1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Invocation by Commissioner Fred Miller

5. Adoption of Agenda

6. Approval of Minutes dated 6-20, 6-27 (special), 7-11 (special) and 7-18-13 (special) (previously distributed)

7. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)

8. Correspondence from Executive (none)

9. Presentation of Proclamations:
   a) Kermit Harris
   b) Ron Current
   c) Carl Merkle
10. **COMMITTEE REPORTS:**

   a) Health & Human Services, July 22 (page 1) (attached)
   
   b) Infrastructure, July 23 (page 12) (attached)
   
   c) Finance, July 24 (page 19) (attached)
   
   d) Health & Human Services (special), July 25 (page 27) (attached)

11. **RESOLUTIONS:**

   a) Override of County Executive’s Veto of Ordinance 2013-4 (page 32) (attached)
      (Naming Rights) (offered by Board Chair)

   b) Override of County Executive’s Veto of Ordinance 2013-5 (page 34) (attached)
      (Project Labor) (offered by Board Chair)

   c) Override of County Executive’s Veto of Ordinance 2013-6 (page 36) (attached)
      (Bid Library Access) (offered by Board Chair)

   d) Override of County Executive’s Veto of Ordinance 2013-7 (page 38) (attached)
      (Purchase Orders) (offered by Board Chair)

   e) Override of County Executive’s Veto of Resolution 13-140 (page 40) (attached)
      (Macomb County Provider Alliance) (offered by Board Chair)

   f) Override of County Executive’s Veto of Resolution 13-143 (page 42) (attached)
      (Project Labor) (offered by Board Chair)

   g) Override of County Executive’s Veto of Resolution 13-144 (page 44) (attached)
      (45 Day Contract) (offered by Board Chair)

   h) Override of County Executive’s Veto of Resolution 13-145 (page 46) (attached)
      (Purchase Orders) (offered by Board Chair)

   i) Override of County Executive’s Veto of Resolution 13-147 (page 48) (attached)
      (Bid Library Access) (offered by Board Chair)

   j) Supporting the FY 2014-2016 Multi Year Plan of the Area Agency on Aging 1-B (offered by Board Chair; recommended by Health & Human Services Committee on 7-22-13) (page 50) (attached)

   k) Applauding the Michigan House of Representatives for Acting on Medicaid Expansion and Urging the Michigan Senate to do Likewise (offered by Moceri; include Miller and Tocco; recommended by Finance Committee on 7-24-13; previously provided at committee meeting) (attached)
12. Board Chair’s Report (page 51) (attached)

13. New Business

14. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)

15. Roll Call

16. Adjournment
July 22, 2013

TO: BOARD OF COMMISSIONERS

FROM: TONI MOCERI, CHAIR
HEALTH & HUMAN SERVICES COMMITTEE

RE: RECOMMENDATION FROM HEALTH & HUMAN SERVICES COMMITTEE MEETING OF JULY 22, 2013

At a meeting of the Health & Human Services Committee, held Monday, July 22, 2013, the following recommendation was made and is being forwarded to the July 25 Full Board meeting for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Klinefelt, supported by Boyle, to recommend that the Board of Commissioners approve the proposed amendment to the Macomb County Community Services Agency’s Community Development Citizen Participation Plan, as required by HUD regulation (24 CFR 91.105(a)(1)); 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 MOCERI, SUPPORTED BY VICE-CHAIR BOYLE.
To:        David Flynn, Board Chair

From:  Pamela J. Lavers, Assistant County Executive

Date: July 10, 2013

RE:  Agenda Item – MCCSA, Community Development Citizen Participation Plan

Attached you will find documentation and a resolution from MCCSA Director, Mary Solomon, to approve the proposed amendment to the MCCSA Community Development Citizen Participation Plan, as required by HUD regulation [24 CFR 91.105(a)(1)].

The Executive Office respectfully submits this agenda item for the Commission’s consideration and recommends approval of the Community Development Citizen Participation Plan as stated above.

PJL/smf

cc:  Steve Gold
     Mary Solomon
Resolution to:

Approve the proposed amendment to the MCCSA Community Development Citizen Participation Plan, as required by HUD regulation [24 CFR 91.105(a)(1)].

Introduced By:

Toni Moceri, Chair, Health & Human Services Committee

Additional Background Information (If Needed):

The Citizen Participation Plan describes the policies and procedures for involving citizens in critical planning issues related to the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships (HOME) program and the Emergency Solutions Grant (ESG). The proposed amendment to the Citizen Participation Plan is necessary to reflect the transfer of the Community Development program from the Department of Planning and Economic Development to the Macomb County Community Services Agency.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Meeting Date</th>
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<tbody>
<tr>
<td>Health &amp; Human Services</td>
<td>7-22-13</td>
</tr>
<tr>
<td>Full Board</td>
<td>7-25-13</td>
</tr>
</tbody>
</table>
June 19, 2013

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

Macomb County Community Services Agency
REQUEST APPROVAL / ADOPTION OF
Amendment to MCCSA Citizen Participation Plan

SUBJECT:
The proposed amendment to the Community Development Citizen Participation Plan is necessary to reflect the transfer of the Community Development program from the Department of Planning and Economic Development to the Macomb County Community Services Agency, as required by HUD regulation [24 CFR 91.105(a)(1)].

IT IS RECOMMENDED THAT THE EXECUTIVE SUBMIT TO THE BOARD:
To approve the amendment to the MCCSA Community Development Citizen Participation Plan, as required by HUD regulation [24 CFR 91.105(a)(1)].

PURPOSE / JUSTIFICATION:
The Citizen Participation Plan describes the policies and procedures for involving citizens in critical planning issues related to the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships (HOME) program and the Emergency Solutions Grant (ESG). The proposed amendment to the Citizen Participation Plan is necessary to reflect the transfer of the Community Development program from the Department of Planning and Economic Development to the Macomb County Community Services Agency.

FISCAL IMPACT / FINANCING:
There is no impact on the County's General Fund.

<table>
<thead>
<tr>
<th>FACTS AND PROVISION / LEGAL REQUIREMENTS:</th>
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<tbody>
<tr>
<td>The plan must be adopted by the local government in order to comply with the U.S. Department of Housing and Urban Development (HUD) guidelines, specifically [24 CFR 91.105(a)(1)].</td>
</tr>
</tbody>
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<table>
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<tr>
<th>CONTRACTING PROCESS:</th>
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<tr>
<td>The proposed amended plan has been posted on the Community Development website for thirty (30) days and had had a hard copy available for review and comment in the MCCSA Administration office.</td>
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<table>
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<tr>
<th>IMPACT ON CURRENT SERVICES (PROJECTS):</th>
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<tbody>
<tr>
<td>There is no impact on current services or projects.</td>
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Respectfully submitted,

Signature
Mary Solomon, Director
Macomb County Community Services Agency
Guide for Completeness Review of Local Government Citizen Participation Plan

<table>
<thead>
<tr>
<th>Name of Program Participant:</th>
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<tr>
<th>Staff Consulted:</th>
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Date Plan Was Adopted or Last Amended:

<table>
<thead>
<tr>
<th>Name(s) of Reviewer(s):</th>
<th>Date:</th>
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NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant’s program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "finding."

Instructions: This Exhibit is designed to review the local government’s compliance with the Citizen Participation Plan requirements per the Consolidated Plan regulations at 24 CFR Part 91, Subpart B. This review may be used to review both individual local government and consortium Plans. The Exhibit is divided into seven sections: General Aspects of the Citizen Participation Plan; Development of the Citizen Participation Plan and Any Amendments; Development of the Consolidated Plan; Consolidated Plan Amendments; Performance Reports; Public Hearings; and Miscellaneous Citizen Participation Requirements.

Questions:

A. GENERAL ASPECTS OF THE CITIZEN PARTICIPATION PLAN

1. Does the local government have a Citizen Participation Plan? [24 CFR 91.105(a)(1)]
   - Yes
   - No
   Describe Basis for Conclusion:

2. Was the Plan adopted by the local government? [24 CFR 91.105(a)(1)]
   - Yes
   - No
   Describe Basis for Conclusion:
This Citizen Participation Plan (Plan) was written and adopted in conformance with the requirements of 24CFR Part 91, Subpart B, which govern the preparation of Consolidated Plans (Con Plan), Annual Action Plans (AAP) and the Consolidated Annual Performance Report (CAPER) for the Urban County of Macomb (County), and the Macomb HOME Consortium (MHC).

1. **Purpose**: This Plan has several objectives, including:

   a. adequately informing citizens (including minority, non-English speaking, disabled, lower-income, and those likely to be affected by program activities) so that they can knowledgeably participate in program planning and development; and can review performance for the programs covered.

   b. soliciting views and opinions from the public and community stakeholders, including housing providers, non-profit service agencies, local communities, regional planning entities, and the State of Michigan concerning housing and community development needs, particularly as they relate to lower-income residents.

   c. coordinating program development and delivery between public and private entities which provide housing and human services, and between units of government concerning area-wide issues.

   d. informing citizens of the processes followed in developing and managing the programs covered by this Plan.

2. **Encouragement of Citizen Participation**:  

   a. Citizens are encouraged to participate in the development of the Con Plan and AAP, in amendments thereto, and in the CAPER. At a minimum, the Con Plan, AAP, CAPER and each HUD 7015.15 (Environmental Certification and Request for the Release of Funds) will be posted on the County's website for citizen review and possible input. Non-English speaking people can readily and reliably translate documents on the computer.

   b. Attention is given to lower-income persons, particularly those living in slums or in blighted neighborhoods, in lower-income neighborhoods, as defined by the County and recognized by HUD, and in other areas where CDBG, HOME and other community development funds are likely to be proposed for use. Reasonable actions will be taken to encourage participation by citizens, including minority, disabled, and non-English speaking persons. Actions may include, but are not limited to, surveys, outreach meetings, public hearings, and community reports and plans.

   c. The County will collaborate with public housing commissions and with owners and managers of assisted housing developments within the MHC jurisdiction, to facilitate participation by public and assisted housing residents for the purposes cited above.

   d. The County will inform housing commissions of Con Plan objectives, AAP activities, and CAPER’s, particularly as they relate to their developments and the surrounding areas so that they can make this information available at their annual public hearing required for their Agency Plans and Comprehensive Grant programs if, and as, applicable.
e. The County will take reasonable steps to encourage participation by businesses, developers, and community and faith based organizations.

3. Citizen comment on the Citizen Participation Plan and amendments:
The County will make this Plan public, by posting it on the County and individual MHC member websites, thereby providing citizens, including those with disabilities, opportunity to review and comment on this Plan, and any future substantial amendments.

4. Dissemination of Information:
The Con Plan is a strategic plan, effective for a 3 - 5 year period of time, which sets forth a detailed analysis of housing and community development conditions and needs within the 24 community jurisdiction of the MHC. It also sets forth priority goals and objectives to guide the applicable Programs during its period of effect. The County will therefore provide the following information to citizens and stakeholder organizations, for their informed participation in the development of the Con Plan, and AAP, and substantial amendments thereto.

- the amount of assistance to be received (including anticipated grant amounts and program income expected),
- the range of activities that may be undertaken, including the estimated amount of funds that will benefit low- and moderate-income persons,
- how it plans to minimize displacement of persons, and assist any displaced persons, specifying the types and levels of assistance to be made available by itself or by other legally-responsible entities, even if no displacement is expected.

a. General information will be disseminated in the public notice announcing the date(s), time(s) and venue(s) of the hearing(s). Detailed information is available on the websites of the County and individual MHC member communities, and will also be provided at the hearing(s) for those who attend.

b. The County will implement the general requirements outlined in item a above by...
- publishing a notice of the pending Con Plan, AAP, and CAPER, in a newspaper of general circulation, to provide citizens, public agencies, and other interested parties knowledge of the action, and to direct them to the appropriate website for detailed information, including the draft document. The notice will also advise the public that a copy is available for review at the County and at the member communities' offices. Finally, the notice will advise the public of its right to (and how to) submit comments,
- placing the Con Plan, AAP, CAPER, and each HUD 7015.15, Notice of Intent to Request the Release of Funds and Notice of Finding of No Significant Impact/ Notice of Intent to Request the Release of Funds on the County's website, along with other program information concerning funding amount(s), eligibility, environmental classification, compliance with program requirements, and other pertinent information. MHC member communities will do the same.
- making copies of the proposed Con Plan, AAP and CAPER available for review at the Macomb County Community Services Agency, the Clinton Township Municipal Building, the City of Roseville City Hall, the City of Sterling Heights City Hall and, when appropriate, area libraries and other public places. One free copy of the Plan will be provided to citizens and groups requesting it.
- providing 30 days for public comment, after public notice of the proposed Con Plan and/or AAP and CAPER has been published in a newspaper of general circulation.
- HUD 7015.15 (Environmental Certification and Request for Release of Funds) provides for citizen review and comment concerning the effect of activities undertaken on the human environment. In order to foster dissemination of the associated public notices (Notice of Intent to Request the Release of Funds and Finding of No Significant Impact/Notice of Intent
to Request the Release of Funds), the County will for all affected CDBG and MHC activities post the cited document on its website, and will also post the supporting public notices with the County Clerk’s office. Additional posting of the notices in public buildings for areas affected by the projects will be considered and, where practical, effectuated.

5. Public Hearings:

In order to encourage informed participation in the development of the Con Plan, two public hearings will be held during the year and, for the Con Plan only, two additional public meetings. This will occur in the following manner:

a. Development of the Con Plan:
There will be one public hearing for citizens, and 2 additional focus group meetings with housing, social service, and health agencies, concerning the Con Plan and other basic Program requirements. Information concerning funding projections over the life of the Con Plan, the County’s plan to minimize displacement and assist any displaced person, and general activity information, will be provided. The major goal will, however, be to obtain views concerning community needs and incorporate them in the Con Plan.

- There will be two focus group meetings: one for housing providers, including housing commissions, and one for social service and health agencies, both of which will include any relevant community and faith-based organizations. These meetings will occur in January and February, before the preliminary Con Plan is drafted, so that the views aired may be considered for incorporation.

- The public hearings will occur before the Con Plan is submitted for review and approval by the County’s Board of Commissioners. This hearing will occur simultaneously with presentation of the County’s AAP. MHC members will hold their own hearings. All told, there will be 4 public hearings to solicit citizen views and comments.

b. Development of Annual Plans:

Each year, the County must prepare an AAP (outlining strategies, actions, and activities to be undertaken during the coming year) for its CDBG, HOME and any special program allocations coming from HUD. The AAP must be developed in consultation with citizens and stakeholders, and at least one public hearing will occur. (MHC members are responsible for developing their CDBG AAP’s). There are 21 local communities in the Urban County. CDBG funds are allocated to each community which develops its own program in conformance with law and regulation, and in conformance with the Con Plan. Macomb County and the MHC member communities must develop uses for HOME funding as well.

The 21 local communities in the Urban County will meet this requirement in the following manner:

- A general community meeting will be held early in the planning cycle, usually the first week of December. Communities receive essential program information, and are encouraged to ask questions and discuss concerns at this time.

- Each community will conduct its own public hearing to solicit citizen views on activities, and to provide eligibility, funding and other information essential to inform participation. These hearings will occur within three months of the community meeting.

- A second public hearing will occur, at the County level, once the Annual Plan has been prepared, but prior to its submission for review and Board of Commissioner adoption. This hearing will be coincident with that for the Con Plan, when appropriate.

c. Amendments:
The County may find it necessary to amend its Con Plan or AP, due to exigency or to further Con Plan or AP goals and activities. Sometimes one or several such changes may substantially (defined below) alter the Plan(s) to such an extent that public input is required. The County has therefore established the following criteria to establish a threshold to require further public participation.

Definition of Substantial Amendment:

A. Consolidated Plan: Any significant change in priorities, goals and objectives (e.g. new addition or deletion of existing) outlined in the Con Plan.

B. Annual Action Plan: One, or several cumulative activity changes, equal to 10% of any year’s grant funding, or any change that would significantly affect the outcomes of the Con Plan or AAP as approved by HUD. Change, as defined, affects the size, scope, location, or beneficiaries of activities. MHC members will follow their own citizen participation plans for changes to the CDBG program.

Citizen Notification: Citizens will have reasonable notice and opportunity to comment on substantial amendments through: 1) a public notice explaining the nature of, and reasons for, the amendment and, 2) a public hearing. Citizens will be directed to the website of the County or (for HOME) the MHC member communities for detailed information. The notice will be published in a newspaper of general circulation, and will advise the public of the date, time and venue for the hearing. At least thirty days must lapse between publication and the hearing itself.

d. Consideration of Comments Received:
   The County and MHC member communities will consider any comments or views received (oral, written or electronic), as they pertain to the Con Plan and Annual Action Plan, or any substantial amendment to the same. A summary of comments and how they were considered will be attached to the Con Plan and AAP, in conformance with HUD regulations.

6. Performance reports: The County will provide citizens with reasonable notice and an opportunity to comment on Program performance before submission of the CAPER. Each member of the MHC will follow its own Citizen Participation Plan for its CDBG program. For purposes of the County’s CDBG program and the MHC HOME programs, the following applies:

a. Reasonable notice will be provided through Notice in a newspaper of general circulation, indicating where the report may be reviewed, and notifying the public that a public hearing will be held for the purpose of evaluating Program performance. The Notice will indicate that the CAPER may be reviewed on the website of the County and the member communities. This Notice will be published at least 30 days before CAPER submission to HUD, and 15 days before the Public Hearing.

b. The County and, when appropriate, MHC member communities, will consider written, electronic, and oral comments received before CAPER submission. A comment summary will be attached to the report, along with a narrative explanation of how they were considered.

7. Public hearings: There will be at least three annual public hearings during the year (two for the Con Plan and AAP, and one for the CAPER) to obtain citizen views, to respond to proposals and questions pertaining to housing, priority non-housing community development needs, development of proposed activities, proposed uses of funds, and program performance. The timing was described previously.

8. Meetings: The County will inform citizens of the dates and locations for public meetings through public notices which will appear in a newspaper of general circulation at least 15 days in advance of the event.
9. **Availability to the Public:** All Plans, Amendments, and Reports covered by this Plan will be available to the public, including persons with disabilities, at Macomb County Community Services Agency, located at 21885 Dunham Road Suite 10, Clinton Township, MI 48036. They will also, when appropriate, be available at the Clinton Township Planning Department, at 40700 Romeo Plank Rd., Clinton Township MI, 48038, at the City of Roseville City Hall, 29777 Gratiot Avenue, Roseville MI, 48066, and at the City of Sterling Heights Development Division, 40555 Utica Rd., Sterling Heights MI, 48314. These documents will also be posted on-line at the websites of the County and MHC member communities.

10. **Access to Records:** All plans, reports, environmental review records, and related documents (except for portions covered by Federal and State privacy statute) are public and are therefore available for review by citizens, public agencies, and other interested parties. Any person or entity may obtain these documents and records, for the preceding five years, by filing a written request with, or calling the County at 586/466/6256 (Urban County and MHC), the Planning Department at 586/286/9325 (Clinton Township CDBG and Clinton Township HOME projects), the Community Development Department at 586/447/4606 (Roseville CDBG and Roseville HOME projects), and the Development Division at 586/446/2724 (Sterling Heights CDBG and Sterling Heights HOME projects). Four days advance notice is required.

11. **Technical Assistance:** Groups representing lower-income persons may receive help so that they may develop funding proposals under any of the programs covered by the Con Plan. The County will provide basic levels of assistance so that the group will be able to make informed decisions regarding its ideas for funding. No monetary assistance will be provided. MHC members will follow their citizen participation plans in matters pertaining to their CDBG programs.

12. **Use of Citizen Participation Plan:** MPED will follow the measures outlined in this Plan, except in cases of public exigency, or unless otherwise instructed by HUD. MHC members will follow their citizen participation plans in matters pertaining to their CDBG programs.

13. **Responsibility for Development and Implementation:** Nothing in this Plan restricts the responsibility or authority of the Urban County, its participating communities, or MHC member communities in Program Development and implementation. This provision does not apply to the CDBG programs of Clinton Township, Roseville and Sterling Heights.
July 23, 2013

TO:        BOARD OF COMMISSIONERS

FROM:      JAMES CARABELLI, CHAIR
           INFRASTRUCTURE COMMITTEE

RE:        RECOMMENDATION FROM INFRASTRUCTURE COMMITTEE
           MEETING OF JULY 23, 2013

At a meeting of the Infrastructure Committee, held Tuesday, July 23, 2013, 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 Smith, supported by Brown, to recommend that the Board of Commissioners approve waiving of the County Charter, Section 10.6.2, to authorize the CIO to contract with a third-party to hire Systems Technician Lisa Hubbard on a part-time basis until such time as the vacant, full-time budgeted position is filled and the new person is properly trained, for a period not to exceed 180 days; 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 CARABELLI, SUPPORTED BY VICE-CHAIR SMITH.
To: David Flynn, Board Chair  
From: Pamela J. Lavers, Assistant County Executive  
Date: June 20, 2013  
RE: Agenda Item – MIS, Third Party Hire – Retired Systems Technician

Attached you will find documentation and a resolution from Chief Information Officer, Sandy Jurek to waive the County Charter, Section 10.6.2, to authorize the CIO to contract with a third-party to hire Systems Technician Lisa Hubbard on a part-time basis, until such time as the vacant, full-time budgeted position is filled and the new person is properly trained, for a period not to exceed 180 days.

The Executive Office respectfully submits this agenda item for the Commission’s consideration and recommends approval of the third-party hire as stated above.

PJL/smf

cc: Eric Herppich, HRLR Director  
Sandy Jurek, Information Technology
Resolution to:
waive the County Charter, Section 10.6.2, to authorize the CIO to contract with a third-party to hire Systems Technician Lisa Hubbard on a part-time basis, until such time as the vacant, full-time budgeted position is filled and the new person is properly trained, for a period not to exceed 180 days.

Introduced By:
Jim Carabelli, Chair, Infrastructure Committee

Additional Background Information (If Needed):
Lisa Hubbard would become a part-time (15 hours weekly) contact employee, contracting through an outside vendor until such time as the vacant, full-time budgeted position is filled and the new person is properly trained. Lisa performs telecom related duties with the Department and does not have a backup at this time due to budgetary constraints. Telecom is a mission-critical function of the County.
**June 10, 2013**

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

**Information Technology**  
REQUEST APPROVAL / ADOPTION OF  
Contract Employment of Systems Technician Lisa Hubbard

<table>
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<tr>
<th>SUBJECT:</th>
<th>Contract employment of Systems Technician Lisa Hubbard.</th>
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**IT IS RECOMMENDED THAT THE EXECUTIVE SUBMIT TO THE BOARD:**  
A resolution to waive the County Charter, Section 10.6.02m to authorize the CIO to contract with a third-party to hire Systems Technician Lisa Hubbard on a part-time basis, until such time as the vacant, full-time budgeted position is filled and the new person is properly trained, for a period not to exceed 180 days.

**PURPOSE / JUSTIFICATION:**  
Lisa Hubbard has retired effective June 7, 2013. Lisa would become a contract employee of a third-party on a part-time basis (15 hours weekly) to train the new employee who will be hired to replace her.

**FISCAL IMPACT / FINANCING:**  
Salary for this position will be funded from 66020401/80185 at a cost of $50.00 per hour, for a total estimated 180 cost of $18,000.00.
FACTS AND PROVISION / LEGAL REQUIREMENTS:

CONTRACTING PROCESS:
Lisa Hubbard will contract with a third party for IT personnel.

IMPACT ON CURRENT SERVICES (PROJECTS):
Until the hiring and training of a new full time employee, the following services will be put on hold:

* Add new phones to the system, remove old phones
* Configure and maintain Auto Attendants for all Depts.
* Order POTS and Centrex lines
* Order new services from AT&T
* Configure and maintain voice mail for all Depts.
* Assist clients with setting up speed dial
* Reconfigure phones as requested by Depts
* Liaison between AT&T service and I.T.
* Order any line moves from AT&T
* Responsible for Cisco Corporate Directory
* Reset voice mail boxes and passwords

Respectfully submitted,

[Signature]

Information Technology
CONTRACT REVIEW ROUTING FORM

ORIGINATING DEPARTMENT INFORMATION

Sandy Jurek  
Information Technology

Date: 06/10/2013

Call Diane

Contract Contact Person: Diane Ehrler  
Contact Phone Number: 469-0524

NOTE: Contracts are returned interoffice mail unless specified below.

Contacts are returned interoffice mail unless specified below:

Department Leader: Department: Date:

Sandy Jurek  
Information Technology  
06/10/2013

Contract Contact Person: Diane Ehrler  
Contact Phone Number: 469-0524

NOTE: Contracts are returned interoffice mail unless specified below.

Department Leader: Department: Date:

Sandy Jurek  
Information Technology  
06/10/2013

Contract Contact Person: Diane Ehrler  
Contact Phone Number: 469-0524

NOTE: Contracts are returned interoffice mail unless specified below.

Department Leader: Department: Date:

Sandy Jurek  
Information Technology  
06/10/2013

Contract Contact Person: Diane Ehrler  
Contact Phone Number: 469-0524

NOTE: Contracts are returned interoffice mail unless specified below.

Department Leader: Department: Date:

Sandy Jurek  
Information Technology  
06/10/2013

Contract Contact Person: Diane Ehrler  
Contact Phone Number: 469-0524

NOTE: Contracts are returned interoffice mail unless specified below.

Resolution to waive County Charter, Section 10.6.2

GRANT Agreement  
Funded

Return By Date: 6/14/13

1. OFFICE OF CONTRACT MANAGEMENT

☐ Verified - SEND TO RISK MANAGEMENT  
☐ Rejected - Return to requesting Department

NOTES:

2. RISK MANAGEMENT -

☐ Approved  
☐ Approved with changes

SEND TO  
FINANCE DEPARTMENT

Authorized Signature  
Date

3. FINANCE DEPARTMENT -

☐ Approved  
☐ Approved with changes

SEND TO  
CORPORATION COUNSEL

Authorized Signature  
Date

4. OFFICE OF CORPORATION COUNSEL -

☐ Approved  
☐ Approved with changes

SEND TO  
OCE

Authorized Signature  
Date

5. OFFICE OF COUNTY EXECUTIVE -

☐ Approved  
☐ BOC Review Required  
☐ Approved with changes

RETURN TO  
CONTRACT MANAGEMENT

Authorized Signature  
Date
CONTRACT REVIEW ROUTING FORM

Department Leader: Sandy Jurek

Information Technology

Date: 06/10/2013

Contract Contact Person: Diane Ehrler

Contact Phone Number: 469-0524

NOTE: Contracts are returned interoffice mail unless specified below:

Call Diane for Pick Up: # 469-0524

CONTINUATION INFORMATION

Resolution to waive County Charter, Section 10.6.2

Vendor Number (if known):
Vendor Name:

Original Contract Amount:

Amendment Amount:

Total Amended Contract Amount:

Funding Source - Org key/Project - (if known):

Vendor Disclosure Form Attached:

Yes
No

Contact: New
Renewal
Amendment

If Renewal or Amendment, what terms have changed (if any):

Amendment Number:

Contract Bid:

Yes
No

If not bid out, please explain:

Lowest Bid:

Yes
No

Bid Number: How many bidders responded?

Winning bidder Macomb County Enterprise:

Yes
No - Explain:

OTHER CONTRACT INFORMATION

☐ CONTRACT requires signature of County Executive ONLY. Designee signature will not be accepted.

PLEAS CHECK APPROPRIATE ITEM BELOW (IF APPLICABLE):

1. Awarding a contract of $35,000 or more for services, supplies, materials, equipment or real estate.
2. Awarding a contract of $100,000 or more for construction.
3. Awarding a contract modification exceeding 10% of the original approved contract amount.
4. Awarding a contract that exceeds 5 years in length.
5. Employer paid fringe benefits.
7. Intergovernmental agreements as defined by Charter Section 3.1.

Waive County Charter, Section 10.6.2, to authorize the CIO to contract with a third-party to hire Systems Technician Lisa Hubbard on a part-time basis, until such time as the vacant, full-time budgeted position is filled and the new person is properly trained, for a period not to exceed 180 days. The estimated cost for 180 days is $18,000.00.
July 24, 2013

TO: BOARD OF COMMISSIONERS

FROM: FRED MILLER, CHAIR
FINANCE COMMITTEE

RE: RECOMMENDATIONS FROM FINANCE COMMITTEE MEETING OF JULY 24, 2013

At a meeting of the Finance Committee, held Wednesday, July 24, 2013, the following recommendations were made and are being forwarded to the July 25, 2013 Full Board meeting for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Klinefelt, supported by Moceri, to recommend that the Board of Commissioners approve an amendment to the Health Department Fiscal Grant Fund in the amount of $92,190 with an increase in State – Grants Revenue and accompanying increases in Contract Services and Supplies and Services; Further, this budget action addresses budgetary issues only. It does not constitute the Commission’s approval of any County contract. If a contract requires Commission approval under the County’s Contracting Policy or the County’s Procurement Ordinance, such approval must be sought separately; Further, a copy of this Board of Commissioners’ action is directed to be delivered forthwith to the Office of the County Executive. THE MOTION CARRIED.

2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Brown, supported by Boyle, to recommend that the Board of Commissioners approve an increase in the approved Head Start budget In-Kind revenue and expenditure line items by $55,825; also, approve budget increases for In-Kind revenues and In-Kind expenditures in the amount equal to In-Kind contributions received over the balance of the fiscal year; Further, this budget action addresses budgetary issues only. It does not constitute the Commission’s approval of any County contract. If a contract requires Commission approval under the County’s Contracting Policy or the County’s Procurement Ordinance, such approval must be sought separately; Further, a copy of this Board of Commissioners’ action is directed to be delivered forthwith to the Office of the County Executive. THE MOTION CARRIED.

MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair
District 4

Kathy Tocco – Vice Chair
District 11

Mike Boyle – Sergeant-At-Arms
District 10

Toni Moceri – District 1

Marvin Sauger – District 2

Veronica Klinefelt – District 3

Robert Mijac - District 5

James Carabelli – District 6

Don Brown – District 7

Kathy Vosburg – District 8

Fred Miller – District 9

Bob Smith – District 12

Joe Sabatini – District 13
3. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Moceri, supported by Flynn, to recommend that the Board of Commissioners approve the Community Development Annual Plan for FY 2013/2014; 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.**

4. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Sabatini, supported by Sauger, to recommend that the Board of Commissioners approve an increase in the Civil Service Commission FY 2013 Budget by $10,812 to allow for the anticipated pre-employment testing for the remainder of FY 2013 as follows: 1012200180135 CS – Doctors, $4,182 (pre-employment physical examinations) and 1012200183805 CS – Psychological Evaluations, $6,630 (pre-employment psychological examinations); this resolution will be funded through the County Contingency Fund; Further, this budget action addresses budgetary issues only. It does not constitute the Commission’s approval of any County contract. If a contract requires Commission approval under the County’s Contracting Policy or the County’s Procurement Ordinance, such approval must be sought separately; Further, a copy of this Board of Commissioners’ action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED.**

5. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Brown, supported by Sabatini, to recommend that the Board of Commissioners approve the purchase of properties on 32 Mile Road at Eldred Road (Parcel ID #14-01-33-377-035) and 33 Mile Road at Dequindre Road (Parcel ID #14-01-30-300-015) in Bruce Township from the Macomb County Treasurer’s Office in the amount of $1,292.27 for payment of back taxes owed; this purchase was not planned and has not been budgeted, however, the Department of Roads has sufficient funds within the Right of Way budget to cover this purchase; 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.**

6. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Brown, supported by Mijac, to recommend that the Board of Commissioners authorize David Willis to purchase two months of military service time in the Macomb County Employees Retirement System under State Law MCLA 46.12a(14); Further, a copy of this Board of Commissioners’ action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED.**

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR MILLER, SUPPORTED BY VICE-CHAIR MOCERI.
Resolution to:
Amend the Health Department Fiscal Grant Fund in the amount of $92,190.00 with an increase in State - Grants Revenue and accompanying increases in Contract Services and Supplies & Services.

*SEE BELOW

Introduced By:
Toni Moceri, Chair, Health & Human Services Committee

Additional Background Information (If Needed):
The budget for the Health Department was developed as part of the 2013 fiscal budget submission, approved by the Board of Commissioners, and was based on the information known at that time. This revenue is the result of an increase (from $5,152,275 to $5,244,465) in the grant amount awarded to Macomb County by the Michigan Department of Community Health. These grant funds are to be applied to the Public Health Emergency Preparedness (PHEP) Project ($56,115), and the Public Health Emergency Preparedness - Cities Readiness Initiative (PHEP-CRI) ($36,075).

This additional grant funding award will not affect the County's General Fund.

*Further, this budget action addresses budgetary issues only. It does not constitute the Commission's approval of any County contract. If a contract requires Commission approval under the County's Contracting Policy or the County's Procurement Ordinance, such approval must be sought separately.

FORWARD TO THE FINANCE COMMITTEE.
*(This language was added by Health & Human Services Committee Chair Moceri.)
Resolution to:  
To approve an increase in the approved Head Start budget In-Kind revenue and expenditure line items by $55,825. MCCSA also requests that the Board approve budget increases for In-Kind revenues and In-Kind expenditures in the amount equal to In-Kind contributions received over the balance of the fiscal year.

*SEE BELOW

Introduced By:  
Toni Moceri, Chair, Health & Human Services Committee

Additional Background Information (If Needed):
MCCSA Head Start relies a great deal on In-Kind contributions as part of its operations. June In-Kind activity will exceed the approved budget by $55,825. MCCSA expects to continue receiving In-Kind contributions for the remainder of the Fiscal Year.

There is no impact on the County's General Fund.

The Head Start Act of 2007 requires that Head Start agencies seek out community partnerships and utilize In-Kind contributions to the extent possible as part of operations.

MCCSA Head Start will continue to be able to accept In-Kind contributions as part of its operations.

Further, this budget action addresses budgetary issues only. It does not constitute the Commission's approval of any County contract. If a contract requires Commission approval under the County's Contracting Policy or the County's Procurement Ordinance, such approval must be sought separately.

FORWARD TO THE FINANCE COMMITTEE.

*(This language was added by Health & Human Services Committee Chair Moceri.)

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</tr>
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<td>Full Board</td>
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</table>
Approve the Community Development Annual Plan for FY 2013/14.

Toni Moceri, Chair, Health & Human Services Committee

The Urban County of Macomb and the Macomb HOME Consortium annually receive Federal funding for the Community Development Block Grant (CDBG) and HOME programs. HUD requires an Annual Plan before funding is awarded. Board authorization is necessary for the County Executive to sign the necessary documents. This is the first year that the County has been awarded the Emergency Solutions Grant (ESG).

The allocations for Macomb County for FY 2013/14 are as follows:
CDBG - $1,669,898
HOME - $1,078,665
ESG - $115,553

Community Development has identified projects in local communities for a variety of CDBG projects, with the remainder allocated for program administration and the Macomb Homeless Coalition. The County and other Consortium members (Clinton Township, Roseville, and Sterling Heights) have identified several possible activities for the HOME award.

HUD requires the local government to approve the Annual Plan.

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</table>
RESOLUTION

Resolution to:
Increase the Civil Service Commission FY 2013 Budget by $10,812 to allow for the anticipated pre-employment testing for the remainder of FY 2013 as follows:

101 22001 80135 CS - Doctors $4,182 (pre-employment physical examinations)
101 22001 83805 CS - Psychological Evaluations $6630 (pre-employment psychological examinations)

This resolution will be funded through the County Contingency Fund.

Introduced By:
Government Operations Committee

Additional Background Information (If Needed):

This budget adjustment is necessary to accommodate actual and anticipated hiring for Dispatchers and Corrections Officers for the Macomb County Sheriff's Office. The chart below shows the actual new hires for 2011, 2012, and Year-To-Date 2013.

<table>
<thead>
<tr>
<th>POSITION</th>
<th>2011 NEW HIRES</th>
<th>2012 NEW HIRES</th>
<th>2013 (Year-To-Date) NEW HIRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corrections Officers</td>
<td>8</td>
<td>17</td>
<td>23 + 9 in process = 34</td>
</tr>
<tr>
<td>and Dispatchers</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The cost of pre-employment physical examinations ($123) and psychological testing ($195) per applicant is $318. For the 34 applicants processed year to date, we have / will expend $10,812. This is 76% of our total budget for FY2013 of $14,150.

We anticipate this rate of hiring to continue throughout the foreseeable future due to: Macomb county municipalities contracting with the MCSO to provide dispatching and law enforcement services (New Haven PD, Clinton Twp dispatchers; Sterling Heights PD); Construction of a Central Dispatch Center that may require additional personnel; An increase in MCSO personnel retirements.

The MCSO anticipates this increased hiring level will continue through 2016.

Committee              | Meeting Date
-----------------------|---------------
Finance*               | 7-24-13
Full Board             | 7-25-13

*This item was waived to Finance by Government Operations Committee Chair due to not receiving the item in sufficient time to place on July 15th agenda.
Resolution Number: 
Full Board Meeting Date: 

MACOMB COUNTY, MICHIGAN

Resolution to:
Purchase properties on 32 Mile Road at Eldred Road (Parcel ID#14-01-33-377-035) and 33 Mile Road at Dequindre Road (Parcel ID#14-01-30-300-015) in Bruce Township from the Macomb County Treasurer's Office in the amount of $1,292.27 for payment of back taxes owed.

This purchase was not planned and has not been budgeted, however, the Department of Roads has sufficient funds within our Right of Way budget to cover this purchase.

Introduced By:
Jim Carabelli, Chair, Infrastructure Committee

Additional Background Information (If Needed):

*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR

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</table>
Resolution Number:                                Full Board Meeting Date:  

MACOMB COUNTY, MICHIGAN

RESOLUTION

Resolution to:

Authorize David Willis to purchase 2 months of military service time in the Macomb County Employees Retirement System under State Law MCLA 46.12a(14).

Introduced By:

Fred Miller, Chair, Finance Committee

Additional Background Information (If Needed):

See Attached Letter

<table>
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July 25, 2013

TO: BOARD OF COMMISSIONERS

FROM: TONI MOCERI, CHAIR
HEALTH & HUMAN SERVICES COMMITTEE

RE: RECOMMENDATION FROM SPECIAL HEALTH & HUMAN SERVICES COMMITTEE MEETING OF JULY 25, 2013

At a special meeting of the Health & Human Services Committee, held Thursday, July 25, 2013, the following recommendation was made and is being forwarded to the July 25 Full Board meeting for approval:

1. COMMITTEE RECOMMENDATION – MOTION  (SEE ATTACHED)

A motion was made by Tocco, supported by Boyle, to recommend that the Board of Commissioners compel the Medical Examiner to appear before the Board of Commissioners to answer questions pertaining to the budget process and matters related to the Office of Medical Examiner; 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 MOCERI, SUPPORTED BY VICE-CHAIR BOYLE.
MACOMB COUNTY, MICHIGAN

RESOLUTION TO *See below

INTRODUCED BY: Toni Moceri, Chair, Health & Human Services Committee

*At the 7-25-13 special Health & Human Services Committee meeting, the following action was taken:

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Tocco, supported by Boyle, to recommend that the Board of Commissioners compel the Medical Examiner to appear before the Board of Commissioners to answer questions pertaining to the budget process and matters related to the Office of Medical Examiner; 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.
BOARD OF COMMISSIONERS
MACOMB COUNTY, MICHIGAN

Commissioner ______________, supported by Commissioner ______________, moved adoption of the following:

Resolution No. 13-___

A Resolution Issuing a Subpoena to
County Medical Examiner Daniel Spitz, Jr., M.D

Whereas, the Commission has repeatedly requested that the Medical Examiner attend Commission meetings to explain his office’s budget, contracts, and office operations and procedures over the last several years; and

Whereas, the Commission has repeatedly been thwarted in those requests; and

Whereas, pursuant to subsection 4.4(g) of the Home Rule Charter of the County of Macomb, the Commission “may subpoena individuals, compel the production of records, and administer oaths;” and

Whereas, the Commission finds it necessary to issue a subpoena to County Medical Examiner Daniel Spitz to compel his attendance and the production of documents and information related to the duties of his office.

Therefore, it is resolved that:

1. Pursuant to Charter section 4.4(g) the Commission hereby subpoenas Dr. Daniel Spitz, County Medical Examiner.

2. Dr. Spitz is ordered to appear at the regular Commission meeting held at 7:00 p.m. on Thursday August 15, 2013, at the Macomb County Administration Building, 9th Floor, 1 S. Main Street, Mount Clemens, Michigan 48043, to provide a full report on subjects connected with the duties of his office, and to produce such information necessary to answer the following questions:

(a) How does the Medical Examiner determine the needs for examinations and how are they prioritized?

(b) How does the number of examinations compare to the national average?

(c) How do the methods used in the Medical Examiner’s Office compare to national standards?

(d) How does the Medical Examiner’s office size and structure compare to others nationwide?
(e) Has there been progress on reaching accreditation with the National Association of Medical Examiners?

(f) The Commission requests a status report on annual medical examiner reports.

(g) And other information related to the management and operation of the Office of the Medical Examiner.

3. A copy of this Resolution and the subpoena shall be delivered forthwith to the Office of the County Medical Examiner and Daniel J. Spitz, M.D. personally.

4. A copy of this Resolution and the subpoena shall be delivered forthwith to the Office of the County Executive.

David Flynn, Chair  
Macomb County Board of Commissioners

Carmella Sabaugh  
Macomb County Clerk

Dated: ________________, 2013
BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN

Subpoena to Appear and Produce

Pursuant to Section 4.4(g) of the Home Rule Charter of the County of Macomb, the Board of Commissioners hereby subpoenas County Medical Examiner Daniel J. Spitz, M.D.

Daniel J. Spitz, M.D. is ordered to appear personally and produce the information detailed in Resolution 13-__ attached as Exhibit A at the full Commission meeting scheduled for 7:00 p.m. on Thursday August 15, 2013, at the Macomb County Administration Building, 9th Floor, 1 S. Main Street, Mount Clemens, Michigan 48043.

This subpoena is issued at the direction of the Commission pursuant to the adoption of Resolution 13-__ on July 25, 2013.

______________________________
David Flynn, Chair

Date: ____________, 2013

Proof of Service

I, ________________, certify that I am employed by the Macomb County Board of Commissioners, and that ________________, 2013, I served copies of the Macomb County Commission Subpoena issued by Resolution _____ on _______________ by hand delivery.

This statement is true to the best of my knowledge and belief.

Dated: ____________, 2013  
______________________________

Acknowledgement of Service

I ________________, acknowledge that I have received service of the subpoena on ____________ ____________

______________________________
Signature
BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN

Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County;” and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, the Commission exercised that authority when it adopted Ordinance 2012-1 to establish comprehensive policies and procedures governing the awarding of contracts; and

Whereas, the Commission considers County buildings, facilities, and other County-owned property to be public assets owned and operated for the benefit of the County and its residents and believes the naming of that property should be undertaken in a deliberative process open to the public; and

Whereas, on June 20, 2013, the Commission adopted Ordinance 2013-4 to amend Ordinance 2012-1 to provide the procedures governing the awarding of naming-rights contracts for County buildings, facilities, or other County-owned property to include Commission approval; and

Whereas, on July 8, 2013, the County Executive vetoed that ordinance; and

Whereas, the Commission believes that Ordinance 2013-4 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Ordinance 2013-4.

Date: ______________, 2013

____________________________
David Flynn, Commission Chair

____________________________
Carmella Sabaugh, County Clerk

Adopted: _____________, 2013
Delivered to Executive: _____________, 2013
Notice Published: _____________, 2013
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

I am in receipt of your adopted Ordinance No. 2013-4, which amends the purchasing policy in Ordinance 2012-1.

Section 8.10 of the Charter requires the Commission to adopt comprehensive "policies and procedures" governing the awarding of contracts. It does not authorize the Commission to do so by ordinance. Section 4.6 of the Charter requires the Commission to act by resolution unless an ordinance is required by the Charter or law.

Therefore, Ordinance No. 2013-4 is hereby vetoed. Because Ordinance No. 2013-4 violates the Charter, the Ordinance is a nullity and is void for lack of authority. Since Ordinance 2013-4 has no force and effect and is unenforceable, it will not be followed if this veto is overridden.

Sincerely,

Mark A. Hackel
Macomb County Executive
BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN

Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County” and the Michigan Court of Appeals, in Hackel v Macomb County Commission, 298 Mich App 311 (2012), ruled that the Commission’s power to approve contracts includes the power to disapprove contracts; and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, the Commission exercised that authority when it adopted Ordinance 2012-1 to establish comprehensive policies and procedures governing contract awards; and

Whereas, on June 20, 2013, the Commission adopted Ordinance 2013-5 to amend Ordinance 2012-1 to require that certain County contracts include provisions ensuring that skilled tradespersons and laborers constructing, altering, repairing, and improving County-owned facilities work in harmony with all contractors working on a given project; and

Whereas, the Commission, in adopting Ordinance 2013-5 exercised its policy-making authority and desired to establish by ordinance certain criteria that it would consider when voting to approve or disapprove contracts as authorized under Charter section 4.4(d); and

Whereas, on July 8, 2013, the County Executive vetoed that ordinance; and

Whereas, the Commission believes that Ordinance 2013-5 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Ordinance 2013-5.

Date: ____________, 2013

______________________________
David Flynn, Commission Chair

______________________________
Carmella Sabaugh, County Clerk

Adopted: ____________, 2013
Delivered to Executive: ____________, 2013
Notice Published: ____________, 2013
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

I am in receipt of your adopted Ordinance No. 2013-5 which purports to amend Article 4, Section 4.1 of Ordinance No. 2012-1.

Section 8.10 of the Charter requires the Commission to adopt comprehensive “policies and procedures” governing the awarding of contracts. It does not authorize the Commission to do so by ordinance. Section 4.6 of the Charter requires the Commission to act by resolution unless an ordinance is required by the Charter or law.

Further, the Commission does not have any authority to dictate how policies and procedures will be implemented. Under Section 8.10, implementation of policy is the Executive’s responsibility. In addition, the Court of Appeals held, in Hackel v Commission, that negotiation of contracts is a power of the Executive, not the Commission, meaning the Commission cannot dictate the terms to be included in a contract.

Therefore, I hereby veto Ordinance No. 2013-5. Because it exceeds the Commission’s authority, the Ordinance is a nullity, is void for lack of authority, has no force and effect, and is unenforceable. It will not be implemented if this veto is overridden.

Sincerely,

Mark A. Hackel
Macomb County Executive
Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County;” and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, the Commission exercised that authority when it adopted Ordinance 2012-1 to establish comprehensive policies and procedures governing the awarding of contracts; and

Whereas, when exercising its Charter granted authority to approve contracts, the Commission often requested information about other bidders and specifications for projects which information was not always timely supplied; and

Whereas, as a result and in an effort to improve transparency and institutional accountability in County contracts, the Commission adopted Ordinance 2013-6 on June 20, 2013, to amend Ordinance 2012-1 to provide the Commission with the right to access the County bid library to review open and closed requests for proposals and requests for qualifications; and

Whereas, on July 8, 2013, the County Executive vetoed that ordinance; and

Whereas, the Commission believes that Ordinance 2013-6 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Ordinance 2013-6.

Date: ______________, 2013

______________________________
David Flynn, Commission Chair

______________________________
Carmella Sabaugh, County Clerk

Adopted: ______________, 2013
Delivered to Executive: ______________, 2013
Notice Published: ______________, 2013
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

I am in receipt of your adopted Ordinance No. 2013-6 which purports to amend Article 4, Section 4.2 of Ordinance No. 2012-1.

The new Section 4.2(O) appears to grant the Commission a “right” that it does not have the authority to grant to itself. The Charter does not grant the Commission any power or authority to create new rights or powers for itself.

In addition, the Charter granted all control and supervision of County facilities and operations to the County Executive. The maintenance of, and access to, the County bid library are therefore Executive functions which cannot be overridden by the Commission.

Further, Section 4.6 of the Charter requires the Commission to act by resolution unless an ordinance is required by the Charter or law.

Finally, the Commission already has access to all publicly available bid information. Ordinance No. 2013-6 is therefore redundant and meaningless.

Because Ordinance No. 2013-6 violates the Charter and exceeds the Commission’s authority under the Charter and laws, the Ordinance is hereby vetoed as a nullity and as void for lack of authority.

Sincerely,

Mark A. Hackel
Macomb County Executive
Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County;” and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, the Commission exercised that authority when it adopted Ordinance 2012-1 to establish comprehensive policies and procedures governing the awarding of contracts, which ordinance included a requirement that the Commission approve contracts involving multiple purchases from a single vendor within a fiscal year that in total exceeded $35,000; and

Whereas, the Commission intended to clarify that repeated use of small purchases (those under $5,000) from single vendors that resulted in aggregate purchases exceeding $35,000 in a single fiscal year would require Commission approval; and

Whereas, on June 20, 2013, the Commission adopted Ordinance 2013-7 to amend Ordinance 2012-1 to clarify that the procurement of tangible goods in an amount of $35,000 or more from any single vendor during one fiscal year through the use of small purchases or automatically renewing purchase orders requires Commission approval in order to ensure that such methods are not used to circumvent Commission approval as authorized by the Charter; and

Whereas, on July 8, 2013, the County Executive vetoed that ordinance; and

Whereas, the Commission believes that Ordinance 2013-7 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Ordinance 2013-7.

Date: ______________, 2013

____________________________________________________________
David Flynn, Commission Chair

____________________________________________________________
Carmella Sabaugh, County Clerk

Adopted: ______________, 2013
Delivered to Executive: ______________, 2013
Notice Published: ______________, 2013
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

I am in receipt of your adopted Ordinance No. 2013-7 which purports to amend Section 6.3 of Ordinance No. 2012-1 by imposing certain purchase order requirements.

Section 8.10 of the Charter requires the Commission to adopt comprehensive “policies and procedures” governing the awarding of contracts. It does not authorize the Commission to do so by ordinance. Section 4.6 of the Charter requires the Commission to act by resolution unless an ordinance is required by the Charter or law. Ordinance No. 2013-7 exceeds the Commission’s authority under Section 4.6 of the Charter because Section 8.10 only authorizes the use of an ordinance for establishing requirements for competitive bidding and the use of sealed bids for purchases and contracts. Section 8.10 does not authorize the use of an ordinance to impose new policies relating to the use of purchase orders and small purchases.

Further, the provisions of Section 6.3 cannot be implemented with current staffing allocations and current computer resources, and even if it could be implemented, compliance will be impossible or extremely impractical. After a vendor’s sales to all units of the County reach $35,000.00, every new purchase from that vendor will need to be submitted to the Commission for approval, regardless of the amount of the new purchase. The new system would also need to deny new procurements that exceed the threshold, even when procurements are made by purchase orders and invoices, and it will be impossible to account for automatically renewing purchase orders until after the transaction has occurred.

Therefore, Ordinance No. 2013-7 is hereby vetoed as a violation of the Charter because it exceeds the Commission’s authority under Section 4.6, and because it will be impossible to implement. Rather than override this veto, it is my hope that the Commission will review the use of small purchase orders to understand how this mechanism works to deliver small purchases most efficiently and for the lowest cost.

Sincerely,

Mark A. Hackel
Macomb County Executive
BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN

Whereas, section 11.1 of the Home Rule Charter of the County of Macomb (the “Charter”) provides that all “ordinances, resolutions, rules, and regulations in force when this Charter takes effect shall remain effective unless changed by this Charter or an ordinance or resolution adopted under this Charter;” and

Whereas, the Commission adopted the County Living Wage Policy in 2006 (the “Policy”) to require that certain contractors pay employees a “living wage” as defined in the Policy; and

Whereas, the Policy authorizes the Commission to grant exemptions from the requirements therein; and

Whereas, the Policy was not changed by the Charter or an ordinance or resolution under the Charter; and

Whereas, the Macomb County Provider Alliance (MCPA) requested an exemption from the Policy, and the Commission, consistent with the provisions of the Policy, approved the exemption on June 20, 2013 by adopting Resolution 13-140; and

Whereas, if the Commission did not approve the exemption, the MCPA would be forced to pay a higher wage for employees which could endanger the ability of the MCPA to provide services under its limited financial resources; and

Whereas, on July 8, 2013, the County Executive vetoed that resolution; and

Whereas, the Commission believes that Resolution 13-140 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Resolution 13-140.

Date: ______________, 2013

______________________________
David Flynn, Commission Chair

______________________________
Carmella Sabaugh, County Clerk
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

Resolution No. 13-140 is hereby vetoed for the reason that there is no publicly available copy of the Resolution certified by the Macomb County Clerk as having been adopted and the resolution certificates provided to my office by the Clerk had no resolutions attached. Therefore, without knowing the final content of Resolution No. 13-140 as adopted by the Commission, I am left with no choice but to veto its adoption.

Additionally, if proposed Resolution No. 13-140 was adopted without change, it is also vetoed because it purports to concur in the request of the Macomb County Provider Alliance (MCPA) to approve an exemption from compliance with the Living Wage Policy of the County that existed prior to the effective date of the Charter. Under the Charter, the Executive has the authority, duty, and responsibility to direct and control all County departments, facilities, operations, and services, with the exception of those controlled by other Countywide Elected Officials. In addition, state law grants the Executive the sole authority to determine the procedures and policies applicable to the Community Mental Health Agency. See MCL 330.1204(2). Further, the Michigan Court of Appeals ruled, in Hackel v Commission, that the Executive may decide which contracts to negotiate and the terms of those contracts.

Therefore, Resolution No. 13-140 granting an exemption to the 2006 Living Wage Policy for all contracts with the Community Mental Health Agency is hereby vetoed as a nullity that is void for lack of authority. Going forward, my office will handle all MCPA requests, and if any of them fall within the Commission’s contract approval authority, they will be processed by my office and submitted to the Commission as required.

Sincerely,

Mark A. Hackel
Macomb County Executive
BOARD OF COMMISSIONERS
MACOMB COUNTY, MICHIGAN

Whereas, the section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) authorizes the Commission to “approve contracts of the County” and the Michigan Court of Appeals, in Hackel v Macomb County Commission, 298 Mich App 311 (2012), ruled that the Commission’s power to approve contracts includes the power to disapprove contracts; and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, the Commission adopted Resolution 12-1 to establish those comprehensive policies governing the awarding of contracts; and

Whereas, on June 20, 2013, the Commission adopted Resolution 13-143 to amend Resolution 12-1 to require that certain County contracts include provisions ensuring that skilled tradespersons and laborers constructing, altering, repairing, and improving County-owned facilities work in harmony with all contractors working on a given project; and

Whereas, the Commission, in adopting Resolution 13-143 exercised its legislative and policy-making authority under the Charter and desired to, by resolution, establish certain criteria it would consider when voting to approve or disapprove of contracts as authorized by Charter section 4.4(d); and

Whereas, on July 8, 2013, the County Executive vetoed that resolution; and

Whereas, the Commission believes that Resolution 13-143 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Resolution 13-143.

Date: ______________, 2013

________________________________________
David Flynn, Commission Chair

________________________________________
Carmella Sabaugh, County Clerk

Adopted: ______________, 2013
Delivered to Executive: ______________, 2013
Notice Published: ______________, 2013
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

Resolution No. 13-143 is hereby vetoed for the reason that there is no publicly available copy of the Resolution certified by the Macomb County Clerk as having been adopted and the resolution certificates provided to my office by the Clerk had no resolutions attached. Therefore, without knowing the final content of Resolution No. 13-143 as adopted by the Commission, I am left with no choice but to veto its adoption.

Additionally, if proposed Resolution No. 13-143 was adopted without change, it is also vetoed because it purports to add Section II.A.3 to the Commission’s Contracting Policy in Resolution No. 12-1. The Commission does not have any authority to dictate how policies and procedures will be implemented. Under Section 8.10, implementation of policy is the Executive’s responsibility. In addition, the Court of Appeals held, in Hackel v Commission, that negotiation of contracts is a power of the Executive, not the Commission, meaning the Commission cannot dictate the terms to be included in a contract.

Therefore, I hereby veto Resolution No. 13-143. Because it exceeds the Commission’s authority, the Resolution is a nullity, is void for lack of authority, has no force and effect, and is unenforceable. It will not be implemented if this veto is overridden.

Sincerely,

Mark A. Hackel
Macomb County Executive
BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN  

Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County;” and  

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and  

Whereas, the Commission exercised its discretion to approve contracts and, as required by Charter section 8.10, established comprehensive policies and procedures governing the awarding of contracts when in adopted Resolution 12-1, which included a self-imposed time limit of 21 days for the Commission to review and approve contracts submitted to it by the Executive; and  

Whereas, due to anomalies in calendars, holidays, and meeting schedules, the Commission did not have adequate time to thoroughly review contracts submitted in time to comply with its own self-imposed 21 day limit; and  

Whereas, while neither the Charter nor state law requires or provides a time limit for contract approval, the Commission wishes to self-impose a 45-day time limit to allow for timely approval of County contracts; and  

Whereas, on June 20, 2013, the Commission adopted Resolution 13-144 to amend Resolution 12-1 to extend the time limit to 45 days to approve contracts in order to appropriately review the terms and conditions of those contracts; and  

Whereas, on July 8, 2013, the County Executive vetoed that resolution; and  

Whereas, the Commission believes that Resolution 13-144 is in the best interests of the citizens of Macomb County.  

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Resolution 13-144.  

Date: ______________, 2013  

__________________________________________________________________________  
David Flynn, Commission Chair  

__________________________________________________________________________  
Carmella Sabaugh, County Clerk  

Adopted: ______________, 2013  
Delivered to Executive: ______________, 2013  
Notice Published: ______________, 2013  

9192855.1 36964/144595
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

Resolution No. 13-144 is hereby vetoed for the reason that there is no publicly available copy of the Resolution certified by the Macomb County Clerk as having been adopted and the resolution certificates provided to my office by the Clerk had no resolutions attached. Therefore, without knowing the final content of Resolution No. 13-144 as adopted by the Commission, I am left with no choice but to veto its adoption.

Additionally, if proposed Resolution No. 13-144 was adopted without change, it is also vetoed because it purports to amend Section II.B.I.c of the Contracting Policy in Resolution No. 12-1. The Commission’s commitment to efficient county government will be forfeit if the Commission can delay contract approvals for 45 days. Grass cutting, snow removal, window replacement, and other important services for seniors cannot wait more than 6 weeks. Many vendors will not wait that long; many grant contracts impose short deadlines; and many cost saving opportunities require much quicker responses.

Most municipalities hold full board meetings twice each month. The Commission should not endanger efficient government simply because it does not want to meet more often.

During the recent litigation relating to the Commission’s contracting requirements, the Commission’s legal counsel argued to the Macomb County Circuit Court that the Commission “has to approve these contracts within 21 days of the date that they’re submitted in an effort to assure to the Executive that it would be done promptly.” In my view, quality service to the public requires prompt action.

Therefore, I hereby veto Resolution No. 13-144, because a 45-day approval window is simply much too inefficient, is counter to the express purpose of the Charter, and will prove harmful to the best interests of Macomb County and its residents.

Sincerely,

Mark A. Hackel
Macomb County Executive
Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County;” and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, the Commission exercised its discretion to approve contracts and, as required by Charter section 8.10, established comprehensive policies and procedures governing the awarding the contracts when it adopted Resolution 12-1, which included a requirement that the Commission approve contracts involving the procurement of tangible goods in an amount of $35,000 or more at any time or from any single vendor during one fiscal year; and

Whereas, on June 20, 2013, the Commission adopted Resolution 13-145 to amend Resolution 12-1 to clarify that Commission approval was required for purchases using automatically renewing purchase orders when such purchases reached $35,000 in expenditures; and

Whereas, on July 8, 2013, the County Executive vetoed that resolution; and

Whereas, the Commission believes that Resolution 13-145 is in the best interests of the citizens of Macomb County and helps ensure that the use of automatically renewing purchase orders is not intended to circumvent Commission approval as authorized by the Charter and required by Resolution 12-1.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Resolution 13-145.

Date: _____________, 2013

David Flynn, Commission Chair

Carmella Sabaugh, County Clerk
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

Resolution No. 13-145 is hereby vetoed for the reason that there is no publicly available copy of the Resolution certified by the Macomb County Clerk as having been adopted and the resolution certificates provided to my office by the Clerk had no resolutions attached. Therefore, without knowing the final content of Resolution No. 13-145 as adopted by the Commission, I am left with no choice but to veto its adoption.

Additionally, if proposed Resolution No. 13-145 was adopted without change, it is also vetoed because it purports to amend Section II.B.3.f of the Commission’s contracting policy by imposing certain purchase order requirements. The new Section II.B.3.f appears to require Commission approval for the procurement of tangible goods in an amount of $35,000 or more from any single vendor during one fiscal year through the use of “Small Purchases” or through the use of “automatically renewing purchase orders.” Taken literally, Section II.B.3.f would require the following:

- Implementation of a tracking system whereby every department, division, branch, agency, or other unit of County government logs its specific vendor purchases.

- At the point when all purchases from the designated low-cost vendor reach a cumulative total of $35,000.00, whether divided among 2 or more units of County government, each new purchase from that vendor must then be submitted to the Commission for approval, regardless of the amount of the new purchase.

Therefore, Resolution No. 13-145 is hereby vetoed. Rather than override this veto, it is my hope that the Commission will review the use of small purchase orders to understand how this mechanism works to deliver small purchases most efficiently and for the lowest cost.

Sincerely,

Mark A. Hackel
Macomb County Executive
Whereas, section 4.4(d) of the Home Rule Charter of the County of Macomb (the “Charter”) empowers the Commission to “approve contracts of the County;” and

Whereas, section 8.10 of the Charter requires the Commission to adopt “comprehensive policies and procedures governing the awarding of contracts, including the procurement and handling of services, supplies, materials, and equipment;” and

Whereas, when exercising its Charter granted authority to approve contracts, the Commission often requested information about other bidders and specifications for projects which information was not always timely supplied; and

Whereas, as a result, on June 20, 2013, the Commission adopted Resolution 13-147 to amend Resolution 12-1 to provide the Commission with access to the County bid library so that it may review bid specifications, requests for proposals and bidder information to improve transparency and institutional accountability in County contracts; and

Whereas, on July 8, 2013, the County Executive vetoed that resolution; and

Whereas, the Commission believes that Resolution 13-147 is in the best interests of the citizens of Macomb County.

Therefore, it is resolved that the Commission hereby overrides the County Executive’s veto of Resolution 13-147.

David Flynn, Commission Chair

Carmella Sabaugh, County Clerk
July 8, 2013

The Honorable Chair and Members,
Macomb County Board of Commissioners
1 South Main Street, 9th Floor
Mt. Clemens, MI 48043

Ladies and Gentlemen:

Resolution No. 13-147 is hereby vetoed for the reason that there is no publicly available copy of the Resolution certified by the Macomb County Clerk as having been adopted and the resolution certificates provided to my office by the Clerk had no resolutions attached. Therefore, without knowing the final content of Resolution No. 13-147 as adopted by the Commission, I am left with no choice but to veto its adoption.

Additionally, if proposed Resolution No. 13-147 was adopted without change, it is also vetoed because it purports to add Section II.D.4 to the Commission’s contracting policy in Resolution No. 12-1. The new Section II.D.4 appears to be the Commission’s attempt at “reserving” a right that it does not have the authority to reserve. The Charter does not grant the Commission any power or authority to create new rights or powers for itself.

Further, the Charter granted all control and supervision of County facilities and operations to the County Executive. The maintenance of, and access to, the County bid library are therefore Executive functions which cannot be overridden by the Commission.

Finally, the Commission already has access to all publicly available bid information. Resolution No. 13-147 is therefore redundant and meaningless.

Because Resolution No. 13-147 violates the Charter and exceeds the Commission’s authority under the Charter and laws, the Resolution is hereby vetoed as a nullity and as void for lack of authority, and it will not be implemented if this veto is overridden.

Sincerely,

Mark A. Hackel
Macomb County Executive
RESOLUTION

WHEREAS, the Area Agency on Aging 1-B has been supporting services to Macomb County residents since 1974; and

WHEREAS, the Area Agency on Aging 1-B has assessed the needs of older county residents and developed a plan to provide assistance that addresses identified needs; and

WHEREAS, the proposed plan has been submitted for review by the public, and has been subjected to a public hearing; and

WHEREAS, the comments at the public hearings on the proposed plan were mostly favorable, and constructive changes in the plan were made as a result of some comments; and

WHEREAS, the Macomb County Board of Commissioners appoints two representatives to the AAA 1-B Board of Directors, a County Commissioner and a county resident who is at least 60 years of age; and

WHEREAS, the Michigan Office of Services requires that county Boards of Commissioners be given the opportunity to review and approve an area agency on aging’s annual implementation plan;

THEREFORE BE IT RESOLVED, that the Macomb County Board of Commissioners hereby approves the FY 2014-2016 Multi Year Plan of the Area Agency on Aging 1-B, for the purpose of conveying such support to the Area Agency on Aging 1-B and the Michigan Office of Services to the Aging.
INTRODUCED BY: Dave Flynn, Full Board

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

Meetings - Events:
- OCE – phone calls, meeting with OCE Intern, Maria Willett, space study with Mark Deldin
- Arts Authority Meeting
- County-wide Electeds
- Drain Board
- Judge Jennifer Faunce, Meet 'n Greet event
- Martha T. Berry Medical Facility Board Meeting
- Morgan Stanley Symposium
- Pension Board
- Skip Maccarone
- WSU – Warren campus location Grand Opening, July 24th
- OU Student presentation

Office:

Interns:
- Yuan Pei – Shanghai University
- Goran Ognjanoski - Oakland University
- Adam Scanlon - Oakland University
- Rico Rowe - Wayne State University

Upcoming Board Activities:
- PED’s Annual Fundraiser to benefit the Fallen & Wounded Soldiers Fund, August 20th – PED contact is Denise Mentzer.
- A lunch and silent auction will be held. BOC staff has donated a yoga-themed basket for the silent auction.

Emerging Issues:
- Budget Review Process
- Martha T. Berry Facility
- Veterans Affairs
- Freedom Hill
- County Space Utilization
- Medical Examiner

Region:
- “A Bumpy Road, Lansing Debate Over Transportation Funding” – August 2nd at WSU, Mich Suburbs Alliance
- RTA Meetings – see SEMCOG website
- MAC - August

Media:
- See attached articles.

| BOC – Independent Counsel: Expenditures for Outside Counsel Professional Services |
|----------------------------------|--------|----------------|------------|----------------|
| Payment                        | Service | Amount          | Budget     | % Utilized     |
| Invoice  | Charges  | Totals          | Remaining  |               |
| $72,500  | (2013)   |                 |            |               |
| $10,167.00 |         | $62,333.00     | 0.140      |
| $14,060.00 |         | $58,440.00     | 0.193      |
| $3,893.00 (Feb revised) |       | $13,205.12     | 0.320      |
| $3,985.00 (March) |         | $18,045.00     | 0.248      |
| $18,045.00 |         | $36,455.12     | 0.502      |
| $5,205.00 (April) |         | $23,250.00     | 0.140      |
| $13,205.12 (May) |         | $23,250.00     | 0.320      |
Unions sue after Macomb County imposes contracts with pay cuts

By Christina Hall Detroit Free Press Staff Writer Filed Under Local News Macomb County Mt. Clemens Mark Hackel
Jun. 23

Two Macomb County government employee unions filed a lawsuit Thursday against the county after it imposed contracts that include wage reductions and cuts to holiday and longevity pay.

The lawsuit filed by the Macomb County Professional Deputy Sheriff’s Association and Road Technicians Association came a week after members

of the unions attended a county board meeting and got commissioners to pass a resolution in support of the collective bargaining process. The unions said the contracts are bad for public service, public safety and taxpayers.

The two unions also have filed unfair labor practices with the Michigan Employment Relations Commission.

The unions, along with members of the AdTech Association, which is in the fact-finding stages regarding its contract, are planning an informational march and picket today at the county administration building in Mt. Clemens. The three unions represent about 375 employees total.

The lawsuit asks the court, in part, to declare the contracts void, enter an order halting their implementation, and enter an order directing the county to submit the imposed contracts to the county commission for final ratification or rejection under the county charter.

It states the contracts were not submitted to the commission per the county charter and that the contracts were imposed in retaliation for the unions asserting their rights in the Public Employment Relations Act.

The two sides have been in contract talks

since 2010 and have used a mediator and fact finder.

They met in May, with the unions saying they presented cost-saving measures. The unions then received letters saying the county must implement contract terms of their labor agreements that will expire Dec. 31.

“Twenty-three of 26 unions have been living under the same condition for the last two years,” said County Executive Mark Hackel. “It’s a fairness issue. It’s about doing what others have done.”

He said he understands the unions don’t want to take the concessions in the contracts implemented June 1. Hackel said the county will follow what the court decides.
County commissioners look to question medical examiner about large contract

By CHAD SELWESKI
chad.selweski@macombdaily.com
@cbsonewsman

County officials plan to call on the county coroner Dr. Daniel Spitz next month to question him about his new $377,000 contract and the apparent turmoil at the Medical Examiner’s Office.

A request to appear before the Board of Commissioners on July 25 was sent on Tuesday to County Executive Mark Hackel, top health administrators who oversee Spitz, and the medical examiner.

If Spitz refuses to show up, the commissioners might cite their authority under the voter-approved county charter to attempt to compel him to testify before the board’s Health and Human Services Committee.

“We will hold the line. The commissioners are taking this very seriously. This is a very large contract,” said county board Chairman Dave Flynn.

Assistant County Executive Al Lorenzo said he had not seen the request and could not comment on what path this latest divide between the board and the executive’s office may take.

“I really can’t react to it until I see the document,” Lorenzo said.

The Macomb Daily has reported in recent weeks that Spitz has engaged in a purge to eliminate all morgue staffers who dated back to 2004, when Spitz’s father, Dr. Werner Spitz, last served as the medical examiner. Four employees, including key, veteran staff members, quit in the past year, saying that the young Spitz’s rude, bullying management style forced them out.

Spitz said earlier this month that his new staff is working well and he will be hiring four new employees shortly who have medical experience, unlike previous staffers who were investigators, often with lengthy law enforcement backgrounds, who reported to death scenes.

The Macomb Daily also reported that the Clinton Township building where a newly formed company, Spitz Pathology Group, maintains a tiny office is owned by the coroner’s father. In addition, Spitz considers the Gratiot Avenue office a mere mailing address for his new business venture. He said he conducts all his business on county equipment in the office provided him in the newly built morgue.

The doctor last year arranged a revised agreement with the county that pays his company, Spitz Pathology, $377,000 a year to handle all of the county’s autopsies. That new contract, which includes a second medical examiner and new administrative duties, represents an 88 percent increase in compensation compared to his previous deal as a single contract employee making $200,000 annually.

It’s unclear what salaries are taken by Spitz and the assistant medical examiner.

Dr. Mary Pietangelo. But it is acknowledged that Spitz, though a contract employee, is still, by far, the highest-paid county employee.

Under the new format, Spitz said, the county will have the second medical examiner to perform autopsies, certified medical staffers at crime scenes, health care benefits for employees, and a strong relationship with the Gift of Life, which works with coroners to secure skin tissue and eyes from bodies for use in patients needing transplants.

Commissioner Toni Moore, chairwoman of the HHS Committee, said she expects Spitz and all relevant personnel in the Hackel administration to appear before the panel on July 25 to talk about the contract; employee turnover at the morgue; day-to-day operations; and Spitz’s appointment as medical examiner, which expires Dec. 31.

When the commissioners first learned of Spitz’s big contract in May, they requested that he appear before the committee. The response from the executive’s office said: “... It makes no sense to dedicate a significant amount of staff time answering these performance-related questions for a contract that is already in place. We can say, however, that the executive office is satisfied with the performance of the medical examiner and that all the terms and conditions of the contract are being respected.”
County board, Hackel butt heads on budget transparency

BY JEREMY SELWESKI
jselweski@candgnews.com

MACOMB COUNTY — A pair of new ordinances passed by the Macomb County Board of Commissioners are intended to provide greater transparency within the county’s budget, but County Executive Mark Hackel believes that they are merely a politically motivated power grab.

Hackel stressed at press time that although these ordinances were unanimously approved by the 13-member board on June 13, he still has the ability to veto them if he feels that they are not in the best interest of Macomb County.

“Just because they’ve adopted a new ordinance doesn’t mean that it becomes law — I still have to sign it,” said the Macomb Township Democrat. “They could pass an ordinance stating that the county executive has to wear a blue suit on Monday, Wednesday and Friday, but that doesn’t mean I have to wear a blue suit on Monday, Wednesday and Friday.”

The first transparency ordinance requires that a full personnel breakdown — including employee salaries, fringe benefits, overtime pay, pension contributions and more — for each county department be added to the county budget, as personnel costs make up the largest portion of its annual expenditures. It also calls for all capital improvement projects totaling more than $250,000 to be listed in greater detail, as well as the inclusion of any fixed costs paid for by the county and any grant funding that it receives.

Meanwhile, the second ordinance outlines similar expectations for the content of the quarterly financial reports that are presented to the Board of Commissioners by the Hackel administration. It also mandates the addition of details related to changes in personnel, a list of line-item transfers, and comparisons of current revenues and expenditures with those from previous quarters and years, among other information.

According to Board Chairman David Flynn, D-Sterling Heights, “The board feels very strongly that all of these expenses need to be broken down individually in as much detail as possible. Under the current system, not every single line item is visible to us — or to the public — within the budget plan. We firmly believe that the taxpayers are entitled to know exactly where their money is going.”

Commissioner Fred Miller, D-Mount Clemens, who serves as chair of the board’s finance committee, said he agrees wholeheartedly. He pointed out that the timing of these new ordinances stems from the fact that this year will mark the first time that the Board of Commissioners will adopt a combined budget by Sept. 30. In previous years, the board has always passed its special revenue funds in September and its general fund in December. Macomb County’s 2014 budget is projected to total about $590 million.

“The Board of Commissioners is the eyes and ears of the public in Macomb County government,” Miller said. “These ordinances are our attempt to ensure that we are being as transparent as possible with our finances. Right now, we have several line items that are millions of dollars, or even tens of millions of dollars, without any further breakdown.”

Hackel stated at press time that he has not yet had a chance to look over the ordinances in detail. He said that he would consider his legal counsel, and if the ordinances do not conform to the Macomb County charter or to existing budget laws, he would veto them. If he does, the board could override his veto with a two-thirds majority vote. If Hackel takes no action, the ordinances would automatically go into effect, even without his signature.

The county executive insisted that these budget transparency measures are superfluous. “Everything they’re asking for, every single line item, is already available to the public,” he said. “(The board) is trying to provide another level of bureaucracy that’s just not necessary. They want to restrict what all of our department heads can do in their day-to-day operations by controlling where this money goes after it’s already been appropriated. It’s a major overreach.”

Flynn disagreed with Hackel’s assessment of the board’s intentions and was confused by his strong resistance to the new ordinances.

“I think these requests are very simple, so I don’t know why anyone would be opposed to them,” he said. “If you look at the things we’re asking for, none of them are unreasonable or excessive or out of the ordinary. This isn’t about a power struggle — it’s about good government.”

The chairman noted that about a year ago, the board “bent over backwards” to reach an amicable solution with Hackel that

See TRANSPARENCY on page 12A

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Transparency

from page 7A

would improve budget transparency without having to adopt any legislation, but the two parties were unable to reach an agreement. Miller added that the new ordinances were designed to go into effect by the time the Hackel administration presents its 2014 budget proposal to the finance committee on July 1, which would then be followed by the committee’s budget presentation to the full board on July 11.

“I’m of the opinion that more information is always better,” he said, “and I feel that the county can and should strive to be more transparent. For me, the bottom line here is that the public deserves to have a more comprehensive breakdown of where their tax dollars are going.”

Hackel, though, contended that the Board of Commissioners is a poor model of openness in government. He accused the board of not making its complete agendas available for public viewing before meetings take place. He also believes that the board is trying to cling to the same level of power that it held prior to the November 2010 election, when the county executive’s office was first established.

“There is zero transparency and zero communication coming out of that board,” Hackel said. “Nobody knows what they’re doing until after their meetings are already over. So the real intent (with these ordinances) is control, not transparency. They want to maintain total control of county government, but that’s not what the voters said three years ago when they voted to create a new county government with an executive branch and a legislative branch.”

Culinary

from page 9A

would be a good start.”

Wolfe Middle School student Nick Booza liked the hands-on aspect of the summer academy.

“You’re not stuck in a classroom reading a book all day,” said the 13-year-old who will be a freshman at Center Line High School this fall. “The hats are my favorite part, and taking food home.”

Class of 2013 East Detroit High School graduates Glenn Webb and Montel Lewis, both 17, decided to check out what the program offered.

“My favorite part is figuring out what people made,” Webb said.

“I’ve always wanted to learn to cook,” Lewis said. Shrimp Alfredo is one of those dishes he really wanted to make. Webb and Lewis made a cheesecake they couldn’t wait to sink their teeth into.

O’Farrell said he has always worked for the best people as a chef.

“I take quality and experience over money,” he said. Sometimes, he would even work for free on his days off, “So I could work more and learn more.”

Every summer, MCC college officials offer weeklong academies in various fields to local high school students for them to explore possible professions. Law enforcement, robotics and biotechnology were among the other summer academies offered this summer.

Call Staff Writer Maria Allard at (586) 498-1045.

Flynn countered by pointing out that all agendas for the Board of Commissioners and its various committees are displayed on the Macomb County website prior to each meeting. In addition, audio and video recordings of every full board meeting are made available shortly after they are held.

“These (budget transparency) ordinances were actually posted online seven days in advance,” Flynn said. “Our board also meets in public, and that’s an inherently transparent way of conducting government. So I’m not really sure what (Hackel) is talking about. People are entitled to their own opinions, but they’re not entitled to their own facts.”

Call Staff Writer Jeremy Schweski at (586) 218-5004.

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Detailed reporting is crucial to county budget transparency

Earlier this month, the Macomb County Board of Commissioners took a stand on behalf of Macomb County’s taxpayers by unanimously passing two ordinances requiring an elevated level of reported detail within the county budget and in our quarterly financial reports. We deemed this action necessary for a number of reasons, not the least of which included accountability, institutional transparency, and ensuring the future quality of county services.

Personnel costs make up the largest portion of the county budget, adding up to tens of millions of dollars each year. At the beginning of this year, despite previous requests to have this information included in budgets brought before us, we had a very basic understanding of how this money is being spent within the context of the budget. Mandating a new format became the best way to gain accurate insight and, clear, concise answers. By shining an explanatory light on spending for each county department’s wages, health benefits, and pensions, we can better evaluate spending and understand where needs lie, and taxpayers know exactly where their money is going.

The new budget format will also include the number of full-time, part-time and temporary employees in a department, as well as job vacancies. As fiduciaries of the county budget, this gives us a solid understanding of budgetary needs moving forward, and how best to allocate money as the service needs of our population change.

What this all means to the average taxpayer is that budget reporting will be the clearest it has been in the past few budget cycles. The public has a right to know how its money is spent, and to have enough information to foster public discourse and input at any of our committee meetings. Solid decision making holds up in a public forum, and we believe that management of county dollars should not be subject to anything less.

Over all, this issue is about checks and balances and responsible budget oversight. Members of this Board, who are elected to directly represent and work on behalf of the constituents in each district, invite the Office of the County Executive to move this county forward in the most transparent way possible: full public disclosure.
Macomb County unpaid furlough days for employees to end in ’14

The much-despised unpaid furlough days imposed on Macomb County employees as a budget-cutting measure since 2009 will apparently come to an end on Jan. 1, 2014.

According to an internal document obtained by The Macomb Daily, ending the six “dock days” scheduled each year will serve as an alternative to granting $2.2 million in budget requests from county department heads for additional staff. The days of big budget deficits are essentially gone.

County Finance Director Pete Provenzano wrote in the June 18 memo, addressed to a wide array of top officials, that he understands the multi-year, substantial reduction in the county work force through attrition has “put a tremendous strain on your department operations.”

But Provenzano added that eliminating the six furlough days is a more productive means of dealing with short-staffing because it will equal the addition of 50 new workers “at a fraction of the cost” of new hires.

“Not only is it good for morale but it deals with productivity issues that departments have a concern about,” the finance chief told The Macomb Daily.

Nearly all of the county’s 2,200 employees have reluctantly grown accustomed to an annual work calendar that includes unpaid days off typically scheduled around a holiday. To soften the blow of a payless day, officials slate the furloughs on days such as the Fridays before the Memorial Day and Labor Day weekend.

The furlough days were negotiated between county officials and the workers’ unions in 2009, when the poor economy and collapsing housing market raised the prospect of annual budget deficits approaching $20 million. Employees gave up concessions affecting pay and benefits. That same year, the Board of Commissioners, for the first time in nearly three decades, raised taxes.

Though the furloughs were considered a lighter load than outright pay cuts, some departments, particularly the Prosecutor’s Office, aggressively fought the practice.

The payless days apply to essentially all county workers except those who work in 24/7 operations such as the Sheriff’s Department, Martha T. Berry Medical Care Facility and the county jail. That workforce has seen their compensation trimmed through cuts in holiday pay.

Overall, county employees have not received a pay raise since 2007.

Provenzano said eliminating positions through attrition, or extending job vacancies, is a budget-cutting tool that only goes so far.

“You’re really just trimming fat, if you will, but there comes a point when you can’t cut anymore,” he said.

Though housing prices have rebounded dramatically in Macomb County over the past several months, the finance director said it might take 10 to 15 years for property tax assessments to regain their previous level. That’s because voterapproved Proposal A of 1994 limits annual increases in Michigan assessments to the rate of inflation, which is running at about 2 percent.

The county budget process will begin on July 11 when Provenzano will give a presentation on the proposed 2014 budget to the Board of Commissioners. The county board will then hold a series of budget meetings though Aug. 13 to hear department heads’ sales pitches about their funding requests.
Macomb County Executive Hackel to ignore board’s override of two his vetoes

Thursday, June 27, 2013 10:12 PM EDT

By CHAD SELWESKI
For The Oakland Press

A legal battle could be taking shape as two vetoes by County Executive Mark Hackel were quickly overridden by the Board of Commissioners on Thursday and Hackel said he would not abide by the budget transparency ordinances that he opposes.

Hackel accused the board of overstepping its bounds by demanding far more details in county budgets and quarterly financial reports than he has provided during his 2 1/2 years in office.

In his veto message, the Macomb Township Democrat said that budget preparations and financial reports are “a responsibility that I cannot delegate and will not cede.”

Board Chairman Dave Flynn countered that the board is seeking a breakdown of multimillion-dollar line items in the budget so that commissioners will have department-by-department details on employee salaries and benefits, vacant positions, overtime costs and pensions.

“This isn’t a power struggle, this is about good government,” said Flynn, a Sterling Heights Democrat.

Though the Democrats hold a 9-4 edge on the board, this was not a partisan issue. The two votes to override, which requires a two-thirds majority, were 12-0. The board took action at a special meeting just six hours after Hackel’s veto messages arrived at the commissioners’ office.

The ordinances were unanimously approved by the board earlier this month and the overrides were widely anticipated. The last time Hackel ignored an override, in early 2012 when the board stood by an ordinance on government contracts, a lengthy legal fight led to a board victory at the Michigan Court of Appeals.

In recent days, dueling attorneys offering opposing legal opinions that sparked a new standoff as the board and the executive offered similar legal arguments with opposite conclusions.

The county’s chief legal counsel, George Brumbaugh, and Hackel’s independent counsel said the voter-approved county charter and state law are on the executive’s side.

The commissioners’ independent counsel said the charter and law, specifically the Uniform Budgeting Act, favor the board.

Assistant Executive Al Lorenzo said the board ignored language that’s “as clear as can be” and tried to tilt the balance of
power in its favor. The charter allows the board to pass ordinances, Lorenzo said, but the commissioners cannot supersede other sections of the charter or state statute.

"In order for the action of any legislative body to have standing, they have to have underlying authority in law," he added. "When it comes to budgets, the executive prepares it, the Board of Commissioners adopts it, and the executive administers it."

Flynn has a different view, pointing to a section of the county charter that says budget proposals from the executive should comply with county ordinances.

"An ordinance is a law of the county. And to not follow the parameters of the ordinance is contrary to the charter and state law," Flynn said. "No ... individual or elected official is above the law."
County exec needs to ease up and invite scrutiny

Macomb County has a coroner that cannot see a bullet wound in the back of the head of a corpse on his table. But, hey, he was dubbed a knight by King Hackel and shall rule his territory as he sees fit. He will be rewarded with an increase in salary for his good work. He claims that the current staff is happy and welcomes the changes he has made but fails to state who the satisfied employees are. If he is anything like his leader, he would have surrounded himself with people that agree with him regardless of right or wrong.

As a resident of Macomb County that pays taxes, I would be very interested in a comparison of the cost to run our county under the old system to the cost to run it under the new system. We may have less commissioners but how many new appointed employees do we have and what is the increase in cost.

Every time the commissioners try to do their job and work in the best interest of the county residents, they end up in court (how much does this cost the county?) because our county executive feels that they are stepping on his toes and he will not tolerate anyone questioning him. If he has nothing to hide and everything is done by the book, I do not see a problem with the checks and balances our commissioners are trying to put in place.

IRENE MAREK
Clinton Township

The July 4th holiday is much more than fireworks and cookout

What is the Fourth of July? What does it mean? What's its...
Hackel proposes $631 million budget for Macomb County

By Christina Hall Detroit Free Press Staff Writer Filed Under Local News Macomb County Mark Hackel
Jul. 01

No reductions in services, no tax increases and county offices open six more days next year.

That’s what Macomb County Executive Mark Hackel and his staff highlighted in the proposed 2014 county budget sent to county commissioners today.

The $631 million budget — which for the first time consolidates the annual budget with the heavily grant-reliant special enterprise budget — calls for eliminating 19.5 positions (mostly through attrition) and not using any rainy-day funds to be balanced.

Officials are planning for a $58,000 surplus and the elimination of a projected $9 million budget deficit.

County commissioners have 90 days to approve the budget. It must be approved by the end of September because the special enterprise funds budget starts Oct. 1, Finance Director Peter Provenzano said.

County board Chairman David Flynn said the proposed budget is to be presented at the board’s July 11 finance committee meeting. He said the board will look at where cuts are being made and how that impacts services. He anticipates the board will approve the budget by the deadline “but it will have to be significantly amended to reflect more detail.”

The board recently passed two ordinances requiring Hackel to have more detail in the budget and quarterly reports. Hackel vetoed the measures, saying they exceed the board’s authority. The board overrode his vetoes last week, leading to a possible budget showdown.

Hackel and his staff said increases in fee collections, state revenue sharing ($576,000) and liquor tax collections ($350,000) are expected to boost revenues while personal property taxes revenue is expected to decline about $750,000.

Cost increases include healthcare for retirees, pension contributions and a loss of $3 million by not having six, unpaid furlough days for employees. Officials are proposing eliminating a $4 million annual contribution to the capital fund.
Mount Clemens — Macomb County officials unveiled a balanced 2014 budget Monday, but not without disagreement with the Board of Commissioners.

Peter Provenzano, county director of finance, said Monday the county was in the black for the third year in a row after years of deficits.

In its proposed $631 million spending plan, the county anticipates an increase in state revenue sharing of $576,000; liquor tax collections of $350,000; the elimination of furlough days for union and non-union workers and a $55 million fund balance. Provenzano said there are no plans for the $55 million.

But contention overshadowed the good news after the County Board of Commissioners voted unanimously Thursday to support a resolution overriding Macomb County Executive Mark Hackel’s veto of two board-approved ordinances. The ordinances ask for detailed information on what the county spends on personnel — the largest portion of the county’s budget.

Hackel said based on the charter and legal counsel, the board doesn’t have the right to tell him how to prepare the budget.

“If I am supposed to do that, I will do that,” Hackel said. “Show us why you have the right.”

He added there is a difference between transparency and control. Hackel said the board wants the latter.

“What don’t they have access to?” Hackel said. “They want information put in a certain way so that after the budget is prepared, they can have control over it.”

Chairman David Flynn said the board’s moves are not about control. He said members want details on retirement

fund contributions, unemployment and workers compensation, an outlined breakdown of the number of department heads, clerical and more.

“We are not sure why the executive isn’t complying with the ordinance,” Flynn said.

“No one is disputing that there is a balanced budget, the board just believes there should be a framework that holds people accountable.”

“The board bent over backwards to create a compromise with the executive’s office so that we wouldn’t have to adopt this ordinance, but they rejected that offer.”

While the budget is balanced, Assistant County Executive Albert L. Lorenzo said the road to fiscal stability was not without major sacrifices.
Since 2006, the county has eliminated 450 positions, Lorenzo said, and the cuts are noticeable.

“There a lot of services that our county used to provide that it doesn’t provide anymore,” Lorenzo said.

He said more cuts may be made to senior nutrition programs that are federally funded.

Provenzano said the board has 90 days to OK the budget.
Hackel proposes 2014 county spending plan

By FRANK DEFRANK
frank.defrank@macombdaily.com

Macomb County Executive Mark Hackel presented the rosier economic forecast of his term Monday when he proposed a $631 million spending plan for 2014.

“We’re in great financial shape,” said Hackel, after meeting for about an hour with local media to discuss the proposed budget. “We’ve dealt with some of the structural deficits... Not only have we balanced the budget, but we’ve added to the surplus another $30,000.

Was it painful? Were there some cuts? Yes. But we’ve eliminated the structural deficit, and have been for the last three years.”

Hackel was joined by Peter Provenzano, the county finance director, who outlined the spending plan that, by law, must be presented to the county Board of Commissioners by July 1.

Provenzano said stabilization of the economy, and particularly the housing market, along with an increase in state revenue sharing paint a brighter picture for Macomb County for the next fiscal year.

“The improving economy is reflected in the budget,” Provenzano said.

A key provision in the spending plan calls for elimination of the six annual unpaid furlough days county employees accepted as part of the belt-tightening measures. That will translate into greater productivity, officials said.

“We think this will give a real shot in the arm (to employees) and increase productivity,” Provenzano said.

County officials also said they won’t have to tap the county’s surplus, or “rainy day” funds of approximately $55 million, to balance the books.

While officials exuded an upbeat tone, the proposed budget includes some negative news as well. Additional spending cuts will include the elimination of nearly 20 jobs, although most will be accomplished through attrition, they said.

Moreover, the county must still address unfunded liabilities in retiree health care funds, an issue that has been avoided for many years. That liability runs into the hundreds of millions of dollars.

“That can’t be kicked down the road, the can has been walked over,” Hackel said.

Hackel was expected to deliver his budget proposal to the Macomb County Board of Commissioners by the end of the day Monday. The board has 90 days to approve the plan.

Macomb County Board Chairman Dave Flynn had not yet seen the spending plan, but said Hackel can expect commissioners to go over the budget with the proverbial fine-tooth comb.

“The board feels there should be a more detailed approach of how taxpayers’ dollars are spent before the fact, not after,” Flynn said.

“... We look forward to a thorough vetting of the proposed budget,”

Hackel and the board are at odds over “budget transparency” ordinances adopted by the Board of Commissioners. Last week, the county executive accused the board of overstepping its authority in demanding more detail in county budgets and finances that he’s provided thus far during his term in office.
Macomb County Executive Mark Hackel has tapped an attorney with administrative and legal experience as the county’s next top legal counsel.

Hackel on Tuesday nominated Gabriel Orzame Jr. as the successor to longtime Corporation Counsel George Brumbaugh, who retires next week. The appointment must be approved by a majority of the county Board of Commissioners.

Orzame, 44, of Troy, currently works as a management analyst for U.S. District Court, Eastern District of Michigan in Detroit. He worked from 2005 to 2009 as a judicial staff attorney in Oakland County Circuit Court in Pontiac and 2000 to 2005 as a research attorney for Macomb County Circuit Court in Mount Clemens.

Orzame’s primary roles will be advising both the executive and legislative branches of county government and managing cases rather than trying them since the county hires out most of its legal work. The county’s legal staff has only four attorneys, including the chief.

“We’re not hiring a litigator,” Assistant County Executive Al Lorenzo said. “He’s not going to be trying cases. He’s a process specialist.”

Lorenzo said Hackel is impressed with the nominee’s “very rich and varied background.”
“He has to oversee and coordinate the various aspects of the legal matters for the county,” Lorenzo said. “He’s also someone who can give sound legal advice for the various units and people in county government. What makes Gabriel unique is his past 13 years of experience in the courts in which he did research, advised and wrote opinions.”

The county and Orzame have not reached an agreement on a salary, which will be between $105,000 and $132,000, but both Lorenzo and Orzame said they expect to reach a deal.

Brumbaugh, who has been in the top post for the past 23 of his 30 years with the county, earns $132,000.

Lorenzo also expects the board will support Hackel’s nominee even though the two sides have been at odds recently.

“We’re excited about him and are hopeful the board is excited about him, too,” he said.

The board has 60 days to approve or reject Orzame.

Board Chairman David Flynn, D-Sterling Heights, said the board will carefully review his credentials because corporation counsel is “one of the most important functions of county government.”

“It’s a unique position because he reports to both the executive and the board of commissioners,” Flynn said. “It’s tough to serve two masters. We will take this nominee very seriously.”

The board and executive both also have independent counsel to advise on charter matters.

“We haven’t put corporation counsel in that position,” Flynn said.

Flynn said he had no prior information about Orzame and hopes to talk to him before he appears before the Government Operations Committee, the step before going to the full board.

Orzame told The Macomb Daily he is “honored” to be nominated for the post.

“I’m grateful to Executive Mark Hackel and his staff for the confidence they have shown in me,” Orzame said. “I’m hoping I can bring kind of a different mind set to the position, someone coming from outside the county, looking at things hopefully more independently.”

The county received 47 applications for the post, Lorenzo said.

Orzame spent about three years in private practice prior to his first job with court systems.

Orzame, who graduated from a parochial high school in Holly, said he has been a resident in Oakland and Wayne counties since his preteens.

He graduated from the University of Michigan and the University of Detroit Mercy School of Law. He completed international law studies at the London Law Programme. Orzame has a wife and three sons.

Brumbaugh served for more than 30 years in the county legal office, the past 23 years in the top post.
The Macomb County Board of Commissioners has gone on record opposing the underground nuclear waste site proposed by Ontario Power Generation on the shores of Lake Huron near the Bruce Peninsula.

The board voted unanimously to adopt a resolution against the nuclear dump on June 20, following the unanimous recommendation of the Health and Human Services Committee on June 17.

The resolution also opposes "any other underground repository" proposed for construction "in the Great Lakes Basin, in Canada, the United States or any First Nation property."

Ed Mc Ardle, the chair of conservation committee of Sierra Club Michigan, made a presentation before the committee at the invitation of Commissioner Toni Moceri.

"They built the resolution on the one passed by the Michigan Senate, only it's stronger," said Mc Ardle, who lives in Melvindale. "The Macomb resolution opposes the dump where the Senate resolution asks questions about it."

The Michigan Senate passed Resolution 58 unanimously on May 22, questioning the wisdom of the deep geologic repository.

Rep. Sarah Roberts, a St. Clair Shores Democrat, introduced a similar resolution in the House on June 13, but it never made it out of committee.

According to a public notice from Canadian Environmental Assessment agency on June 18, federal hearings on the dump will begin in or near Kincardine on Sept. 16. Citizens wishing to speak at the hearing had only 17 days notice to register to speak, until July 5, a narrow window roundly criticized by groups opposed to the dump, such as the Canadian group Northwatch, Michigan and other U.S. citizens have been virtually left out of the notification and education process.

"This is the second resolution that the Macomb County Board of Commissioners has passed opposing this dump," said Kay Cumbow, chair of Blue Water Sierra. "The first resolution was passed in 2008 after Doug Martz, who was then chair of the now dissolved Macomb County Water Quality Board, gave a presentation to the BOC on OPG's proposed nuclear dump, and that resolution is referenced in the current resolution."

Commissioners Moceri, Michael Boyle, Veronica Klinefelt and Kathy Vosburg offered the resolution to the full board. The resolution was unanimously passed by the full board without discussion along with seven other resolutions.
As background to their opposition, the board noted that "the Great Lakes are an irreplaceable resource containing 22 percent of the world's and 95 percent of North America's fresh water vital to human and environmental health... (and) ... are vital to the economic and agricultural well-being of the area and the nation."

"Lake Huron and the connecting waters, including Lake St. Clair, are the source of drinking water for millions of people downstream in the United States, Canada and First Nation," the resolution said.

The board cited Michigan law in laying out its opposition, specifically Michigan Public Act 204 of 1987, the Low-level Radioactive Waste Authority Act, which excludes any nuclear waste site "located within 10 miles of Lake Michigan, Lake Superior, Lake Huron, Lake Erie, St. Mary's River, Detroit River, St. Clair River or Lake St. Clair."

The act excludes sites located within a 500-year floodplain, over a sole source aquifer and anyplace where the hydrogeology beneath the site discharges groundwater to the land surface within 3,000 feet of the boundaries of the site.

The goal of the act was to make it impossible to build a nuclear waste site in Michigan. The Macomb BOC urged Canada and other locations in the Great Lakes Basin to use similar siting criteria.

The resolution underlined that "Ontario Power Generation is proposing to construct an underground long-term burial facility for all of Ontario's low and intermediate level radioactive waste at the Bruce Nuclear Generating Station, some of which is highly radioactive and much of which will remain toxic for over 100,000 years."

The proposed site is "less than a mile inland from the shore of Lake Huron and about 440 yards below the lake level, (and) approximately 120 miles upstream from the main drinking water intakes for southeast Michigan." The board concluded that "placing a permanent nuclear waste burial facility so close to the Great Lakes is ill-advised. The potential damage to the Great Lakes from any leak or breach of radioactivity far outweighs any benefits that could be derived from burying radioactive waste at this site. The ecology of the Lakes, which is valuable beyond measure to the health and economic well-being of this entire region, should not be placed at risk by storing radioactive waste so close to the shoreline"

The site near Bruce Peninsula is not the only one under consideration for a waste repository. The Nuclear Waste Management Organization, a group of nuclear power companies, is looking at five additional communities in the Bruce area, 12 in northern Ontario and in Saskatchewan as possible high level nuclear waste sites.

Jim Bloch is a freelance writer. Contact him at bloch jim@gmail.com.
Vosburg elected First Vice Chair of SEMCOG

Macomb County Commissioner Kathy D. Vosburg will serve as First Vice Chair of the Southeast Michigan Council of Governments. She will assume the position of chairperson for 2014-15. Vosburg represents the residents of Lenox and Chesterfield townships, New Haven village and New Baltimore.

She served as Chair of the Environmental Policy Advisory Council at SEMCOG and as a part of the Transportation Improvement Program Development Committee and the Regional Clearinghouse Review Committee.

Vosburg says she is honored and grateful for being elected First Vice Chair.

"I believe in the value of SEMCOG’s mission and work, and I look forward to contributing to another great year helping the region move forward," said Vosburg.

Joan Gebhardt, Schoolcraft College Treasurer, was also elected to serve as SEMCOG Chair.

Contact Katie O'Rourke at (586) 716-6100, ext. 251 or intern@voicenews.com.

New playgro

BY BARB PERT
TEMPLETON
VOICE REPORTER

When you visit Wolcott Farm you can expect to see farm workers atop tractors but by mid-July young farm enthusiasts will have their own pedal tractors to ride at the new farm playground.

A project that’s been in the planning and construction stages for months now, the unique playground should be unveiled soon, much to everyone’s delight, according to Farm Interpreter Kathleen Clinton.

“This is something that we’ve needed here for a long time and the children and their parents are going to love it,” Clinton said. “And this is not an ordinary playground; it really has the farm theme.”

In addition to the pedal tractors, which will run along a specially designed track, there will also be a mini-barn to store them in plus some wooden wagons that double as a slide. A huge spider web for climbing, wooden horses and straw bales will also be part of the new activity area at the farm.

“This is just a great improvement for the farm,” Clinton said. “It’s kind of making us a destination because parents won’t just bring kids out to see the animals and leave, they can spend time on the playground too.”

Another pleasant surprise is the fact that the entire area is right next to the stand where the children can get their ice cream and snack on their kids’ playtime.

“It’s neat that we can enjoy the farm and the still oversee the area,” Clinton said.

The idea was born when the area was a no playground area and the idea came from parents who wanted to provide a safe area for children to play, but the area was already occupied by other activities.

“The idea was brought up, and it was decided that a playground was needed in that area,” said Jocelyn W

LIGHT

continued from page 1

that area, the purchasing of equipment for the streetlights and the installation would cost the township about $26,000 and there would be an annual fee of about $300 for maintenance.

“I think all-in-all it’s a pretty good deal for the safety of our residents,” Joseph said.

Lou Nigro, a township resident and the SANG M residents section at least because of the ability to be done. Hill would be even be proud of the proposal, SANG M residents and the township to be a part of the

resident and the SANG M residents section at least because of the ability to pride of the proposal, SANG M residents and the township to be a part of the
Hackel presents $631 million budget for 2014

by CHRIS GRAY
Observer Staff Writer

A 2014 budget for Macomb County will dip into the black ink while avoiding a dip into rainy day funds.

County Executive Mark Hackel proposed a balanced $631 million budget on July 1 that won't reduce services or use fund balance, but eliminates 19.5 positions.

The budget shows an overall surplus of $58,000 and the removal of a forecasted $9 million deficit. The Board of Commissioners has until the end of September to approve the budget.

Hackel pointed out his and the financial offices have presented a budget without using rainy day funds since 2011 when the budget had a $13 million gap.

"We've been able to manage this budget by dealing with some of the structural issues," Hackel said.

The budget consolidates the annual budget as well as the special enterprise budget and calls for 19.5 positions to be eliminated mostly through attrition. The county has cut 450 positions since 2006.

"We would certainly all like to have more employees, but at this point in time we're not going to go to old, bad practices," Hackel said.

Other cuts in this year's budget include stopping a $4 million contribution to capital funding, $2.5 million from health care due to Public Act 152 and $1 million in juvenile detention costs.

"Some of the things were as a result of working with countywide elected officials who are all in need of personnel, we understand that and the labor groups," he said.

Cost increases also have to do with employees, with health care inflation for retirees, pension contributions by $2.2 million and six furlough days for a loss of $3 million.

Increases in revenue are expected from fee collections, a stagnant taxable value on properties and jumps in state revenue sharing by $576,000 and liquor tax collection by $350,000.

Revenue will decline, however, by roughly $750,000 due to changes in personal property tax laws.

Finance Director Pete Provenzano said with the county budget stabilized, his offices are now dealing with $300 million in unfunded liability for retiree health care funding from 2010.

"It's something I've been talking about for a couple years now," he said.

Provenzano said in order to handle the cost, new hires will not have coverage for spouses and will contribute to their retiree medical plans.

Beginning in 2015, the county will also contribute $3 million from the general fund to pay down the liability.

"With budgets the way they are we really can't afford to pay it down quickly," he said.

Board of Commissioners Chairperson David Flynn said the board has 90 days to approve the budget. It is expected to be before the finance committee on July 11.

"The board is looking forward to a thorough vetting process where we deliberately go through each department in a very analytical way," he said.

The board overrode vetoes Hackel made last month on ordinances that call for more information in the budget and
quarterly reports.
Flynn said he hadn't reviewed the budget as of July 2, but noted if it didn't contain what the ordinances ask for it could delay approval of the budget.
"It will be hard for the board to pass a budget without significantly more detail," he said.
Macomb County retiree health care underfunded by $500 million, could affect bond rating

By Christina Hall Detroit Free Press Staff Writer Filed Under Local News Macomb County
Jul. 10

Macomb County's government employee retiree health care is underfunded by half-a-billion dollars and while officials recognize they can't come up with that kind of cash, they are saying talks must start to "stop the bleeding."

The underfunding hasn't affected the county's AAA bond

But it could in the future if changes aren't made, Finance Director Peter Provenzano told county commissioners today during his presentation of the proposed 2014 budget.

And, it could bankrupt the county decades from now if nothing is done.

Provenzano said the county is not in a unique position with its retiree health care liability — many communities with a large number of retirees are in a similar position. He said the situation has compounded with people retiring earlier, living longer and health care costs skyrocketing. The county government has more than 2,000 retirees, he said.

Some changes have been made and others are being proposed to help reduced the county's liability. For example, the period for an employee to be vested in the current plan changed from eight to 15 years. Also, coverage for spouses was eliminated.

Provenzano said he would like to see a defined contribution plan for new hires. The county would help by putting $3 million total into the fund

between fiscal years 2015 and 2016, according to the proposed 2014 budget the board will start to dissect at meetings next week.

The $500 million figure comes from the last actuarial valuations for plans for the county and the road department — done in 2010 and 2011n respectively. New valuations are to be done this year, Provenzano said, and he hopes to see liabilities go down with the concessions in place.

"This is something that has to be fixed," he said. "Right now, we're just paying the bill as we go."

The county's plan was 18.6% funded, according to the 2010 actuarial valuation. The accrued liability for benefits was $610 million and the value of the assets in the plan was $113 million. The road department's plan was 26% funded in 2011, with accrued liability for benefits $90 million and the value of assets in the plan $23 million, according to the proposed 2014 budget.

Commissioner Kathy Vosburg said the proposed county contribution of $3 million in 2015 and 2016 is "just a drop in the bucket." Provenzano agreed, but said the county can't contribute $25 million a year and must take a more reasonable approach to fund as much as it can.

Commissioner Jim Carabelli said he didn't want to throw money into a fund that's never going to
be plugged. But Provenzano said by putting some money in and reducing liabilities through other changes may prove favorable with those who decide credit ratings

Commissioner Joe Sabatini, who sits on the retiree health care board, said "it’s a scary situation" and the topic needs more detailed discussion. He said the liability jumped from $300 million a decade ago.

“We made a promise to employees and we need to keep it,” he said, but added “we need to look at this problem.”
New senior services chief faces rough path

By CHAD SELWESKI
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Wednesday, July 17, 2013

After serving 13 months as acting chief, Katherine Benford has been named as director of the Macomb County Office of Senior Services at a time when the agency adjusts to downsizing and reorganization.

Macomb County Executive Mark Hackel appointed Benford, saying that she “has proven time and again that she is more than capable of heading senior services.”

Since June 2012, Benford has served as acting director of the senior services agency after the last director, Rhonda Powell, left to work for state government.

Since 2004, Benford has also been working as director of the Macomb County Community Services Agency’s (MCCSA) senior nutrition, Meals on Wheels and Chore programs. Her new job, which pays about $75,000 a year, will force Benford to face the needs of a rapidly growing senior population in Macomb County at the same time that funding for the agency is limited.

“Moving forward, I certainly hope to continue the services we’re providing and to improve them,” said Benford, 39. “We … are certainly looking to the future. There’s quite a change coming in our demographics. We are becoming older and more diverse pretty quick.”

Benford took over last year as temporary director after a rocky, 13-month stint with Powell as the agency leader, including a probationary period slapped on the department by state officials for sloppy bookkeeping.

The agency has also experienced a disproportionate share of budget cuts over the past seven years as the county engaged in cutbacks and consolidations. Most recently, in June the adult day care program was moved from the senior services office to control by the county-run Martha T. Berry Medical Care Facility.

The Office of Senior Services still provides assistance for the elderly who seek prescription coverage from Medicare or help with the cost of medications from pharmaceutical company programs that aid poor retirees. In addition, the office refers seniors to a service that provides legal assistance to the low-income elderly.

Benford started working for the County in 2000 as an education specialist for MCCSA’s Head Start Program. She has a bachelor of science degree in psychology and child development from Central Michigan University and a master of arts degree in family studies from Michigan State University.

Her appointment will become effective upon confirmation by the Macomb County Board of Commissioners.
Former Shelby supervisor will be interim county legal counsel

By CHAD SELWESKI
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Friday, July 19, 2013

In a surprise move, Macomb County Executive Mark Hackel on Friday named former Shelby Township supervisor Ralph “Skip” Maccarone to serve as the county’s top legal counsel on an interim basis until a permanent appointment for the chief corporation counsel position has been confirmed by the Macomb County Board of Commissioners.

Maccarone will likely serve for a month or two, as retiring Corporation Counsel George Brumbaugh has agreed to stay on until late July or early August.

On July 2, Hackel announced his selection of Gabriel Orzanne as the next corporation counsel. The Board of Commissioners has 75 days to confirm Orzanne but they have not yet announced a schedule for a confirmation hearing.

“George will be leaving next week, and even if the board acts quickly, it will still take some time for the transition to take place,” Hackel said. “The county is required to have a corporation counsel and because of his knowledge of county government and the charter, I thought he would be an ideal choice.”

Maccarone is an attorney in private practice and served as the executive director of the Macomb County Charter Commission, which produced the new charter – in effect, a county constitution – that was approved by voters in 2009. He also served as the first independent legal counsel to the Board of Commissioners once the charter became effective in January 2011 and was the supervisor of Shelby from 2000 to 2008.

“Skip is well versed in the charter and he has excellent working relationships in the county’s legal community,” Hackel said. “I don’t know if he will be in the position for a few weeks or a few months, but he’s indicated that he has the flexibility to take on the assignment.”