



BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
586.469.5125 FAX 586.469.5993
macombcountymi.gov/boardofcommissioners

BOARD OF COMMISSIONERS

REGULAR SESSION WITH A SPECIAL AGENDA

WEDNESDAY, OCTOBER 24, 2012

SPECIAL FINAL AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adoption of Agenda
5. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)
6. Committee Report:
 - a) Special Finance, October 24 (to be provided)
7. Consideration of Action Re: County Executive Veto of Ordinance 2012-6 (Comprehensive Budget for Special Revenue and Enterprise Funds for Fiscal Year Ending 9-30-13)
8. New Business
9. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)
10. Roll Call
11. Adjournment

MACOMB COUNTY BOARD OF COMMISSIONERS

Kathy D. Vosburg
District 8
Chair

Marvin E. Sauger
District 2
Vice Chair

Fred Miller
District 9
Sergeant-At-Arms

Toni Mocerì - District 1

David Flynn - District 4

James L. Carabelli - District 6

Roland Frascchetti - District 10

Bob Smith - District 12

Phillip A DiMaria - District 3

Ray Gralewski - District 5

Don Brown - District 7

Kathy Tocco - District 11

Joe Sabatini - District 13



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October 24, 2012

TO: BOARD OF COMMISSIONERS

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

**RE: RECOMMENDATION FROM SPECIAL FINANCE COMMITTEE
MEETING OF OCTOBER 24, 2012**

At a **special** meeting of the Finance Committee, held Wednesday, October 24, 2012, the following recommendation was made and is being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY VOSBURG, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE REQUEST OF CHIEF JUDGE DAVID VIVIANO OF THE 16TH JUDICIAL CIRCUIT AND MACOMB COUNTY PROBATE COURTS, WITH THE SUPPORT OF THE OFFICE OF COUNTY EXECUTIVE, AND APPROVE THE REQUEST FOR A WAIVER OF THE REQUEST FOR PROPOSAL (RFP) REQUIREMENT IN THE CURRENT MACOMB COUNTY PURCHASING POLICIES AND PROCEDURES IN ORDER TO ENTER INTO A CONTRACT WITH IMAGESOFT, INC., FOR E-FILING AND DOCUMENT MANAGEMENT PRODUCTS AND SERVICES; THE COST FOR THE COURT TO CONVERT TO IMAGE SOFT DOCUMENT MANAGEMENT AND FOR THE INITIAL WORKFLOWS IS \$260,274; THE PROPOSED CONTRACT DOES REQUIRE A 50/50 FEE SPLIT ON THE E-FILING REVENUES FOR THREE YEARS FOR SPECIFIC CASE TYPES, WHICH IS CONSISTENT WITH OTHER COURT E-FILING CONTRACTS ACROSS THE STATE; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE. **THE MOTION CARRIED.**

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

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RESOLUTION NO. _____ FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO Concur in the request of Chief Judge David Viviano of the 16th Judicial Circuit and Macomb County Probate Courts, with the support of the Office of County Executive, and approve the request for a waiver of the Request for Proposal (RFP) requirement in the current Macomb County Purchasing Policies and Procedures in order to enter into a contract with ImageSoft, Inc. for e-filing and document management products and services. The cost for the Court to convert to ImageSoft document management and for the initial workflows is \$260,274. The proposed contract does require a 50/50 fee split on the e-filing revenues for three years for specific case types, which is consistent with other Court e-filing contracts across the state. *(see below)

INTRODUCED BY Commissioner Phillip DiMaria, Chair, Justice and Public Safety Committee

*Justice and Public Safety Committee Chair DiMaria waived this item to the October 24, 2012 special meeting of the Finance Committee.

Note: See attached two-page memorandum dated October 17, 2012 from Chief Judge David Viviano and Jennifer Phillips, Court Administrator.

COMMITTEE/MEETING DATE

Special Finance Committee 10-24-12

Special Full Board 10-24-12

BOARD OF COMMISSIONERS
MACOMB COUNTY, MICHIGAN

Resolution No. 12-____

A Resolution to Override the Veto of the Line Items in Ordinance 2012-6
“Ordinance to Adopt a Comprehensive Budget for the Special Revenue and
Enterprise Funds for the Fiscal Year Ending September 30, 2013.”

Whereas, section 8.7 of the Home Rule Charter of Macomb County (the “Charter”) requires the Commission “before the beginning of each fiscal year” to “adopt a balanced line item operating budget and appropriations ordinance in accordance with the requirements of law;” and

Whereas, pursuant to that Charter provision, on September 29, 2012, the Board of Commissioners enacted Ordinance 2012-6, “Ordinance to Adopt a Comprehensive Budget for the Special Revenue and Enterprise Funds for the Fiscal Year Ending September 30, 2013;” and

Whereas, the budget so adopted did not alter any of the appropriations requested by the Office of County Executive but simply added more detailed line items to breakdown what were otherwise extremely large budget numbers and the details were, except for the Road Department personnel budget exactly the numbers the Office of County Executive had supplied to the Commission; and

Whereas, the Commission had unsuccessfully sought from the Office of County Executive line item breakdowns of the Road Department \$29.77 million personnel budget into some broad categories; and

Whereas, the Commission then supplied its own approximation of line items while inviting the Office of County Executive to provide an alternative breakdown or corrected figures for the line items; and

Whereas, on October 15, 2012, the County Executive vetoed the line items that ordinance; and

Whereas, the Commission has again invited the County Executive to provide alternative line items breaking down the large budget figures and has communicated to the County Executive that it will consider a budgetary amendment to reflect such an alternative when it is provided by the County Executive; and

Whereas, for the Commission continues to believe it is important for transparency and accountability that County budgets provide line item breakdowns where the budgeted figures are especially large; and

Whereas, some budgets have additional transparency and accountability oversight by other boards but the Roads Department does not have that additional oversight; and

Whereas, the County Executive has consistently urged that the Commission’s oversight of the spending of County funds is to primarily occur in the budgeting process and that accountability comes from adherence to the budget as it may from time-to-time be amended; and

Whereas, the Commission believes that line items that are tens of millions of dollars in size are too large to provide sufficient transparency and accountability; and

Whereas, prior to adopting Ordinance 2012-6, the Commission consulted the State of Michigan’s Uniform Chart of Accounts, finding that the more detailed line items inserted in Ordinance 2012-6 were well within the level of optional detail that could legally be in budget; and

Whereas, the Commission believes the line items Ordinance 2012-6 are therefore in the best interests of the citizens of Macomb County.

It is resolved that the Board of Commissioners hereby overrides the County Executive’s veto of the line items Ordinance 2012-6, “Ordinance to Adopt a Comprehensive Budget for the Special Revenue and Enterprise Funds for the Fiscal Year Ending September 30, 2013,” and by this override is restoring those line items.

Kathy D. Vosburg, Chair
Macomb County Board of Commissioners

Carmella Sabaugh
Macomb County Clerk