit by \_\_\_\_\_ dated \_\_\_\_\_, 2014.

\_\_\_\_\_  
City of Detroit

These Articles of Incorporation were approved by the Board of Commissioners of the Charter County of Macomb, Michigan, at a meeting duly held on \_\_\_\_\_, 2014.

\_\_\_\_\_  
County Clerk  
Macomb County

These Articles of Incorporation were approved by the Board of Commissioners of the County of Oakland, Michigan, at a meeting duly held on \_\_\_\_\_, 2014.

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County Clerk  
Oakland County

These Articles of Incorporation were approved by the County Commission of the Charter County of Wayne, Michigan, at a meeting duly held on \_\_\_\_\_, 2014.

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County Clerk  
Wayne County