1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Invocation by Commissioner Michael Boyle
5. Adoption of Agenda
6. Approval of Minutes dated 8-15, 8-21 (special), 9-6 (special), 9-12 (public Hearing) and 9-12 (special), 2013 (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
9. COMMITTEE REPORTS:
   a) Infrastructure, September 17 (no report)
   b) Finance, September 18 (page 1) (attached)
10. Board Chair’s Report (page 10) (attached)
11. **Adoption of Resolution:**
   a) Supporting Michigan Senate Bill 50 and Michigan House Bill 4284 to Expand the Use of Off Road Vehicles Throughout the State by Amending 1994 PA 451 Entitled “Natural Resources and Environmental Protection Act” (offered by Carabelli; recommended by Infrastructure Committee on 9-17-13) (page 64)

12. **Adoption of Proclamations:**
   a) Commending Sandy Jurek on Winning CIO of the Year Award (offered by Board; recommended by Infrastructure Committee on 9-17-13) (page 65)
   b) Commending Sonny Randazzo on Being Named the 2013 Man of the Year (offered by Carabelli; include Sabatini; recommended by Infrastructure Committee on 9-17-13) (page 66)

13. **New Business**

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

15. **Roll Call**

16. **Adjournment**
September 18, 2013

TO: BOARD OF COMMISSIONERS

FROM: FRED MILLER, CHAIR
FINANCE COMMITTEE

RE: RECOMMENDATIONS FROM FINANCE COMMITTEE MEETING OF SEPTEMBER 18, 2013

At a special meeting of the Finance Committee, held Wednesday, September 18, 2013, the following recommendations were made and are being forwarded to the September 18, 2013 Full Board meeting for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A motion was made by Vosburg, supported by Sauger, to recommend that the Board of Commissioners concur with the Sheriff’s Office request to purchase a Computer Aided Dispatch (CAD) and Records Management System (RMS) from New World Systems; total price is $2,193,577, with funding available through: $1,191,274 from CGAP/EVIP Grant, $335,000 from 2010 COPS Grant, $207,000 from Clinton Township and $460,303 from Sheriff’s SET Forfeiture Fund; 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 Sauger, supported by Vosburg, to recommend that the Board of Commissioners approve the inter-county agreement between Macomb County and St. Clair County providing detention services for all St. Clair County’s youth as ordered by a St. Clair County Judge or Referee; 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 Sabatini, supported by Brown, to recommend that the Board of Commissioners approve the contract between the Macomb County Department of Roads and Florence Cement Company for concrete pavement repairs on westbound M-59 from Garfield Road to Romeo Plank Road at a cost of $235,318.75; 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 the third party agreement between the Macomb County Department of Roads and URS Corporation for engineering services for the Traffic Operation Center for the Fiscal Year of October 1, 2013 through September 30, 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.**

5. COMMITTEE RECOMMENDATION – MOTION  (SEE ATTACHED)

A motion was made by Carabelli, supported by Vosburg, to recommend that the Board of Commissioners approve the BS&A contract for the County Delinquent Tax System; 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 Sabatini, supported by Brown, to recommend that the Board of Commissioners approve the BS&A contract for the Principal Residence Exemption Audit.NET software; 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.**

7. COMMITTEE RECOMMENDATION – MOTION  (SEE ATTACHED)

A motion was made by Carabelli, supported by Sabatini, to recommend that the Board of Commissioners approve the contract between the Macomb County Department of Roads and the Michigan Department of Transportation for the Traffic Operations Center operations for the Fiscal Year of October 1, 2013 through September 30, 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.**

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR MILLER, SUPPORTED BY VICE-CHAIR MOCERI.
Resolution to:
Concur with the Sheriff's Office request to purchase a Computer Aided Dispatch (CAD) and Records Management System (RMS) from New World Systems. Total price is $2,193,577. Funding is available through:

- $1,191,274 CGAP/EVIP Grant
- 335,000 2010 COPS Grant
- 207,000 Clinton Township
- 460,303 Sheriff's SET Forfeiture Fund

Introduced By:
Kathy Vosburg, Chair, Justice and Public Safety Committee

Additional Background Information (If Needed):

<table>
<thead>
<tr>
<th>Committee</th>
<th>Meeting Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Justice &amp; Public Safety</td>
<td>9-10-13</td>
</tr>
<tr>
<td>Finance</td>
<td>9-18-13</td>
</tr>
<tr>
<td>Full Board</td>
<td>9-18-13</td>
</tr>
</tbody>
</table>
Resolution to:
Approve the inter-county agreement between Macomb County and St. Clair County providing detention services for all St. Clair County's youth as ordered by a St. Clair County Judge or Referee.

Introduced By:
Charles Seidelman  Kathy Vosburg, Chair, Justice & Public Safety Committee

Additional Background Information (If Needed):

<table>
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<tr>
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<tr>
<td>Full Board</td>
<td>9-18-13</td>
</tr>
</tbody>
</table>
MACOMB COUNTY, MICHIGAN

Resolution Number:  

Full Board Meeting Date:  

RESOLUTION

Resolution to:
Approve the contract between the Macomb County Department of Roads and Florence Cement Company for concrete pavement repairs on westbound M-59 from Garfield Road to Romeo Plank Road at a cost of $235,318.75.

Introduced By:
Jim Carabelli, Robert Hoepfner, Director of Roads  
Chair, Infrastructure Committee

Additional Background Information (If Needed):
MDOT has provided additional funding to the trunkline maintenance budget of $207,110, which will be used along with remaining maintenance dollars already budgeted to complete much-needed concrete pavement repairs on M-59.

Infrastructure Committee  
Finance  
Full Board

09/17/2013  
Meeting Date  
9-18-13  
9-18-13
Resolution to:

Approve the third party agreement between the Macomb County Department of Roads and URS Corporation for engineering services for the Traffic Operation Center for the Fiscal Year of October 1, 2013 through September 30, 2014.

Introduced By:

Jim Carabelli, Robert Hoepfner, Director of Roads
Chair, Infrastructure Committee

Additional Background Information (If Needed):

Every year, the Dept of Roads receives Congestion Mitigation for Air Quality (CMAQ) funds to staff the Traffic Operations Center with traffic engineers and technicians. This year, URS was the only bidder to respond to the Request for Proposal to provide these services. The URS proposal included subcontracting engineering firms that have previously provided staff for TOC, many of which are trained and familiar with TOC operations. The proposal process was completed within Michigan Department of Transportation (MDOT) guidelines and the award to URS was approved by MDOT as well. This contract represents the third party agreement between the Department of Roads and URS. The contract shall not exceed $1,899,950.18 (Budgeted at $2,125,000). CMAQ funds would cover 80% of the total amount (up to $1,519,960.14) and the Department of Roads would cover the remaining 20% (up to $379,990.04).
Resolution to:
To approve the BS&A contract for the County Delinquent Tax System

Introduced By:
James Carabelli, Chair, Infrastructure

Additional Background Information (If Needed):
The BS&A County Delinquent Tax Application tracks delinquent real property taxes, from billing and collection through foreclosure and property sale, robust forfeiture and foreclosure. Features include reporting, mail tracking, fees and sale information. This upgrade consists of moving from a pervasive database to a SQL database.
MACOMB COUNTY, MICHIGAN

Resolution Number:                     Full Board Meeting Date:

RESOLUTION

Resolution to:
To approve the BS&A contract for the Principal Residence Exemption Audit.NET software

Introduced By:
James Carabelli, Chair, Infrastructure

Additional Background Information (If Needed):
A Principal Residence Exemption (PRE) exempts a residence from the tax levied by a local school district for school operating purposes up to 18 mills. Section 211.7cc and 211.7dd of the General Property Tax Act, Public Act 206 of 1893, as amended, addresses PRE claims. To qualify for a PRE, a person must be a Michigan resident who owns and occupies the property as a principal residence.

The software created by BS&A calculates the billing changes required by law. The software reflects the tax changes by school district and community. It also tracks what stage of the delinquent process the taxes are in. All of the PRE adjustments are tracked for documentation necessary for reporting to the Department of Education.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Meeting Date</th>
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<tbody>
<tr>
<td>Infrastructure</td>
<td>9-17-13</td>
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<tr>
<td>Finance</td>
<td>9-18-13</td>
</tr>
<tr>
<td>Full Board</td>
<td>9-18-13</td>
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</table>
Resolution to:
Approve the contract between the Macomb County Department of Roads and the Michigan Department of Transportation for the Traffic Operation Center operations for the Fiscal Year of October 1, 2013 through September 30, 2014.

Introduced By:
Jim Carabelli, Robert Hoepfner, Director of Roads
Chair, Infrastructure Committee

Additional Background Information (If Needed):
Every year, the Dept of Roads receives Congestion Mitigation for Air Quality (CMAQ) funds to staff the Traffic Operations Center with traffic engineers and technicians. As with all federally-funded projects, the Michigan Dept of Transportation distributes the funding in accordance with their contract. This is their standard contract used for all funded projects and cannot be altered.

IMPORTANT: The Dept of Roads is required to return the executed contract to MDOT no later than October 10, 2013. We would need the contract returned to us no later than October 8, 2013, in order to comply with this deadline.

*WAIVED TO FINANCE BY INFRASTRUCTURE COMMITTEE CHAIR
RESOLUTION NO. _____________  FULL BOARD MEETING DATE: ________________
AGENDA ITEM: ________________________

MACOMB COUNTY, MICHIGAN

RESOLUTION TO receive and file report from Board Chair for September 2013

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 – Mark Deldin
- Melissa Roy; Gary Owen, GCSI
- County-wide Electeds
- Drain Board, Pension Board
- Sandy Jurek
- Judge Foster
- Jim Jacobs, MCC
- RTA - Roy Rose; Joel Batterman
- Corporation Counsel

Office:
- Rico Rowe has assumed the paid position of “Special Projects Coordinator” ($13.28/hr, no benefits) and is now a part-time member of the BOC staff after having been a volunteer intern from May through August. Rico will be working on commissioner district projects and assisting BOC staff with events and projects as well.
- Yuan Pei, summer intern, has returned to Shanghai University

Upcoming Board Activities:
- Macomb County’s Green Schools Program workshop will be held at the MISD on October 8, 2013, from 9am to 11:30am. The workshop is open to anyone interested in learning more about the Green Schools Program. Registration information is available on the BOC website.

Emerging Issues:
- Corporation Counsel – status of search for permanent replacement is unknown
- Budget Review
- Martha T. Berry Facility - SSB
- Veterans Affairs
- County Space Utilization

Region:
- RTA Meetings – see SEMCOG website
- MAC – Frankenmuth Conference, September 16-17; attended by Andrew Kim
- MAPERS – Grand Rapids Conference, September 23, 24
- DIA - see attached report

Media:
- See attached articles.

BOC – Independent Counsel:  Expenditures for Outside Counsel Professional Services

<table>
<thead>
<tr>
<th>2012 Litigation</th>
<th>Contract Svc</th>
<th>Contract Services</th>
<th>Budget</th>
<th>Invoice Totals:</th>
<th>Remaining:</th>
<th>%Utilized:</th>
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<td>Budget Amount</td>
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<td>$122,500 (2013)</td>
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<td>3,893.00 (Feb revised)</td>
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<td>3,985.00 (March)</td>
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<td>10,573.00 (June)</td>
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<td>$47,028.12</td>
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<td>7,043.00 (July)</td>
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COMMITTEE/MEETING DATE
- Full Board 09-18-13
### General Admission:

<table>
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<tr>
<th>7/1/2012-6/30/2013</th>
<th>YTD TOTALS</th>
<th>FY 2013 Admission $</th>
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<tbody>
<tr>
<td>Comp-Macomb County Resident-Adult</td>
<td>26,127</td>
<td>$209,016.00</td>
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<tr>
<td>Comp-Macomb County Resident-Youth</td>
<td>8,381</td>
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<td>Comp-Macomb County Resident-Schools</td>
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<td>Comp-Macomb County Resident-Adult Gro</td>
<td>617</td>
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<tr>
<td>Comp-Macomb County Resident-Senior</td>
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<td>Member Scans-Macomb County</td>
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<td>Comp-Oakland County Resident-Adult</td>
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<td>Comp-Oakland County Resident-Schools</td>
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<td>Comp-Oakland County-Adult Group</td>
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<td>Comp-Oakland County-Senior</td>
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<tr>
<td>Paid Totals</td>
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<tr>
<th>General Admission</th>
<th>2012</th>
<th>2013</th>
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<tbody>
<tr>
<td>June</td>
<td>NA</td>
<td>35,428</td>
</tr>
<tr>
<td>July</td>
<td>17,735</td>
<td>31,011</td>
</tr>
<tr>
<td>August</td>
<td>30,923</td>
<td>35,490</td>
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</table>

**Museum Attendance FY 2012-2013:**

![Museum Attendance Chart](image-url)
Subpoenaed Macomb medical examiner a no-show at board meeting

12:49 PM, August 15, 2013 6 Comments

Macomb County commissioners discuss county Medical Examiner Daniel Spitz not appearing before the board: Macomb County Commissioner Veronica Klinfelt talks about why the board cannot meet privately with County Medical Examiner Daniel Spitz, who the board subpoenaed, about questions related to his office. Christina Hall/Detroit Free Press

By Christine Hall
Detroit Free Press Staff Writer

Macomb County Medical Examiner Daniel Spitz did not appear before county commissioners today after they subpoenaed him to discuss his office, contract, budget and other matters.

And disappointed board members are upset that his attorney suggested the two sides meet privately to review questions for Spitz to answer. After an executive session, commissioners approved a motion authorizing board Chairman David Flynn to take actions he may deem necessary to enforce a board subpoena, which may include filing a lawsuit to seek a court order compelling Spitz to appear.

http://www.freep.com/article/20130815/NEWS04/308150177/Macomb-County-medical-examiner-board-of-commissioners
"We’re gonna hope Dr. Spitz has a change of heart and publicly answers questions to his $377,000 contract," Flynn said. "If not, the board is prepared to fully enforce the subpoena."

Well-known criminal defense attorney Stephen Rabaut represented Spitz, saying he and Spitz are concerned about questions that may compromise ongoing criminal investigations, prosecutions and the medical examiner’s use as a witness.

Commissioners said they don’t want to compromise cases, but they have a fiduciary responsibility to residents and to approve the budget, which includes the Medical Examiner’s Office.

"I think you’re framing this as a witch-hunt. There’s no witch-hunt here. It’s about dollars and cents," Commissioner Jim Carabelli said.

Rabaut said the board would never subpoena the sheriff or the prosecutor and said Spitz "should not be required to undergo such scrutiny because it is not to the benefit of anybody in this room."

But the board said those other county officials appeared before them to discuss their proposed budgets and answer questions.

"Dr. Spitz is not any more privileged than they are," Commissioner Bob Smith said.

Rabaut said "Dr. Spitz has no problem showing transparency to everybody on this board. He has no problem with transparency to the public on matters that won’t impact criminal investigations."

Last month, the board voted to subpoena Spitz after it said it sent a half-dozen unfulfilled requests for him to appear before them since January 2012. Rabaut said Spitz told him he was not aware of the numerous requests.

The last time Spitz appeared before the board was in 2010, when he came under fire by commissioners who questioned him after he missed finding a bullet wound in the back of prominent banker David Widlak’s head during an autopsy. The bullet wound was
discovered by the Oakland County medical examiner during a second, independent autopsy commissioned by Wiclak’s family.

Spitz is a contractor with the county. He also is the medical examiner in St. Clair County.

Spitz had a contract for $200,532 annually for 2012 and 2013 for Macomb County. In July 2012, a different contract was signed for Spitz Pathology Group for about $31,448 a month, or about $377,363 annually — about $177,000 more. The board learned about the contracts earlier this year.

The new contract was for Spitz and another forensic pathologist to share the workload and allow the office to initiate the process of becoming accredited by the National Association of Medical Examiners.

The contract expires at the end of the year.

Commissioner Robert Mijac said that when that happens he “supports a motion we end this contract and go with a nationwide search” for a medical examiner that will exclusively serve the county.

Contact Christina Hall: chall99@freepress.com
Despite subpoena, Macomb County medical examiner fails to appear before board, sends lawyer

Thu, Aug 15
detroitnews.com

Mount Clemens — The Macomb County medical examiner didn’t make it to the county commission meeting Thursday, despite a subpoena from the board.

Dr. Daniel Spitz sent his attorney, Stephen Rabaut, instead, risking a contempt of court citation or breach of contract.

Rabaut told the Macomb County Board of Commissioners the doctor’s appearance could compromise medical examiner criminal investigations. He said Spitz offered to meet with members twice this month in private but that was rejected. The board was also asked to submit its questions beforehand.

“Testimony by Spitz in an open forum is not in the best interest of county government, investigating and prosecuting agencies or the citizens of Macomb County,” Rabaut told the board.

The board has questions about the Medical Examiner’s Office budget, accreditation and operations, and subpoenaed Spitz last month after at least six unfulfilled requests since 2012 for his appearance. On Thursday night, the board said it would consider filing a lawsuit to force Spitz to comply with the subpoena.

Rabaut said the board would never subpoena the county’s sheriff or prosecutor and ask similar questions because it would deter and impact law enforcement in the future.

“Dr. Spitz should not be required to undergo such scrutiny because it is not to the benefit of anybody in this room. It is my position that your subpoena is unenforceable,” Rabaut said, while acknowledging that Spitz could face contempt of court by ignoring the subpoena.

One commissioner said the county sheriff and prosecutor have willingly appeared before the board to answer questions about their offices.

Several commissioners said they were shared their disappointed in Spitz’s no-show and were skeptical of a private meeting. the suggestion to meet privately.

“That’s never going to happen,” said Commissioner Michael Boyle. When Commissioner Joe Sabatini asked if Spitz’s no-show could be considered a breach of contract, Jill Smith, assistant corporation counsel, said it may be a possibility.

“I personally find it unfortunate that Dr. Spitz will not come to a public session of the Macomb County Board of Commissioners,” said Chairman David Flynn.
The board also wants answers about the county’s more than $300,000 contract with Spitz Pathology Group.

“I understand why this contract is good for Dr. Spitz but the reason we want Dr. Spitz here is to understand why this contract is good for Macomb County,” said Flynn.

Commissioner James Carabelli said he was puzzled and discouraged by Rabaut’s comments.

“Meeting individually with somebody is all fine and dandy but here’s the deal — it is called transparency. This body is the only public body that we have in Macomb County,” said Carabelli. “He’s too special to come here and explain to the people how the money is being spent. I take offense to that.”

On Wednesday Macomb County Executive Mark Hackel called the subpoena of Spitz by the board “completely inappropriate.”

“I am appalled by their actions because of their lack of understanding the criminal justice system and the impact that they can have by having the medical examiner stand before them to talk about something that is no longer their role or responsibility,” Hackel said.

Also the board announced a FOIA request for electronic copies of documents related to the county’s 2014-16 budget from the Executive’s Office.

- Mount Clemens — The Macomb County medical examiner didn’t make it to the county commission meeting Thursday, despite a subpoena from the board.
County coroner ignores subpoena, officials grill attorney

By CHAD SELWESKI
chad.selweski@macombdaily.com; @cbsnewsman

Posted: Thursday, 08/15/13 09:31 pm
Updated: Thursday, 08/15/13 09:32 pm

Commissioner James Carabelli addresses Spitz’s attorney Stephen Rabaut as Commissioner Marv Sauger looks on.

Stunned Macomb County commissioners blasted county coroner Dr. Daniel Spitz on Thursday for ignoring a subpoena they issued for him to answer their questions about several issues and they grilled Spitz’s attorney, who told the commissioners the medical examiner would only meet with them in private.
The Board of Commissioners has unsuccessfully attempted for two years to get Spitz, by far the highest-paid county employee, before them to answer queries about his contract, budget, operations at the morgue and his extensive workload.

"Here's the deal — it's called transparency. This is the only public body that meets publicly and allows our citizens to listen and speak," said Commissioner Jim Carabelli, a Shelby Township Republican. "It seems that he (Spitz) thinks he's too special to come here and answer questions about how he spends our tax dollars."

His private attorney, Steve Rabaut, a prominent Macomb County criminal defense attorney, said the coroner could not appear before the board without jeopardizing ongoing criminal cases in which he may testify in court. For example, if commissioners publicly assert that Spitz is overworked, that could become an issue in a murder case in which the autopsy is a key factor and Spitz is an expert witness, according to Rabaut, a 30-year court veteran.

"I am discouraged by the Board of Commissioners' failure to understand that, for Dr. Spitz to speak in an open forum is not in the best interests of county government … and not in the best interests of county residents," Rabaut told the commissioners.

"His testimony (before the board) could be detrimental to ongoing investigations by law enforcement or the county prosecutor."

Spitz's contract is up for renewal on Dec. 31 and the board has asserted that it has sole discretion in choosing the medical examiner for 2014 and beyond.
Macomb County commissioners demand answers from medical examiner

Posted: 08/16/2013

MOUNT CLEMENS, Mich. (WXYZ) - The Macomb County Board of Commissioners is looking for answers from the county's medical examiner. They want to know why he refuses to show up to public meetings.

Dr. Daniel Spitz has been requested to appear six times at meetings held by the Health and Human Services Committee, but he has never showed up.

Commissioners want to ask him about his budget, workload, and how he has been prioritizing cases.

The board sent a subpoena to Dr. Spitz ordering him to appear at Thursday night's board meeting, but he did not attend.

Instead, a lawyer representing Dr. Spitz, Stephen Rabaut, spoke to the commission about the concerns he has about his client answering questions in public.

He said Dr. Spitz would be happy to answer their questions in a private setting, as long as the session was closed to the media and that no transcript be provided.

"His testimony could very well compromise ongoing investigations by law enforcement or the prosecutor's office, ongoing and future matters as to causation of death, and matters which could impact every prosecution which either the county prosecutor or other prosecuting agencies may want to bring when Dr. Spitz was involved," Rabaut said.

Many commissioners disagreed with the argument.

"To suggest that county business can somehow be done better behind closed doors, I absolutely reject that," said Commissioner Fred Miller. "Frankly, I find this unacceptable and I'm very much looking forward to when this contract will come up for review at the end of this year."

At least one commissioner recommended Macomb County not renew Dr. Spitz's contract.

"I think we should cease his contract when it expires and go on a nationwide search for a full-time medical examiner," Commissioner Robert Mijac said.

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RockDadRice
Spitz is an egomaniac. He works for the county and she appear in a public forum if request too.
User ID: http://facebook.com/100000596477431
2 Days Ago
· Reply

TerryLaRochelle
This guy needs to go too. His authority has (like most politicians) gone to his head, but not exactly sure which one.
User ID: http://facebook.com/1398951195
2 Days Ago
· Reply

JohnQ.Citizen
Isn't this the same ME that did the autopsy on that dead bank president a while ago, and found nothing suspicious? And then when they demanded another autopsy, the first thing the Wayne County ME noticed right away is that there was a GIANT BULLET HOLE in the guy's head?
It was fun watching him make excuses on why that was missed, blaming it on the scanning equipment. Something is very shady with this guy.
User ID: http://facebook.com/100005512325059
3 Days Ago
· Reply
social networking by
Macomb medical examiner now ready to meet with commissioners

Mount Clemens— Macomb County medical examiner Dr. Daniel Spitz said Monday he is ready to meet with the county commissioners, days after refusing their subpoena to appear before them.

Spitz said after getting the green light from County Executive Mark Hackel’s office, he reached out to the board Friday and is working on a date where he can address their concerns, which include the budget, accreditation and operations for his office.

“I told them I would be more than happy to come before the board,” Spitz said Monday. “My lack of appearance before the BOC was simply the Executive’s Office being concerned over compromising the medical examiner’s office.”

The board subpoenaed Spitz last month after at least six unfulfilled requests since 2012 for his appearance. During Thursday night’s meeting, Spitz sent his attorney, Stephen Rabaut, who told the board an appearance by the medical examiner could compromise investigations.

Spitz said the only invite he’s aware of came in June.

David Flynn, chairman of the board of commissioners, said last week there are questions about how Spitz is able to perform as many autopsies as he does, for Macomb County as well as his work in St. Clair County and as an independent pathologist.

The National Association of Medical Examiners suggests a pathologist do 250 autopsies a year, and Spitz is well above that, said Flynn.

Dr. Gregory A. Schmunk, president of NAME, said it recommends a pathologist not perform in excess of 250 autopsies per year at an office and that an individual pathologist shall not perform more than 325.

Spitz estimates he does up to 300 autopsies annually between Macomb and St. Clair counties.

According to Spitz, the 2012 Macomb County Medical Examiner’s annual report said the office did 572 forensic examinations, split between him and Dr. Mary Pietrangelo, the county’s other forensic pathologist.

St. Clair County averages between 50-70 autopsies annually, and as in Macomb, there is another forensic pathologist, Spitz said.

“Every case that we bring in, which includes full autopsies, external exams or toxicology studies, those are all given case numbers,” said Mary Palmateer, St. Clair County chief forensic investigator who works with Spitz in St. Clair and Macomb counties. “When they say no more than 300 cases for a pathologist per year, that’s full autopsies. They are not including external exams. If someone brings in bone, it can be a
dog bone, we examine it and it gets a case number. Those numbers (by medical examiner's offices) that are reported are distorted."

Schmunk said this issue has come up in several jurisdictions in the last few weeks, not just Macomb, and it is going to require some discussion.

"When you have one forensic pathologist covering multiple jurisdictions such as Dr. Spitz, that becomes more challenging," said Schmunk. "Obviously, to take it to an extreme, one pathologist could work for 10 separate accredited offices. If we base it on the offices, they could theoretically perform 2,500 autopsies in a year."

Spitz said it is common for a pathologist to work in other counties.

"If you look at the other local offices, every one of them are doing work in other counties; individual pathologists are doing additional work," he said.

Besides his case load, Spitz also drew the ire of the board because of his 2012-13 contract of $377,000 with Macomb County.

Spitz said the money, while substantial, covers salaries for him and Pietrangelo, who was hired last year. Both are full-time employees.

"We don't receive any of the benefits that other county employees would get, such as sick time, health care, a pension," he said. "My salary is $200,000. I make no more than when the second pathologist was brought in."

- Macomb County medical examiner Dr. Daniel Spitz said Monday he is ready to meet with the county commissioners, days after refusing their subpoena.
Too many autopsies? Macomb County medical examiner's caseload under scrutiny

By Christina Hall Detroit Free Press Staff Writer Filed Under Local News Macomb County St. Clair County Monroe County David Widlak
Aug. 18

Macomb County Medical Examiner Daniel Spitz’s office has been conducting about double the number of autopsies per forensic pathologist as a national accreditation group recommends, and that has other county officials concerned.

Last year, the office conducted 572 forensic examinations, with a second forensic pathologist brought on in the middle of 2012 to help with Spitz’s workload as the office attempts to become accredited by the National Association of Medical Examiners (NAME).

Concerned that Spitz might be overextending himself, among other issues, the Macomb County Board of Commissioners took the unusual step last month of subpoenaing the medical examiner.

Now commissioners might take the even more unusual step of seeking a court order compelling Spitz to appear before them, after he failed to show up Thursday to answer questions about his budget, contracts, office operations — and his caseload.

Spitz’s caseload first became an issue three years ago when he missed a bullet wound while conducting an autopsy on a prominent local banker.

In addition to serving Macomb County, Spitz is the medical examiner in St. Clair County, where 129 forensic examinations or autopsies (complete and limited autopsies, external examinations and toxicology) were performed in 2012, according to an annual report. He also teaches and does private practice work.

Spitz has said he did not have a comment on the board’s subpoena because it is an ongoing issue. He said, “With two pathologists, we fall right into what the National Association of Medical Examiners would consider appropriate and that’s about all I can say. ... The workload is well within two pathologists.”

NAME, the national accreditation group, recommends that a forensic pathologist perform fewer than 250 autopsies annually, said its president, Dr. Gregory A. Schmunk.

“Over 325 per year would preclude accreditation of an office by NAME,” he said.

“The concern is overwork and burnout,” Schmunk said. “Over 325 per year, and NAME feels that mistakes likely will be made.”

By comparison, the Oakland County Medical Examiner’s Office has four full-time and one part-time forensic pathologists. It handled 979 autopsies and 114 inspections last year, according to its annual report. For autopsies alone, that’s about 218 per pathologist.
The Wayne County Medical Examiner’s Office had eight forensic pathologists and conducted 1,885 full and limited autopsies in 2012, in addition to 722 inspections, averaging about 236 autopsies per pathologist. The office also handles cases for Monroe County, where 121 full and limited autopsies and 41 inspections were recorded last year.

Accreditation for the Macomb County office first came up in 2010, when Spitz last appeared before the commissioners. He was being criticized for missing a bullet wound in the back of banker David Widlak’s head during an autopsy.

The Grosse Pointe Farms resident was last seen Sept. 19, 2010, leaving Community Central Bank in Mt. Clemens. His decomposed body was found floating in Lake St. Clair in Harrison Township a month later.

The bullet wound was discovered by the Oakland County medical examiner during a second, independent autopsy commissioned by Widlak’s family.

Macomb County commissioners were concerned about Spitz’s workload after the botched autopsy, which some said embarrassed the office and raised questions in court about Spitz’s credibility.

More recently, commissioners researched medical examiner office caseloads in Kent and Washtenaw counties. Each county has two forensic pathologists, and the most recent annual reports online indicate that the offices have total annual autopsy or autopsy and external examination caseloads of 340 (Kent County) and 387 (Washtenaw County) — fewer than 200 per pathologist.

Macomb County’s numbers came from the 2012 annual report from the medical examiner’s office. But Spitz’s attorney Stephen Rabaut, who appeared on behalf of Spitz at Thursday’s meeting, told the board that some of the numbers being reported were inaccurate.

Rabaut said there are different procedures, such as looking at bones and external examinations of bodies, and that he would have to sit down with Spitz to discuss a breakdown of the numbers and whether talking about those numbers would jeopardize criminal prosecutions — one of the main reasons he and Spitz were concerned about the medical examiner appearing before the board, he said.

Commissioner Fred Miller said those nuances are the kind of discussion the board is trying to have.

Those who oversee Spitz — who followed his father, nationally known Dr. Werner Spitz, into the contracted position with Macomb County in 2006 — think he is doing a good job in a busy office that also handles cremation permits and deaths that do not require autopsies.

“The volume of work in the medical examiner’s office has been increasing over the years and requires us to have two forensic pathologists,” said William Ridella, Macomb County Health Department director, who oversees the medical examiner’s office.

Until July 2012, Spitz was the only forensic pathologist in the Macomb County Medical
Examiner’s Office, which recorded 625 forensic exams in 2011 and 534 in 2010, according to annual reports.

To meet the criteria to be accredited, Ridella said, two pathologists are needed.

“We want to meet that standard when we have that on-site review,” he said, which could be sometime next year.

Ridella said being accredited “adds a level of professionalism we want to achieve. This is about quality of work.”

He said the medical examiner’s office is organizing documents, formalizing policies and procedures, filling vacancies and training staff. There are about 350 standards to meet to become accredited, he said, making it a “pretty intense process.”

The Washtenaw, Kent and Muskegon offices are fully accredited by the National Association of Medical Examiners and the Oakland County office is provisionally accredited, according to Schmunk. Sparrow Forensic Pathology — which Schmunk said serves Allegan, Barry, Eaton, Livingston, Muskegon and Shiawassee counties — also is accredited.

Seventy-three offices, including some coroner facilities, are accredited throughout the U.S., he said.

Schmunk said the association “certainly advocates the voluntary accreditation process, but unfortunately there is no state or federal mandate to achieve it.” However, he said, there is pending legislation in the U.S. Senate that might require certification of practitioners and accreditation of offices.

Macomb commissioners said they have asked that Spitz appear before them at least a half-dozen times since last year and also in 2011. Rabaut, who said the board’s subpoena was unenforceable, said Spitz told him he was not aware of the numerous requests.

Rabaut suggested the board meet with Spitz privately to answer questions — a proposal the commissioners have declined. They want to maintain the integrity of the medical examiner’s office and criminal cases, they said, but the public has a right to know how tax dollars are spent.

More recently, Macomb commissioners had questions about the county’s contract with Spitz Pathology, which was signed in the middle of 2012 and is about $177,000 more annually than Spitz’s prior contract, which was just over $200,000 a year.

The contract with Spitz Pathology expires at the end of the year and reflects the hiring of the other forensic pathologist. It was signed during a time when the board and Executive Mark Hackel were in court about who had the authority to approve contracts. The board saw both contracts for the first time this past spring.

Commissioner Toni Moceri said under state statute the county board appoints the medical examiner. It also approves the office’s budget, and commissioners want to make sure tax dollars are being spent appropriately, she said.
Not renewing the contract is an option, Board Chairman David Flynn said.

At least one commissioner, Robert Mijac, said Thursday he would support a motion to end Spitz’s contract and have a nationwide search for a new medical examiner who would only serve Macomb County.
Macomb Co. commissioners to meet Wednesday after budget data request goes unmet

Mount Clemens— The Macomb County Board of Commissioners will consider its next move at a meeting Wednesday morning after the county’s Finance Department missed a deadline to provide it with budget information.

The board filed a Freedom of Information Act request July 26, asking the department for electronic copies of documents related to the county’s 2014-2016 budget.

The department, which reports to County Executive Mark Hackel’s office, requested an extension Aug. 1, which expired Monday.

The board’s Finance Committee meeting will be held at 9 a.m. on the 9th floor of the Administration Building, 1 S. Main, Mount Clemens.

The commissioners and Hackel have been sparring this summer over the board’s requests for detailed information on the budget. When county officials unveiled a balanced, $631 million budget for 2014 last month, the commissioners overrode Hackel’s veto of two ordinances seeking details on personnel spending.

Hackel argued then that the board was essentially trying to tell him how to prepare the budget in an effort to control it, and lacked the authority to do so under the county charter.

- Macomb Co. commissioners to meet Wednesday after budget data request goes unmet

— The Macomb County Board of Commissioners will consider its next move at a meeting Wednesday morning after the county’s Finance Department missed a deadline to provide it with budget information.
Spitz reverses course, will appear before county board

By Mitch Hotts
mitch.hotts@macombdaily.com; @mhotts

Tuesday, August 20, 2013

Macomb County Medical Examiner Dr. Daniel Spitz who last week ignored a subpoena to appear before the Macomb County Board of Commissioners says he now will meet with them to discuss how his office operates.

Spitz said he has received approval from Macomb County Executive Mark Hackel to go before the board, which will happen sometime after Labor Day.

“T I am happy to go in front of the board,” Spitz said Tuesday.

“The county executive’s office had some concern that this would compromise my office but there are some things that need to be sorted out. Now that the board has made it quite clear that their primary concern is the budget, and I have no problem with that.”

Macomb County commissioners were upset when Spitz did not show up at their Aug. 15 session despite being subpoenaed to attend. Instead, his attorney, prominent criminal defense lawyer Steve Rabaut, stood before the board and answered questions.

At issue is the medical examiner’s contract, budget, and operations at the county morgue, along with Spitz’s extensive workload.
But the county executive’s office was reluctant to allow Spitz to attend the board meeting because they were concerned about the line of questioning and political posturing, said Assistant County Executive Al Lorenzo.

If Spitz is alleged to be overworked, that could become an issue in a murder case in which the autopsy is a key factor and Spitz is an expert witness, Lorenzo said.

“That was a major concern of the executive’s office, compromising his credibility in aiding investigations and gaining successful prosecutions,” Lorenzo said.

County commissioners have publicly expressed concern about the number of autopsies being conducted by Spitz. A second issue they’ve raised is how his contract with the county went from $200,000 to $377,000.

In addition to working as the county’s chief medical examiner, Spitz, who became Macomb’s ME in 2006, also serves as medical examiner for neighboring St. Clair County. He also is an independent pathologist who teaches and lectures at Wayne State University.

In 2012, the Macomb County medical examiner’s office conducted 572 forensic examinations, with a second forensic pathologist, Dr. Mary Pietrangelo, brought on in the middle of the year to help with the workload.

The National Association of Medical Examiners (NAME) recommends a limit of 250 autopsies a year. Spitz said the 572 figure can be misleading because it combines full autopsies with simple external examinations of bodies and skeletal remains.

As the county seeks national accreditation for the morgue from NAME, Spitz said it’s important to differentiate between accreditation — which is for the office — and certification, which is for individuals and done through the American Board of Pathology.

“There is a lot of misconceptions taking place here over what I’m doing from people who don’t understand the accreditation process,” Spitz said. “Even if you lump together all of the figures on the number of autopsies, we still fall into the proper range. And the idea that it’s unusual for a medical examiner to work in two counties is not accurate. The pathologist in Oakland County covers other counties. So does Wayne County. And Kent County.”

County commissioners have also questioned the current contract the Hackel administration signed in July 2012 with Spitz Pathology Group, a newly formed company created by the pathologist, which represents an 88 percent increase in compensation compared to his previous deal as a single contract employee making $200,000 annually.

Spitz said the additional money includes Pietrangelo’s salary. The contract finances two board-certified forensic pathologists covering the county 365 days a year without the fringe benefits other county employees enjoy such as sick days, pension, or vacation time.

“Do you know how much insurance costs these days? We pay for our health care ourselves,” Spitz said. “I am very happy here in Macomb County, but I’m not in it for the money. It’s not unfair compensation, but I could make twice as much as I do if I went to work for a hospital.”

Lorenzo said the two issues — workload and the contract — are related.
The cost went up 88 percent to allow the hiring of a second medical examiner and their caseloads fall into accreditation guidelines, Lorenzo said.

"Was there a lot of autopsies being conducted by one individual in the past? Yes, but the county executive solved that problem by addressing the workload by retaining a second medical examiner," Lorenzo said. "So what's the problem?"

Both Spitz and Lorenzo stressed Spitz never ignored six requests from the county board as has been widely reported in the media. They are aware of only a request for one meeting and Spitz was on vacation on that particular date.

"The idea of me being unavailable is not true," Spitz said. "I am in the middle of a difficult, complicated and confusing situation and process between the executive's office and the county board. I understand there is a conflict going on here, but I can take a little heat. I have thick skin."

A date for his appearance is being worked on, according to David Flynn, chairman of the county board. He said it won't happen until after the Labor Day holiday.

"I think Dr. Spitz realizes the importance of having a public meeting with the commission to discuss the operations and budget of his office, his office's accreditation and his $377,000 contract," Flynn said.

URL: http://www.macombdaily.com/apps/pbcs.dll/article?AID=/20130820/NEWS01/130829939&template=printart

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FOIA flap subsides, for now

By FRANK DeFRANK
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Wednesday, August 21, 2013

FOIA-gate may be winding down.
The latest dispute between the Macomb County Board of Commissioners and county Executive Mark Hackel, this time over the release of financial information the board requested, appeared to move toward resolution Wednesday.

At least some of the information requested by commissioners began to show up via email, two days day after a deadline established by state law passed.

"I was told the emails are coming in," said David Flynn, Macomb County board chairman.

The chairman cautioned, however, he and his staff are not yet certain if the information provided represents all the material requested of Hackel’s office.

Flynn was among several commissioners who complained at a public meeting Wednesday morning that the executive’s office still had not complied with a Freedom of Information request first sought by the board back in July.

Commissioners asked for detailed financial information they said they needed to review the proposed county budget. The county’s legal department, which handles such requests, extended the original deadline 10 days, which pushed to Monday the date by which the request had to be fulfilled. As of close of business Tuesday, the
request had not been filled.

"For the life of me, I can’t understand why we can’t get this information," Flynn said during Wednesday morning’s meeting. "At some point, this board has to consider action."

Legal action would have been the logical next step, but Flynn said that prospect dimmed when information began to show up Wednesday afternoon.

"It never had to come to that point," he said.

Al Lorenzo, deputy county executive, said the issue was blown out of proportion.

"All of this fuss is over a (request) that was (filled) one day late," Lorenzo said. "It was complied with."

Lorenzo said the information requested by the board was voluminous and added, "We did the best we could."

He stressed that Flynn did not follow proper protocol because FOIA requests are supposed to be sent to the county’s legal office, not to the executive.

"A FOIA request is of the county, not of an office," Lorenzo said.

Lorenzo also questioned whether Flynn acted on his own in making the request without formal approval by the Board of Commissioners.

Flynn denied that charge and said a budget resolution passed by the board earlier this year granted him the authority. He also said he made the FOIA request of both the executive and the county lawyer.

"I think Al Lorenzo is trying to put up a smoke screen for the executive’s office," he said.
Medical examiner, board to meet

Macomb Co. officials want answers on spending, workload

BY URSULA WATSON  The Detroit News

Mount Clemens - After refusing a subpoena to meet with Macomb County commissioners, Medical Examiner Daniel Spitz will appear at a board session next month, the commissioners said Wednesday.

The medical examiner agreed to attend a special board meeting at 10 a.m. Sept. 6, the commissioners announced after the board’s finance committee and regular session Wednesday.

Spitz didn’t attend the county commission meeting last Thursday, despite a subpoena from the board. Spitz instead sent his attorney, Stephen Rabaut, risking a contempt of court citation or breach of contract.

During that meeting, Rabaut told the commissioners the doctor’s appearance could compromise medical examiner investigations.

The Board of Commissioners has wanted to question Spitz about his office’s budget, accreditation and workload, citing concerns he is performing too many autopsies.

Besides handling cases in Macomb County, Spitz also performs autopsies for St. Clair County.

The board subpoenaed the medical examiner last month after saying it had made at least six unfilled requests since 2012 for his appearance.

Spitz said Monday that after getting the green light from County Executive Mark Hackel’s office, he had reached out to the board Friday, saying he would be happy to appear before commissioners.

Spitz said Monday the only previous invitation he’s aware of came in June.

Neither Spitz nor Rabaut were available for comment Wednesday.

During the commissioners’ finance committee meeting Wednesday, electronic documents related to the county’s 2014-2016 budget were sent to the board.

The board filed a Freedom of Information Act July 26, asking the county’s Finance Department for the information. On Aug. 1, the department requested an extension, which expired Monday.

Following the Wednesday meeting, Assistant County Executive Al Lorenzo acknowledged the missed deadline.

"What I recall, it was an extensive request for information, that’s why the FOIA coordinator sought the extension and apparently that extension wasn’t enough," he said. "We are sorry."

During the commissioners’ regular session Wednesday, the board discussed amending the county’s solid waste management plan to allow Rizzo Environmental Services to open a landfill in the New Haven area.

The plan must be amended if other disposal areas are to be used in the county.

Macomb has a solid waste management plan identifying Pine Tree Acres in Lennox Township as the designated disposal area.

New Haven resident Katie Kapal said she didn’t understand why another landfill was needed in Macomb County, and added that Pine Tree Acres has up to 20 years of capacity left.

"Please consider the environmental and air quality impacts on an area with two enormous landfills in such close proximity," she told the board.

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ip, were taken to an area hospital for serious injuries.

Gutierrez told deputies she was east on Brookside Lane into sun-out 7:19 a.m. Sunday when she saw a man with the sheriff's office.

Gutierrez was arrested and taken to the County Jail, where she registered a Breathalyzer test, the sheriff's aid.

The blood-alcohol limit for driv-erichigan is 0.08%.

Gutierrez was arraigned Tuesday in a county court in Romeo on a second charge of operating while intoxicated as well as two counts of operating intoxicated causing serious injury.

He was released after posting a $10,000 bond on the 2013 Jeep Liberty she was driv-erichigan.

IT TOWNSHIP

Rest in shootings, chase

Men were arrested Wednesday after they shot into an Ypsilanti Township and then fired at officers during a pursuit.

Negan County Sheriff's deputies idled at 6:30 a.m. after someone fired at a home on Greenlawn, Sheriff's spokesperson said.

Suspects fled in a vehicle, then switched to a couple of cars and fled on foot, Fox said. "We are in the area ... (and) started to yell. One of the subjects fired a shot.

Police were able to catch two men and believe two others may have been.

MEN

examiner agrees to talks

amb County commissioners and the examiner are expected to discuss the examiner's budget, operations, and caseload during a public

Macomb board uses FOIA to get county budget documents

It adds to power struggle with exec

By Christina Hall
Detroit Free Press Staff Writer

When Macomb County commissioners couldn’t get information they wanted from the county executive’s office, they did what any citizen might do. They filed a Freedom of Information Act request.

They were then told the request would cost them $300 in copying fees. The fees were waived last week after at least one commissioner called it ‘outrageous’ for the county to be charging the county board for information.

Then, the deadline for receiving the information came and went on Monday.

Information finally arrived Monday after e-mail as the county’s Finance Committee was meeting, but it was unclear whether it contained the material requested in the July 26 FOIA by board Chairman David Flynn for electronic copies of documents related to the county’s 2014-16 budget.

That push-pull between the two branches of county government — another example of an ongoing power struggle between the county board and Executive Mark Hackel — had some commissioners fuming.

“While outrageous on a number of levels,” Commissioner Fred Miller said during Wednesday’s meeting. “The fact that one branch of government has to FOIA another branch of government to get information about county employees is simply outrages... Outragenous, outrageous, outrageous, outrageous. It doesn’t make any of us look good.”

Assistant County Executive Al Lorenzo said he did not believe a FOIA was necessary.

“The board has received several thousand pages of information and answered to several hundred questions since the budget process began,” he said, adding that none of that material required a FOIA.

Lorenzo said the FOIA request was extensive, the county was one day late in providing the information, and that “we’re sorry.”

Flynn requested electronic copies of Microsoft Excel workbooks, files, spreadsheets, reports or other public documents submitted by all elected officials and department heads to the finance director for their 2014-16 budget requests. The workbook contains, among other things, worksheets titled positions, budget sheet, salary schedule and salary and fringe, according to the request.

The request also was for any e-mails, letters or communications related to the information requested regarding 2014-16 budget requests in the possession of the executive’s office. Finally, it requested the “brief financial narrative describing the cost savings and changes to personnel” requested from elected officials and department heads by Finance Director Peter Provenzano and any other public records, communications or report containing such information.

Flynn admitted the FOIA was “pretty unique and extraordinary” but said the board had been denied the information through prior requests.

Contact Christina Hall: chall99@freepress.com
LETTERS TO THE EDITOR

County executive should work better with others

Aren't we, the Macomb County taxpayers, owners of Macomb County? Do we not have a right to know how our money is spent? We chose to have a county executive but we did not elect to have one that felt he had complete control. We also elected our county commissioners to help oversee and keep things in balance. Our county commissioners hold open meetings and the public invited to participate in these meetings. Not only are we not invited to any open meetings held by our county executive but the employees he appoints also feel that they do not have to answer to us.

This last debacle regarding the coroner and the charge for the county commissioner's requests for information that should be at their disposal since that is why the people elected them is really getting out of hand.

As a taxpayer and part owner of Macomb County, I think it is time for the county executive and the county commissioners to hold an open meeting together and get all their cards on the table.

I for one would love to see our executive on the front page of the Macomb Daily working with the county commissions for a change. All I have seen so far is that our executive is at one fundraiser, grand opening, parade, or announcing a new appointee, etc., or else I read his negative remarks regarding the commissioners and their unwillingness to work with him. From my observation, it looks quite the opposite.

There is too much for our county to lose if we do not get a handle on what is going on. Once a precedent is set and we continue the way we are going, we will not survive.

IRENE MAREK
Clinton Township

At the Macomb Daily we welcome letters from our readers. To be published, each letter must include a name, home address and daytime and evening phone numbers so that we can verify the identity of the writer. Letters are subject to editing for length, grammar and clarity. Send them to: Letters to the Editor, The Macomb Daily, 19176 Hall Rd. Suite 200 Clinton Twp. MI 48038, or letters@macombdaily.com
LETTERS TO THE EDITOR

County government should not need to FOIA itself

As not only a County Commissioner, but also a Macomb County taxpayer, I find the fact that the Board of Commissioners needed to file a Freedom of Information Act request in order to gain existing budget information disappointing and completely unacceptable.

While unheard of in the history of our county government, this type of extreme measure has become a growing necessity in the Board’s attempt to gain information and insight into management of our proposed county budget. By deliberately failing to forward the information requested in the FOIA within the timeframe allotted by law (and after being granted a 10-day extension) the Office of County Executive has gone back on the promise it made in January to work collaboratively with the Board. This choice not only shows a blatant lack of respect for a co-equal branch of county government — particularly during the budget process — but also complete disregard for state law. Additionally, this lack of responsiveness insults the taxpayers I represent. Those taxpayers deserve easy answers to questions about how their money is being spent, and why they should continue to “Make Macomb Their Home.” An unresponsive government hardly seems to support this aim, much less value the people whom it serves.

This was simply the latest illustration of the lack of willing cooperation we receive on matters pertaining to this budget, and I am hoping it will be the last.

Mike Boyle
Macomb County Commissioner, District 10
St. Clair Shores,
Harrison Township

At the Macomb Daily we welcome letters from our readers. To be published, each letter must include a name, home address and daytime and evening phone numbers so that we can verify the identity of the writer. Letters are subject to editing for length, grammar and clarity. Send them to: Letters
Mount Clemens — The Macomb County jail has been overcrowded for the past week forcing the sheriff to declare a state of emergency Tuesday.

Macomb County Sheriff Anthony Wickersham said there were 1,241 inmates in custody as of Tuesday, four over capacity. Over the Labor Day weekend, that number peaked at 1,268.

That number is expected to swell in the coming days as prisoners housed in city holding cells over the long holiday weekend are arraigned in county courtrooms.

If the population cannot be reduced quickly, Chief Circuit Court Judge John Foster will have to consider reducing the sentences of non-violent offenders held at the Elizabeth Road facility.

Notification has gone out to Foster, Chief District Court Judge Joseph Oster, Prosecutor Eric Smith, Board Chair David Flynn and County Executive Mark Hackel on Tuesday. That panel will verify the sheriff's calculations. If found to be accurate, the sheriff's department will have 15 days to bring the jail population down to 1,213.

Options for reducing the number of inmates include bonding out some inmates, while offering GPS tethers to others, Wickersham said.

Tyler MacEachran, Michigan executive director for MADD, said he hopes that those in jail for drunken driving offenses are not among those released early.

"Personally I'd rather be facing someone with a fist or knife rather than a car coming 70 miles an hour at me," he said. "We would definitely hope the drunk driving offender would be lumped in with violent offenders."

Tuesday's announcement is the latest in a decade of troubles related to overcrowding in the county jail system. Overcrowding state of emergencies have been declared in 2003, 2004, 2005, 2007 and 2008.

Judges in 2005 agreed to a bed allocation plan in which each judge was assigned a certain number of beds at the jail, Wickersham said. In 2009, resources were further squeezed when budget cuts forced the closure of 200 beds.

But that was only a temporary fix.

"We're still using that (plan) today, it's been well-managed by the judges of Macomb County, though it was not the optimal solution," Wickersham said. "Nobody's going to like to hear it but the solution here in Macomb County, is we're going to have to come up with a plan to increase bed space."

Other Metro Detroit counties have grappled with jail woes in recent years. The recently scrapped
$300 million Wayne County Jail project was projected to run $91 million over budget. In August 2012, Oakland County Sheriff Michael Bouchard declared a jail overcrowding emergency, which led to a Oakland County chief circuit judge ordering sentence reductions for 228 inmates.

Flynn on Tuesday said that he has not had a chance to review the state of emergency announcement but agreed the county needs to come up with a long-term solution to the housing of a growing number of criminals.

“We’re looking at coming up with a strategic plan to addressing those needs,” Flynn said.

smdaniels@detroitnews.com (313) 222-2175 Detroit News Staff Writer Candice Williams contributed.

• Utica — Five months after right-to-work legislation took effect in Michigan, the law appears just as polarizing with supporters and opponents lashing out at a town hall meeting Tuesday.
Macomb County
September 03, 2013
County board uses FOIA requests to obtain budget information

By Jeremy Selweski
C & G Staff Writer

MACOMB COUNTY — To get their hands on detailed financial information that they said they had been denied by County Executive Mark Hackel's office, members of the Board of Commissioners submitted an extensive Freedom of Information Act (FOIA) request seeking documents related to the county's 2014 budget.

This request was highly unusual and — according to Commissioner Fred Miller, D-Mount Clemens, chair of the board's Finance Committee — totally unacceptable.

"This is just outrageous that one branch of government has to FOIA another branch of government for information that every Macomb County employee already has access to," he said. "After being stonewalled repeatedly by the Executive Office, the board had to resort to the same tool that ordinary citizens would use."

A timeline provided by the board states that the FOIA request was originally submitted on July 26. Because of the size of the request, the Executive Office initially told the board that there would be a copying fee of $300, but then waived that fee after some board members called and complained. The Executive Office also requested a 10-day deadline extension, which the board granted.

However, according to the board, none of the requested information was received by the Aug. 19 deadline. Two days later, most of the budget documents were sent via email, but the board contended that 13 of the 69 pieces of information that it had asked for were never received.

"I will concede that this is a lot of information," Miller said, "but one of the central purposes of the Board of Commissioners is to make sure that citizens have all the information they deserve about the county budget. Our role is to be the eyes and ears of the public in Macomb County government."

Still, Assistant Executive Al Lorenzo was confused as to why the board felt the need to submit a FOIA to get the budget information that it was seeking. He also believes that Miller's characterization of the request as "a lot of information" is a massive understatement.

"The board was asking for everything under the sun — this was a huge, sweeping request for
information," Lorenzo said. "If you printed out all of those documents, they would amount to a stack of papers about 6 to 8 inches high. And this was far from the board’s first request for information. Throughout the budget process, they have been given literally thousands of documents and answers to literally hundreds of questions."

Lorenzo apologized for the Executive Office’s tardiness in sending the requested information to the board, noting that it took a very long time to put it all together. However, he denied the board’s assertion that it did not receive all of the documents included in the FOIA.

"I was told that some of the things they said were missing were actually in there, but maybe they just couldn’t find them within that giant mountain of documents," Lorenzo said. "At this point, I don’t think there is a single document that exists about the county budget that the board hasn’t seen. And yet, there will always be the claim that they’re not getting enough information from our office."

This debate between Macomb County’s legislative and executive branches is nothing new. On June 13, the Board of Commissioners approved a pair of new ordinances intended to provide greater transparency within the county budget — a move that Hackel labeled as a politically motivated power grab.

The first 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, since 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 Hackel’s office. 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.

Hackel abruptly vetoed both ordinances, saying that he would not abide by them because they were a blatant attempt by the board to assert powers that it had not been granted by the Macomb County charter. At its next meeting, the board voted unanimously to override Hackel’s vetoes. However, representatives from the Executive Office did not follow the guidelines of these ordinances when they presented their 2014 budget proposal to the board on July 1.

According to Miller, "This is very typical of Hackel’s perspective that he is the sole arbiter of everything in Macomb County, and other branches of government have no authority. His philosophy is that the board’s job is just to rubber stamp everything he gives us and provide little to no oversight."

Miller pointed out 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. The proposed 2014 budget that Hackel’s office submitted to the board totaled about $631 million.
Lorenzo remained adamant that, as the budget process has gone along, the Executive Office has provided the board with every piece of financial information at its disposal.

"We're as transparent as we can possibly be," he said. "This office has not received a single complaint from a Macomb County resident about a lack of transparency within the budget. The only source of complaints about the Executive Office is coming from one source, and that's the Board of Commissioners."

Miller acknowledged that the two branches of government have not been communicating well with each other and that county residents should be "outraged" by that lack of communication. Still, despite all the acrimony between Hackel's office and the board over a myriad of ongoing issues, Miller said he believes that things are moving in the right direction.

"People deserve to have collaboration in their county government," Miller said. "I actually feel like we're making progress, slowly but surely. I think things will be better a year from now, and hopefully by the time I'm no longer in office, they'll be running like clockwork."

You can reach C & G Staff Writer Jeremy Selweski at jSelweski@candgnews.com or at (586)218-5004.

Macomb Co. commissioners grill medical examiner about his workload

URSULA WATSON  THE DETROIT NEWS  1 COMMENTS

Mount Clemens—After refusing to appear at a hearing, medical examiner Daniel Spitz appeared Friday and was peppered with questions about his workload.

The board subpoenaed Spitz last month after at least six unfilled requests for 2012 to appear at the Board of Commissioners meetings were unanswered. His department's budget, examination priorities, his workload and the department's pursuit of national accreditation.

Spitz's workload was often questioned by commissioner Don Brown, who wanted clarification on how many autopsies were performed by the pathologist in the medical examiner's office.

The National Association of Medical Examiners suggests a full-time forensic pathologist perform 225-250 autopsies annually, Brown said. He pointed out the 2012 Macomb County Medical Examiner's annual report, which did not exceed 572 forensic examinations.

"The average caseload was 268 autopsies per pathologist, which is over the national standard," Brown said.

Spitz clarified those numbers saying NAME recommends between 250 to 325 per year.

NAME, recommends a pathologist not perform in excess of 250 autopsies per year at an office and that an individual pathologist shall not perform more than 325.

He added that in Macomb County last year there were 572 forensic exams and not all were full autopsies but also external exams or toxology studies. Spitz said the office performed 465 autopsies in 2012, 480 in 2011 and 368 in 2010 for an average of 437 over those three years.

"We are on target this year to perform between 470 to 490 autopsies this year," he said. "With two pathologists we are not only between 250-325, we are below it."

Commissioner James Carabelli asked if private autopsies performed by Spitz took place at county facilities. Spitz said no and explained such autopsies were performed at funeral facilities.
Commissioners also asked him many questions about his office's pursuit of accreditation by NAME. Spitz said the goal to gain accreditation began in 2011 and it was imperative to get a second forensic pathologist, Dr. Mary Pietrangelo — hired in 2012 — so as not to hinder the process.

"That was the biggest hurdle we had," Spitz said. He said he expects the medical examiner's office will earn accreditation by next year.

Spitz said the medical examiner office's budget has projected revenue for 2013 of $330,000, which comes from cremation permits, reports and records and grants.

In 2012 there were 6,000 deaths in the county, half of which were cremations, which generated $250,000 alone. Each cremation permit cost $75. Also, Spitz secured a grant from the organ and tissue procurement agency Gift of Life for $80,000.

Office expenditures for the staff of 10 and a half equaled $720,000. Of that amount, $422,000 went to salaries, while $298,000 went to benefits.

When asked about the renewal of his 2012-13 contract of $377,000, Spitz said he really didn't know about the process and couldn't comment. The contract covers salaries for him and Pietrangelo, who are both are full-time employees. That total doesn't include sick time, overtime, vacation or health benefits.

David Flynn, board chairman, said his personal preference is for the county to seek bids for a medical examiner.

"At the end of that process Dr. Spitz may be the most qualified, most economical choice, but until we undertake a request for proposal, we don't know that," Flynn said.

At the end of the nearly two-hour meeting, Commissioner Veronica Kinney felt said appearing before the board should be one of Spitz's responsibilities.

"We might not have to go through as much as we have gone through today," she said.

After the meeting, Spitz said he thought his appearance "went fine."

"I did my best to answer their questions," Spitz said. "I think the board members were pleased with my forthcoming answers."

Spitz said he was aware only of an invitation in June to speak before the board and not previous invites. On Aug. 15, he sent his attorney, Stephen Rabut, who told the board an appearance by the medical examiner could compromise investigations.

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Dr. Daniel Spitz diffuses coroner controversy

Chad Selweski

Friday, September 6, 2013

Dr. Daniel Spitz diffused Macomb County’s ongoing coroner controversy on Friday, answering dozens of questions about the Medical Examiner’s Office to the satisfaction of nearly all 13 county commissioners.

Renewal of Spitz’s $377,000 no-bid contract to oversee the county morgue seemed in doubt a few weeks ago, after he and the Hackel administration had ignored Board of Commissioners’ requests to have the coroner appear before them for nearly two year. But after a 2-hour session on Thursday, the medical examiner earned praise for his forthright and professional testimony.

The highest-paid county employee, Spitz appeared before the board after he received a subpoena — a demonstration of one of the powers awarded to the commissioners under the voter-approved county charter. His heavy workload, and claims by former employees that Spitz was a tyrannical boss, prompted officials to push for an in-depth question-and-answer session.

“If the question is, is the (medical examiner) work of Macomb County being done and being done well ... with the highest level of professionalism ... I think the answer is yes,” Spitz told the board.

Eight members of Spitz’s staff attended the meeting as a show of support and, in a message they wrote, they praised Spitz and the quality work being conducted by the doctor and a dedicated workforce at a very busy morgue.

Throughout the session, the commissioners were far more accommodating than at an August meeting where Spitz was a no-show and his private attorney suggested he would only answer questions in private.

“I am pleased that Dr. Spitz answered a lot of important questions today,” said board Chairman Dave Flynn, a Sterling Heights Democrat. “Personally, I feel we should bid this contract and, in the end, Dr. Spitz may be the best-qualified candidate.”

After the commissioners “digest all this information,” Flynn said, they may vote on a non-binding resolution that would urge the Hackel administration to seek contract bids. Spitz said he is not familiar with a bidding process and he would have to “weigh my options” if a competitive process was established.

Last July, the medical examiner charted a new path and formed a private company, Spitz Pathology Group, which was awarded a short-term contract renewal by the County Executive’s Office. Spitz said he was “happy to let the people know, and the commissioners know” that his salary is $200,000 and that his partner, Dr. Mary Pietrangelo, is paid about $170,000. He asserted that those “modest” figures put the two forensic pathologists near the bottom 10 percent of pay across the nation for medical examiners with several medical board
certifications.

As for his overall workload, Spitz is the chief medical examiner for Macomb County, the lone medical examiner for neighboring St. Clair County — a part-time job that pays $96,000 a year — and an occasional lecturer at Wayne State University in Detroit, where he is an assistant professor. He also conducts two to four private autopsy consultations per month for a fee.

The coroner said the 465 to 490 autopsies conducted annually by him and Pietrangelo is not considered beyond what is deemed acceptable by national standards. Spitz added that the morgue is “well on its way” to receiving accreditation from the National Association of Medical Examiners.

“It would seem to me that the work here in Macomb County alone is more than a full-time job,” said Commissioner Fred Miller, a Mount Clemens Democrat. “Short of cloning, I’m not sure how you do it.”

Spitz’s contract is up for renewal on Dec. 31 and the board has asserted that it has sole discretion in choosing the medical examiner for 2014 and beyond. However, the decision whether to seek competitive bids will be made by County Executive Mark Hackel.

The current contract that the Hackel administration signed in July 2012 with Spitz Pathology Group represents an 88 percent increase in overall compensation compared to the doctor’s previous deal as a single contract employee, also making $200,000 annually. The Medical Examiner’s Office is not seeking a budget increase for 2014.

In addition to his responsibilities as Macomb’s chief medical examiner, Spitz, who became the county coroner in 2006, now handles administrative duties and oversees the morgue’s mix of full- and part-time employees that equates to 10.5 workers.


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Macomb Medical Examiner On The Hot-Seat Before Board

September 7, 2013 11:15 AM

MACOMB COUNTY (WWJ) - The Macomb County Medical Examiner remains a controversial figure in the county, after missing a number of meetings.

Commissioners aren't pleased with the performance of Daniel Spitz.

Spitz was questioned by members of the board for about two hours including inquiries into his contract which makes him the highest paid county employee.

The board went on to ask Spitz about the medical examiners office budget, and his side jobs which include private autopsies.

"Some people work 40 hours a week - other people work more," Spitz told WWJ's Marie Osborne.

"We would prefer Dr. Spitz to be a Macomb County employee - to work here - and benefit from him being here on a more permanent basis," said Board Chairman David Flynn.

"Sure I've done this position since 2004 and I am happy to continue it," said Spitz, whose contract expires in December.

"Personally I hope it goes out to bid to see who could apply for this and also, perhaps, to see in the contract to have a medical examiner that is more committed to Macomb County. 841,000 people, we have a huge case load," said Flynn.

Spitz was subpoenaed to appear before the board although Spitz told WWJ that he was never specifically asked to appear. "I am always willing to talk to the board," he said. "As long as everyone respects each other."

He told the board his take of the $377,000 contract is about
$200,000. This is not the first time that Spitz’s future with the county has come into question. In 2010, he was on the hot-seat after missing a gunshot during an autopsy that killed a missing banker.

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Macomb County medical examiner Daniel Spitz tells board his services are cost-effective

By Christina Hall Detroit Free Press Staff Writer Filed Under Local News Macomb County David Widlak St. Clair County Sep. 08

Macomb County Medical Examiner Daniel Spitz said today that he is performing under the number of autopsies in Macomb County recommended by a national group; doing more duties for less pay, and keeping the medical examiner’s office at or under budget.

"Macomb County is receiving the highest level of professionalism for the most cost-effective service," he told county commissioners, who peppered him with questions at a two-hour meeting to discuss the medical examiner’s office budget, operations and workload and the county’s $377,000 contract with Spitz Pathology.

The contract, which includes a second forensic pathologist hired in 2012 to help the office become accredited, expires at the end of the year.

Board Chairman David Flynn said he would like the county to bid out the contract for the medical examiner’s office — a decision that lies with County Executive Mark Hackel.

Assistant County Executive Al Lorenzo said the executive’s office “hasn’t decided” whether the contract will be bid out. He said the executive’s office has three options: Renew the deal with Spitz, bid out the contract or hire a full-time employee for the job.

“We … haven’t yet decided what is the best approach given all the factors that have to come into consideration, not the least of which is cost,” Lorenzo said.

He said a decision on how to proceed could come at the end of the month or the beginning of October. The board would have to approve any contracts. Lorenzo said the recommendation would keep in mind who is best positioned to aid law enforcement in investigations and get successful prosecutions.

The board subpoenaed Spitz, who did not appear last month amid concerns that questions might hurt ongoing investigations. Well-known criminal defense attorney Stephen Rabaut appeared in his stead. The next day, Spitz said he would talk with the board.

During the meeting, Spitz said his salary is $200,000, while the second forensic pathologist earns $150,000 annually. The remainder of the contract is for the cost of having an employee.

Commissioners have been concerned about whether Spitz is overextending himself. His caseload first became an issue nearly three years ago when he last appeared before the board to answer questions about missing a bullet wound while conducting an autopsy on prominent local banker David Widlak. The bullet wound was discovered during a second, independent autopsy by the Oakland County medical examiner.

Spitz also is the medical examiner in St. Clair County, where he said he is considered a part-
time employee with a contract of about $96,000. Spitz said he also does private autopsies or consultations — possibly two to four a month at funeral homes — and an occasional college lecture.

Spitz said he and the other forensic pathologist divide the Macomb office’s work, including autopsies.

Spitz said that of the 572 forensic examinations in Macomb last year, 465 were autopsies. The rest were other types of exams.

Macomb’s autopsy totals were 480 in 2011 and 368 in 2010, Spitz said. The office did not have a second forensic pathologist those years. Spitz said the Macomb office is on target to perform 470 to 490 autopsies this year.

The National Association of Medical Examiners recommends a forensic pathologist perform fewer than 250 autopsies annually. More than 325 per year would preclude accreditation by the group, its president, Dr. Gregory Schmunk, previously told the Free Press.

The accreditation process is voluntary. Spitz said he hopes the Macomb office can submit for a site visit in the early months of 2014 and become accredited.
Macomb Co. commissioners grill medical examiner about his workload

Sun, Sep 8

Mount Clemens—After refusing a subpoena to meet with Macomb County commissioners, Medical Examiner Daniel Spitz appeared Friday and was peppered with questions about his workload.

The board subpoenaed Spitz last month after at least six unfulfilled requests since 2012 for his appearance to discuss office operations, his department’s budget, examination priorities, his workload and the department’s pursuit of national accreditation.

Spitz’s workload was often questioned since Spitz is under contract as a part-time employee to perform autopsies for neighboring St. Clair County under a contract worth $96,000.

Commissioner Don Brown wanted clarification on how many autopsies were conducted by the pathologists in the medical examiner’s office.

The National Association of Medical Examiners suggests a full-time forensic pathologist perform 225-250 autopsies annually, Brown said. He pointed out the 2012 Macomb County Medical Examiner’s annual report said the office did 572 forensic examinations.

“The average caseload was 286 autopsies per pathologist, which is over the national standard,” Brown said.

Spitz clarified those numbers saying NAME recommends between 250 to 325 per year.

NAME, recommends a pathologist not perform in excess of 250 autopsies per year at an office and that an individual pathologist shall not perform more than 325.

He added that in Macomb County last year there were 572 forensic exams and not all were full autopsies but also external exams or toxicology studies. Spitz said the office performed 485 autopsies in 2012, 480 in 2011 and 368 in 2010 for an average of 437 over those three years.

“We are on target this year to perform between 470 to 490 autopsies this year,” he said. With two pathologists we are not only between 250-325, we are below it.”

Commissioner James Carabelli asked if private autopsies performed by Spitz took place at county facilities. Spitz said no and explained such autopsies were performed at funeral facilities.

Commissioners also asked him many questions about his office’s pursuit of accreditation by NAME. Spitz said the goal to gain accreditation began in 2011 and it was imperative to get a second forensic pathologist, Dr. Mary Pietrangelo — hired in 2012 — so as not to hinder the process.
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"At the end of that process Dr. Spitz may be the most qualified, most economical choice, but until we undertake a request for proposal, we don’t know that," Flynn said.

At the end of the nearly two-hour meeting, Commissioner Veronica Klinefelt said appearing before the board should be one of Spitz’s responsibilities. “We might not have to go through as much as we have gone through today,” she said.

After the meeting, Spitz said he thought his appearance “went fine.”

“I did my best to answer their questions," Spitz said. “I think the board members were pleased with my forthcoming answers.”

Spitz said he was aware only of an invitation in June to speak before the board and not previous invites. On Aug. 15, he sent his attorney, Stephen Rabaut, who told the board an appearance by the medical examiner could compromise investigations.

• 2 teens killed in Sterling Heights after crash into tree

Two teenage boys were killed in an accident Saturday night in Sterling Heights when their car crossed the median, struck a tree and went airborne.
Macomb County board takes aim at Hackel’s proposed $191-million budget

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

freep.com

More staff for the Macomb County clerk and prosecutor offices, more funds for veteran services and more money to restore meal services for senior citizens.

Those are some of the proposed amendments for enhanced services for Macomb County residents in the proposed 2014 county budget that commissioners are to discuss after a public hearing on the budget at 9 a.m. Thursday.

They’ll also talk about some proposed cuts to the $191-million general fund budget put forth by County Executive Mark Hackel — most notably to his office. The board is to discuss cutting $50,000 from contract services for the executive office and $150,000 from salaries, wages and fringe benefits — basically staff, of which there are nine members while the county charter states the executive may have five appointees.

The board also will consider adding $66,000 to its own budget for contract services for possible independent audits of county funds, such as unfunded liabilities, pension and health care costs and major construction projects.

Board Chairman David Flynn said the proposed amendments to Hackel’s budget are “not punitive. It’s responsive.” Assistant County Executive Al Lorenzo said it would be premature to comment until the commission adopts a budget.

Flynn said commissioners have spent more than 22 hours at 14 budget meetings and filed a Freedom of Information Act request to get information during their review of the proposed budget Hackel presented in July. His proposed balanced budget included no reductions in services, no tax increases and county offices open six more days next year.

The board’s proposed amendments include just more than $1 million in cuts and $766,533 in additions with $292,522 for surplus — a figure that is nearly a quarter-million dollars more than the $58,000 surplus in Hackel’s proposed budget.

“If someone got 99.9% of what they asked for, they would consider that a good deal,” Flynn said.

The $631-million budget — which for the first time consolidates the general fund budget with the heavily grant-reliant special enterprise budget — called for eliminating 19.5 positions, mostly through attrition.

Among its amendments, the board is to consider adding $222,226 for three positions to the clerk’s office to help shorten lines, implement eFiling services and address backlogs. Also, it is to discuss adding $250,000 for two or three positions in the prosecutor’s office, which is handling more cases at its lowest staffing level in 20 years.

Flynn said these two offices have taken many cuts over the years and this “will help stop the
bleeding."

He said the board is to discuss funneling more money from the dedicated veterans millage to serving veterans and less on subsidizing internal county costs. The board also is to look at adding $168,307 to replace funding lost to federal sequestration costs, returning about 20,000 meals to senior citizens and restoring meal service from four to five days a week.

Flynn said there are two other proposed changes in the ordinance the board uses to approve the budget — that any capital improvement or acquisition over $250,000 and any lawsuit settlement over $25,000 be approved by the board.

The budget must be approved by the end of the month because the special enterprise budget starts Oct. 1. Flynn said there are no proposed amendments to that budget.

The board is expected to vote on the budget Thursday.
Macomb board counters Hackel budget with more cost savings, increases for some county offices

Tue, Sep 10

detroitnews.com

Mount Clemens—The Macomb County Board of Commissioners laid out Tuesday amendments to the 2014 budget they said would leave the county with a larger surplus than what is proposed by County Executive Mark Hackel.

On Tuesday, board Chairman David Flynn, detailed the proposals, which included adding $222,226 to the county Clerk’s Office budget and $250,000 to the Prosecutor’s Office to cover salaries, wages and benefits. Each office may get three new staffers.

Other proposals include adding $168,307 to the Community Services Agency budget to restore senior nutrition services funding lost by the federal sequestration cuts. The money would return meal delivery to five days a week, or an additional 20,000 meals for eligible seniors.

The board’s Finance Committee will meet Thursday morning to review the proposed $631 million budget presented by the executive’s office in July. The full board will then consider recommendations from the Finance Committee and before seeking final approval of the budget.

Flynn said proposed cuts include $242,976 to departments’ internal services, which have increased 18 percent over the past two years. The executive’s budget had recommended $4.9 million for those services, which the commission would cut to $4.6 million.

Flynn said about 15 percent of internal services is associated with day-to-day operations while 85 percent consists of indirect costs.

“This has been an issue where we have been trying to get the actual items that are included in indirect cost,” Flynn said. “Some is lack of information or explanation.”

“For example, our budget went from $40,000 to $30,000. We stayed at the same staffing levels, why would ours go down? Veterans Services went from $92,000 to $192,000 in a year. There is no rhyme or reason in my opinion, why these things go up or down.”

Additionally, $150,000 may be trimmed in salaries, wages and benefits.

The Macomb County Charter specifies the executive’s office may appoint up to five staff members and it has nine, said Flynn, who added job losses are possible.

“It depends on how they work the budget,” he said. “It is not punitive. It is responsive.”

Hackel’s office said it had received the proposed changes and is reviewing them.

- Bruce Township — A historic cemetery has been devastated by vandals and township officials want whoever knocked over its monuments, some dating back to the mid-1800s,
brought to justice.
The Macomb Daily (http://www.macombdaily.com)

Budget battle looms between Hackel, board

Chad Selweski

Wednesday, September 11, 2013

A sizzling 96-degree day in mid-September may have signaled what’s to come in Macomb County politics as county commissioners on Tuesday prepared to approve 12 amendments — a mix of cuts and additional spending — to the $631 million county budget proposed by County Executive Mark Hackel.

In a preview for the media, Board of Commissioners Chair Dave Flynn said the amendments that face approval on Thursday will put the 2014 budget $292,000 further into the black. But the plan also includes additional personnel that Hackel has previously shunned, plus a $200,000 cut in the executive office budget.

Flynn said the reduction for Hackel’s team comes after the board had gradually increased the executive office budget by 87 percent since 2011. Subsequently, the board has seen Hackel veto ordinances and resolutions, ignore Freedom of Information Act requests from the commissioners, and force the board to subpoena the county coroner to get him to appear at a board meeting earlier this month.

“When has one of the branches of government had to FOIA another branch of government? When has a branch of government had to subpoena an official from the other branch of government?” asked Flynn, a Sterling Heights Democrat.

“This is not punitive. This is responsive.”

County Finance Director Pete Provenzano said the proposed budget amendments have not been welcomed within his office or throughout the Hackel administration.

“We spent months and thousands of hours on that budget and we’re proud of it. Any changes to that — I’m not sure Mark Hackel would approve any of them,” Provenzano said.

Under the voter-approved county charter, Hackel has line-item veto power, which means he could veto any or all of the amendments while approving the rest of the budget.

Flynn said the 12 amendments — seven cuts and five increases — will be presented as a package to the board and he is confident that most or all will pass.

Assistant County Executive Al Lorenzo said the “political rhetoric” leading up to Thursday’s meeting is premature.

“It’s hard to know how this will all shake out until after the meeting,” Lorenzo said. “At this point, I don’t want to create controversy where none exists.”

Among the spending increases under consideration are boosts in manpower for the county Clerk’s Office and
Prosecutor’s Office, two agencies that have been labeled short-staffed for several years due to prior budget cuts. Each office would gain three workers at a total cost of $418,000 for salaries and fringe benefits. But Provenzano said that plan flies in the face of the “no — across the board” mandate the Hackel administration issued earlier this year that said departments in 2014 will not gain any employees. Another issue hovering over the coming budget battle is a county “rainy day fund” that has ballooned to $265 million — more than double the level recommended through standard accounting practices — and will likely grow by approximately $12 million more by the end of this year. Provenzano said fiscal stability was the top priority in raising the rainy day fund to a level equal to 42 percent of the annual budget. Next, the administration hopes to end employee compensation concessions. Provenzano and Flynn both warn that the county also faces an expensive list of needed capital improvements: rehabilitating the closed County Building that was damaged by a fire in April; repairing and expanding the county jail; replacing the crumbling parking structure adjacent to the county Court Building; and making several modifications inside the courthouse.


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The Macomb County clerk and prosecutor’s offices will have more money to hire staff while County Executive Mark Hackel will have less cash for staffing next year.

The changes are among more than a dozen approved when county commissioners unanimously approved the 2014 county budget today after more than two hours of debate.

Hackel has 10 days to make line-item vetoes in the $191-million general fund.

The remainder of the approved $631-million budget is for special enterprise funds, which are mostly grant-reliant, and was not touched. The board has 30 days to override any vetoes.

Board Chairman David Flynn said Hackel would be “putting the county in deficit” if he vetoed any of the $816,079 in cuts the board approved.

But Deputy Executive Mark Deldin said the executive’s office has to “untangle” what happened and determine what the board did.

One thing, he said, is clear.

“This is nothing but political retaliation,” Deldin said. “There wasn’t fairness in this budget process. It was political rewards and political retaliation.”

With little discussion, the board approved adding $222,226 for the clerk’s office and $250,000 for the prosecutor’s office for salaries, wages and fringe benefits, allowing each to possibly add up to three people.

Officials with the executive’s office said they denied departmental requests to add about 30 people countywide. Hackel’s proposed budget called for eliminating 19.5 positions countywide, mostly through attrition.

Commissioner Fred Miller said the clerk and prosecutor’s offices were being “rewarded” for engaging in the board’s budget process.

Meanwhile, the board cut $50,000 in contract services funding and $150,000 in salaries, wages and fringe benefits from the executive office budget.

Commissioner Veronica Klinefellt made motions to not cut those funds.
but the motions failed. She said she didn’t want to “begin a budget war,” that she “could see retaliation next year” and this was not a way to try to reach a good, cooperative working relationship with the executive’s office.

Other commissioners said the executive office budget and staff doubled since 2011. Flynn said the board had to file a Freedom of Information Act request to obtain information from the office and that the office isn’t following board overrides of prior vetoes by Hackel.

Assistant Executive Al Lorenzo said the executive office’s more than $1-million budget has grown very little since Hackel established his office budget for 2012. He said the 2011 budget of $645,000 was determined by the board in 2010, before Hackel took office. While Hackel has made five appointments allowed under the charter, Lorenzo said, the other positions are support staff.

Hackel’s proposed budget calls for no reductions in services, no tax increases and county offices open six more days next year.

Among the board’s additions are $168,307 to replace money lost to federal sequestration cuts and to restore senior nutrition service, including meal service five days a week; $66,000 for commissioners to conduct independent audits of county funds, and $60,000 for staff for the ethics board, comprised of volunteers.

Read More
Macomb passes 2014 budget, but with cuts to executive's office

Thu, Sep 12 detroitnews.com

Mount Clemens— The Macomb County Board of Commissioners approved Thursday a $631 million 2014 budget proposed by County Executive Mark Hackel, but not without making cuts that could set off a battle between the two branches.

During the board’s Finance

Committee meeting, commissioners approved $222,226 of additional funding to the county Clerk’s Office and $250,000 to the Prosecutor’s Office to cover salaries, wages and benefits. Each office may get three new staffers.

But it also voted to trim $150,000 in salaries and benefits from Hackel’s office and $50,000 in funding for contract services.

Commissioner Veronica Klinefelt suggested restoring the cuts, fearing it may “start a budget war between the two departments.”

“I see a retaliation next year,” she said. “If we are ever going to reach a good, cooperative working relationship, this is not the way to do it.”

But David Flynn, board chairman, argued for the cuts as a way to remind the executive’s office to be more cooperative with the commission.

“We had to FOIA information; when has one branch of government ever had to FOIA another?” Flynn said about filing Freedom of Information Act requests for answers to questions posed to Hackel’s office. “All year I heard commissioners complaining about how hard it is to get information and get people to come to our meetings.

. It shouldn’t be this difficult.”

Mark Deldin, deputy county executive, said his office needs “time to dissect (the commission’s actions) before we make a determination” on how to proceed. “There’s no doubt in our mind, based on Chairman Flynn’s public comments, that this is nothing but political retaliation.

“He made it very clear that there’s no other way to get the attention of the executive but to do this. I guess we are not giving them what they want in a satisfactory matter.”

Flynn said he hopes the cuts will catch the eye of the executive’s office and executive branch.

Hackel’s office has 10 days to decide whether to issue line item vetoes of parts of the budget. The board then has 30 days to override any vetoes.

The commission also approved:

• $66,000 in funding for the board’s contract services.


1/2
$60,000 for salaries and benefits for the Ethics Board.

$168,307 to the Community Services Agency to restore senior nutrition services lost by the federal sequestration cuts. The money would return meal delivery to five days a week, which means 20,000 meals will return to the tables of eligible seniors.

On Tuesday, Flynn proposed several budget amendments that if approved would result in a surplus of $292,000 — nearly $250,000 more than initially proposed by Hackel’s office.

But by the end of the meeting, the surplus had shrunk to $49,546.

The committee decided not to cut $242,976 to county departments’ internal services, which have increased 18 percent during the past two years.

- **Suspects wounded by police after attempted break-in at Warren tobacco store**

  Warren — Two suspects were wounded by police early Friday morning after they attempted to break into a tobacco store.
The Macomb Daily (http://www.macombdaily.com)

Board braces for Hackel budget vetoes

Chad Selweski

Thursday, September 12, 2013

The county Board of Commissioners and County Executive Mark Hackel agree on 99.8 percent of Macomb’s 2014 budget — it’s that two-tenths of 1 percent that may spark another political showdown. The 11 amendments adopted by the commissioners on Thursday — a mix of cuts and spending increases — could generate a series of 11 line-item budget vetoes from Hackel.

“We need to look very carefully at what they have done,” said Assistant County Executive Al Lorenzo. “When you ask, how many of these amendments are acceptable, the initial answer is none.”

Board Chair Dave Flynn said the amendments will add more assistant prosecutors, reduce long lines at the Clerk’s Office, improve services for veterans, and restore federal cuts in the daily meal program for low-income seniors.

Those are improvements worth fighting for, Flynn argued, even if they face possible executive vetoes. The board can override those vetoes if it musters a two-thirds majority.

“Either you use your budgetary powers … or you go to court,” said Flynn, a Sterling Heights Democrat. The board has already engaged in one court battle with Hackel and patience is wearing thin among many commissioners as the executive office repeatedly ignores the board’s requests for detailed information on county finances.

The $631 million budget granted final approval by the board is balanced, will require no tax increases, and will require no money from the county’s hefty $81 million “rainy day fund.” The alterations to Hackel’s proposed budget will add $816,000 in reductions — a 0.13 percent change to the total budget — and $766,000 in additions — a 0.12 percent amendment of the executive’s overall spending plan.

One amendment, which would have cut the “internal” administrative costs assigned to each department, was defeated by the board. Several amendments narrowly survived on 7-6 votes.

Commissioner Veronica Klinefelt objected to two amendments that will cut funding for the executive’s office by $200,000, which could lead to one or two layoffs. An Eastpointe Democrat, Klinefelt said the cuts are punishment for the executive’s numerous vetoes and attempts to marginalize the board.

“I don’t want to start a budget war. If we’re ever going to reach a cooperative relationship, which may or may not ever happen, this is not the avenue to do that,” she said.

Supporters of the amendments said that the commissioners were overly generous to the executive’s office in the past, increasing their budget by 87 percent since 2011.

Commissioner Bob Smith, who served on the 2008-09 Charter Commission that drew up the voter-approved
Board braces for Hackel budget vetoes

county charter, said the new government was supposed to create co-equal branches of government, with the board exercising its authority through budget matters.

Instead, said the Clinton Township Democrat, the commissioners have been treated as a “nuisance” because they will not rubber-stamp all proposals presented by Hackel, who is a Macomb Township Democrat. Perhaps the two most significant amendments will add three employees each to the Clerk’s Office and the Prosecutor’s Office, two agencies that have been short-staffed for several years.

Due to less manpower and shortened hours, the Clerk’s Office has suffered from long lines on a daily basis, with people seeking to do business with the Circuit Court, obtain a concealed-weapon permit, or acquire a birth certificate or marriage license.

The Prosecutor’s Office staffing stands at a 20-year low, a time when the criminal caseload in Macomb County was a fraction of its current level.

Since introducing its proposed budget on July 1, the Hackel administration has vowed not to increase manpower in 2014 in any department.

At the start of Thursday’s public hearing on the budget, Prosecutor Eric Smith made the unprecedented move of addressing the board through teleconferencing technology.

Relying upon Skype, Smith, who was attending an out-of-state conference, made his pitch to the board for “more bodies” in his department on a large, flat-screen TV monitor and through an audio feed into the board chamber’s sound system.


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Resolution Supporting Michigan Senate Bill 50 and Michigan House Bill 4284 To Expand The Use Of Off Road Vehicles (ORVs) Throughout The State By Amending 1994 PA 451 Entitled “Natural Resources And Environmental Protection Act”

Commissioner Jim Carabelli on Behalf of the Board of Commissioners, Offer the Following Resolution:

WHEREAS, the Southern Lower Peninsula has the highest number of ORV licenses in Michigan at 57 percent in 2009; and

WHEREAS, Macomb County has the second highest number of registered ORV licenses in the entire State of Michigan at 5.2 percent in 2009; and

WHEREAS, the ownership and use of off-road vehicles (ORVs) and all-terrain vehicles in Michigan has increased significantly in recent years; and

WHEREAS, Senate Bill 50 and House Bill 4284 would permit the Macomb County Board of Commissioners to adopt an ordinance allowing the operation of ORVs on the maintained portion of a State trunkline highway with approval from the Michigan Department of Transportation; and

WHEREAS, Senate Bill 50 and House Bill 4284 would expand the activities for which an ORV license is not required; and

WHEREAS, Senate Bill 50 and House Bill 4284 would allow the Department of Natural Resources (DNR) to enter into license reciprocity agreements with other states; and

WHEREAS, Senate Bill 50 and House Bill 4284 would establish a free ORV-riding day in an attempt to boost tourism in Michigan; and

WHEREAS, Senate Bill 50 and House Bill 4284 would prohibit a permit from being needed for group recreational ORV riding on DNR-owned land or for an ORV event on the frozen surface of public waters.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners supports the passage and enactment of Michigan Senate Bill 50 and Michigan House Bill 4284 to expand the use of Off Road Vehicles (ORVs) throughout the state by amending 1994 PA 451 Entitled “Natural Resources And Environmental Protection Act”.

BE IT FURTHER RESOLVED that copies of this resolution be provided to Governor Rick Snyder, all Macomb County Michigan State legislatures, Macomb County Office of County Executive, and Michigan Association of Counties.
A Proclamation Commending Sandy Jurek on Winning CIO of the Year Award

The Board of Commissioners Offers the Following Proclamation:

Whereas, the Macomb County Board of Commissioners would like to congratulate Sandy Jurek on the honor of being chosen by Crain’s Detroit Business as one of the “CIO of the Year Award” winners; and

Whereas, every year Crain’s honors CIOs from the area who possess the qualities needed to ensure that the technology works, the correct decisions are being made and that innovation is being used to improve the working of the business. Sandy Jurek clearly possesses all these qualities along with many more; and

Whereas, Sandy Jurek has only been with Macomb County for a year, but she has completely reorganized departments throughout the County, is preparing a new Technology Strategic Plan for the County and has organized a master plan to outline major projects for each year. She is also working on a process for detailed inventories and standards for all technology in the County, which will show cost savings and growth opportunities; and

Whereas, Sandy Jurek displayed grace under fire and an astounding dedication to her duties during the county-wide emergency situation in April 2013 even sleeping on a blow-up bed in the Administration Building to be on-site to deal with the ramifications of the fire which disabled all of the County’s communications and technology areas; and

Whereas, Sandy Jurek meets and exceeds required criteria to become a CIO of the Year Award winner: “innovation in use of technology strategy, leadership in the industry and a track record of going beyond the call of duty.”

Now, Therefore, Be It Proclaimed By The Board Of Commissioners, Speaking For And On Behalf Of All County Citizens As Follows:

I

That By These Presents, the Macomb County Board of Commissioners hereby publicly commends, acknowledges and expresses congratulations to Sandy Jurek on the occasion of being selected as one of Crain’s 2013 CIO of the Year Award winners.

II

Be It Further Proclaimed that a suitable copy of this Proclamation be presented to Sandy Jurek in testimony of the high esteem in which she is held by the Board of Commissioners.
Official Proclamation of the Board of Commissioners
Macomb County, Michigan

A Proclamation Commending Sonny Randazzo
On Being Named the “2013 Man of the Year”

Commissioners James L. Carabelli and Joe Sabatini,
On Behalf of the Board of Commissioners,
Offer the Following Proclamation:

Whereas, public service with sincerity, honesty and devotion on behalf of all people is truly a mark of distinction and worthy of public recognition; and

Whereas, the aforesaid attributes aptly describe Sonny Randazzo who has unselfishly given his time, energy and undaunted efforts to the Italian community; and

Whereas, on September 28, 2013, Sonny Randazzo will be honored at the 77th annual gala awards banquet in celebration of his being chosen as the 2013 Man of the Year by the Lodge Figli Della Sicilia for his dedication to Sicilian culture. The Lodge has chosen a deserving person each year since their existence in 1936; and

Whereas, Sonny Randazzo was born on April 29, 1972, to Nino and Joann Randazzo. Both have ties to Terrasini, Sicily; where Nino was born and Joann has family. Sonny grew up in St. Clair Shores, graduated from University Liggett School in 1991 and from Northwood University in 1995. Sonny is very proud to claim that he learned more from his father, Nino, than from his education. Nino started Randazzo Fresh Market in 1972 when Sonny was born; he grew up learning the business from the ground up. After graduating from college, Sonny took a more active role in growing the business into the major presence in Macomb County that it is today. He, along with his sister, Maria, run the day-to-day operation along with their father’s daily input. The three of them form the winning combination that makes Randazzo Fresh Market such an outstanding business.

Whereas, Sonny Randazzo married Angela Penna in 1999; and they were blessed with four beautiful children, Giovanna, Angelina, Antonia and Nino.

Whereas, it is fitting and proper that Sonny Randazzo be publicly recognized and commended by this County Board of Commissioners for his many contributions to the community.

Now, Therefore, Be It Resolved By The Board Of Commissioners, Speaking For And On Behalf Of All County Citizens As Follows:

One

That By These Presents, the Macomb County Board of Commissioners hereby publicly acknowledges and expresses tribute to Sonny Randazzo on being honored as the 2013 Man of the Year by the Lodge Figli Della Sicilia.

Two

Be It Further Resolved that a suitable copy of this Proclamation be presented to Sonny Randazzo in testimony of the high esteem in which he is held by the Macomb County Board of Commissioners.