



# BOARD OF COMMISSIONERS

1 S. Main St., 9<sup>th</sup> Floor  
Mount Clemens, Michigan 48043  
586.469.5125 ~ Fax: 586.469.5993  
www.macombBOC.com

## BOARD OF COMMISSIONERS

### REGULAR SESSION WITH A SPECIAL AGENDA

THURSDAY, OCTOBER 10, 2013

### FINAL SPECIAL AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adoption of Agenda
5. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)
6. Correspondence from the Executive (**none**)
7. **APPOINTMENT**  
  
Board Appointment
  - a) **BOARD OF CANVASSERS** (page 1) **(attached)**  
2 appointments; 4 year terms ending 11-1-17
8. **COMMITTEE REPORTS:**
  - a) Government Operations, October 7 (**no report**)
  - b) Justice & Public Safety, October 8 (**no report**)

## MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair  
District 4

Kathy Tocco – Vice Chair  
District 11

Mike Boyle – Sergeant-At-Arms  
District 10

Toni Mocerì – District 1  
Don Brown – District 7

Marvin Sauger – District 2  
Kathy Vosburg – District 8

Veronica Klinefelt – District 3  
Fred Miller – District 9

Robert Mijac - District 5  
Bob Smith – District 12

James Carabelli – District 6  
Joe Sabatini – District 13

c) Economic Development, October 9 (no report)

d) Finance, October 10 (page 2)

(attached)

9. **RESOLUTIONS:**

a) Establish a Property Assessed Clean Energy (PACE) Program (offered by Mijac; recommended by Economic Development Committee on 10-9-13) (page 11) (attached)

10. **PROCLAMATIONS:**

a) Congratulating Kenneth Kish – Retirement from Macomb Daily (offered by Flynn and Miller; include Boyle; recommended by Government Operations Committee on 10-7-13; previously provided at committee meeting)

b) Congratulating Carole Bannister on Being Honored at the Annual Clinton Township Democratic Club Celebration (offered by Miller, Smith and Tocco; recommended by Government Operations Committee on 10-7-13; previously provided at committee meeting)

c) Congratulating Mark Brewer on Being Honored at the Annual Clinton Township Democratic Club Celebration (offered by Miller, Smith and Tocco; include Boyle; recommended by Government Operations Committee on 10-7-13; previously provided at committee meeting)

d) Congratulating the MEA-NEA – Local 1 on Being Honored at the Annual Clinton Township Democratic Club Celebration (offered by Miller, Smith and Tocco; include Boyle; recommended by Government Operations Committee on 10-7-13; previously provided at committee meeting)

e) Commending Vanessa Chambe on Being Chosen as Miss SouthCentral Michigan's Outstanding Teen (offered by Boyle; recommended by Justice and Public Safety Committee on 10-8-13; previously provided at committee meeting)

11. New Business

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

13. Roll Call

14. Adjournment

RESOLUTION NO. \_\_\_\_\_

FULL BOARD MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

**MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO** approve the appointments of one Republican and one Democrat to the Board of Canvassers for four-year terms beginning November 1, 2013 (see nominees below)

**INTRODUCED BY:** Dave Flynn, Board Chair

**Republican Nominees**

Leo Garry  
Joanne Paraventi  
Silla Tomasi

**Democratic Nominees**

Caitlin Connor  
Michelle DeBeaussaert  
Kyle Pollet

**\*NOTE: APPLICATIONS ARE ON FILE WITH 10-8-13 GOVERNMENT OPERATIONS COMMITTEE AGENDA**

**COMMITTEE/MEETING DATE**

Full Board            10-10-13

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



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**October 10, 2013**

**TO: BOARD OF COMMISSIONERS**

**FROM: FRED MILLER, CHAIR  
 FINANCE COMMITTEE**

**RE: RECOMMENDATIONS FROM FINANCE COMMITTEE MEETING OF  
 OCTOBER 10, 2013**

At a special meeting of the Finance Committee, held Thursday, October 10, 2013, the following recommendations were made and are being forwarded to the October 10, 2013 Full Board meeting for approval:

## **1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Carabelli, supported by Vosburg, to recommend that the Board of Commissioners concur with the recommendation of the County Executive and approve the Standard AIA (A-101) contract between the County of Macomb and Bernco, Inc., in the amount of \$813,400 for the 2013 Building Renovations – Jail Annex (Bid Item 42-13); Further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED.**

## **2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Brown, supported by Vosburg, to recommend that the Board of Commissioners approve the contract between the Macomb County Executive Office and Governmental Consultant Services, Inc., for October 1, 2013 through October 1, 2014, in the amount of \$54,000; 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**

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James Carabelli – District 6  
 Joe Sabatini – District 13

**3. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Sauger, supported by Tocco, to recommend that the Board of Commissioners approve an extension of the Inmate Health Care Services Management Agreement including CPI increase of 3.3 percent (\$19,337.04) to Management Fee per Section 3.0; 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 Brown, supported by Vosburg, to recommend that the Board of Commissioners approve the October 1, 2013 renewal of the existing contract with Correct Care Solutions, LLC, to provide medical services for the Juvenile Justice Center; 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 Vosburg, supported by Tocco, to recommend that the Board of Commissioners approve a three year contract with Sound Counseling, in the amount of \$739,400, to provide professional counseling services for the residential treatment programs operated by the Macomb County Juvenile Justice Center; 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 Carabelli, supported by Tocco, to recommend that the Board of Commissioners adopt the 2013 Macomb County Apportionment Report as prepared by the Finance Department; 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 Moceri, supported by Flynn, to recommend that the Board of Commissioners approve the appointment of Jacobs and Diemer, P.C., for the purpose of consultation and rendering opinion regarding online voter registration under current state and federal law; 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.**



# MACOMB COUNTY, MICHIGAN

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

## RESOLUTION

**Resolution to:**

Concur with the recommendation of the County Executive and approve the Standard AIA (A-101) Contract Between the County of Macomb and Bernco, Inc., in the amount of \$813,400.00 for the 2013 Building Renovations - Jail Annex (Bid Item 42-13)

**Introduced By:**

Jim Carabelli, Chair, Infrastructure Committee

**Additional Background Information (If Needed):**

Primary Scope of Project:  
 -Replacement and installation of mechanical rooftop equipment, replacement of cooling tower units serving D-Block, along with Architectural and plumbing repairs.

Purchasing solicited sealed Bids through the MITN site:  
 -639 companies received notification  
 - 83 companies viewed bid documents  
 - 6 sealed Bids received and publicly read on August 29, 2013.

Funding available in the Capital Plan

Committee	Meeting Date
Infrastructure	9-17-13
Finance	10-10-13
Full Board	10-10-13



# MACOMB COUNTY, MICHIGAN

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

## RESOLUTION

**Resolution to:**

Approve the contract between the Macomb County Executive Office and Governmental Consultant Services, Inc. for October 1, 2013 through October 1, 2014 in the amount of \$54,000.

**Introduced By:**

Kathy Tocco, Chair, Government Operations Committee

**Additional Background Information (If Needed):**

GCSI tailors and integrates legislative, political and grassroots strategies to keep us current on developments in areas of interest. They also analyze bills and resolutions introduced in the legislature and apprise County officials of potential impact.

Committee	Meeting Date
Government Operations	10-7-13
Finance	10-10-13
Full Board	10-10-13



# MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

## RESOLUTION

Resolution to:
<p>Extend the Inmate Health Care Services Management Agreement including CPI increase of 3.3% (\$19,337.04) to Management Fee per Section 3.0.</p>

Introduced By:
<p>Kathy Vosburg, Chair, Justice &amp; Public Safety Committee</p>

Additional Background Information (If Needed):
<p>Same as above</p>

Committee	Meeting Date
Justice & Public Safety	10-8-13 <del>09/10/2013</del>
Finance	10-10-13
Full Board	10-10-13





# MACOMB COUNTY, MICHIGAN

<b>Resolution Number:</b>	<b>Full Board Meeting Date:</b>
	10/30/2013

## RESOLUTION

**Resolution to:**  
 Approve the October 1, 2013 renewal of the existing contract with Correct Care Solutions, LLC to provide medical services for the Juvenile Justice Center.

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

**Additional Background Information (If Needed):**

Committee	Meeting Date
Justice and Public Safety (JPS)	10/08/2013
Finance	10-10-13
Full Board	10-10-13



## MACOMB COUNTY, MICHIGAN

**Resolution Number:**

**Full Board Meeting Date:**

09/19/2013

### RESOLUTION

**Resolution to:**

Approve a 3 year contract for Sound Counseling to provide professional counseling services for the residential treatment programs operated by the Macomb County Juvenile Justice Center

**Introduced By:**

Rhonda Westphal, Juvenile Justice Center Director Kathy Vosburg, Chair, JPS Committee

**Additional Background Information (If Needed):**

\*This item was referred from JPS to Finance pending additional information

Committee	Meeting Date
Justice and Public Safety (JPS)	10-8-13 <del>09/10/2013</del>
Finance*	10-10-13
Full Board	10-10-13



# MACOMB COUNTY, MICHIGAN

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

## RESOLUTION

**Resolution to:**

Adopt the 2013 Macomb County Apportionment Report as prepared by the Finance Department.

**Introduced By:**

Fred Miller, Chair, Finance Committee

**Additional Background Information (If Needed):**

As required by State Statute, the County must adopt the annual Apportionment Report at its October Session.

Committee	Meeting Date
Finance	10-10-13
Full Board	10-10-13

RESOLUTION NO.

FULL BOARD MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: CONCUR IN THE APPOINTMENT OF JACOBS AND DIEMER, P.C. FOR THE PURPOSE OF CONSULTATION AND RENDERING OPINION REGARDING ONLINE VOTER REGISTRATION UNDER CURRENT STATE AND FEDERAL LAW.

INTRODUCED BY: CHAIRPERSON FRED MILLER, FINANCE COMMITTEE

The legal consultation services described above are necessary to further the Macomb County Clerk's efforts to initiate an electronic online voter registration system. The benefit of which is the realization of fraud reduction and cost savings. The issues involved include those arising from the lack of express state enabling legislation, and overlapping state and federal election law.

Jacobs and Diemer, P.C., enjoys a national reputation in both state and federal appellate research and practice, including the areas of federal supremacy and conflict of laws. John Jacobs has ably served the County in several past matters and he consistently served the County's interests in the highest professional manner.

John Jacobs undertook and provided his services several months prior to this request, and no further consultation or service will be rendered. Through simple inadvertence, this request was not presented to the Board of Commissioners for approval prior to services being rendered. This was in error and does not represent an intentional departure from past policy or announce embarkation on new policy.

Accordingly, request is hereby made for the Board of Commissioner's concurrence in appointing Jacobs and Diemer, P.C., to provide consulting services to the County Clerk.

COMMITTEE/MEETING DATE

FINANCE COMMITTEE – 10/10/13

Full Board

10-10-13

Official Resolution of the Board of Commissioners  
Macomb County, Michigan

A Resolution Approving The Establishment of a  
Property Assessed Clean Energy (PACE) Program

Commissioner Robert Mijac, on Behalf of the Board of Commissioners,  
Offers the Following Resolution:

WHEREAS, the Board of Commissioners of Macomb County, Michigan previously has adopted R13-182, a Resolution of Intent to authorize the establishment of a property assessed clean energy program ("PACE Program") and create a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010 ("Act 270"), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the Board of Commissioners hereby finds that financing energy projects is a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the County; and

WHEREAS, the types of energy projects, either energy efficiency improvements or renewable energy systems, that may be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the Board of Commissioners; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity. Renewable energy resources include, but are not limited to: biomass (includes a biomass stove but does not include an incinerator or digester); solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill; and

WHEREAS, the Board of Commissioners conducted a public hearing on October 9, 2013, at 9:00am, in One South Main Street, 9th Floor, Mount Clemens, Michigan, 48043 to receive comments on the proposed PACE Program, including the Report referenced in Section 9(1) of Act 270 (the "PACE Report"); and

WHEREAS, the Board of Commissioners intends to establish a PACE Program as described in the PACE Report, so as to provide a property owner based method of financing and funds for energy projects, including owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no County moneys, general County taxes or County

credit of any kind whatsoever shall be pledged, committed, impaired or used in connection with any project as required by, and subject to Act 270.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The PACE Program for the County is established and approved.
2. The PACE district, having the same boundaries as the County's jurisdictional boundaries, is established.
3. The PACE Program constitutes a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the County.
4. The PACE Report is incorporated herein in full by reference, and is approved and adopted.
5. The County formally joins Lean & Green Michigan™ and Levin Energy Partners, LLC is designated as PACE administrator to administer the PACE Program.
6. In accordance with the PACE Report, amendments to the PACE Program shall not require a public hearing, with the exception of amendments regarding property eligibility parameters found in paragraph 11 of the PACE Report.
7. In accordance with Act 270, an assessment imposed under the PACE Program, including any interest on the assessment and any penalty, shall constitute a lien against the property on which the assessment is imposed until the assessment, including any interest or penalty, is paid in full. The lien runs with the property and has the same priority and status as other property tax and assessment liens. The commercial lender's enforcement of the PACE lien shall not impair the collection of other taxes and assessments. If the County Treasurer forecloses on the property subject to the PACE lien the commercial lender shall have the right to redeem and if the lender fails to redeem the judgment of tax foreclosure shall not extinguish the lien for future installments of the PACE assessment pursuant to MCL 211.78k(5)(c). When the assessment, including any interest and penalty, is paid, the lien shall be removed from the property. The authorized officials are authorized and directed to execute and deliver any special assessment agreement, document or certificate necessary or appropriate to create, establish and record an assessment under the PACE Program.
8. Under owner-arranged financing the record owner may pay the commercial lender directly.
9. The County may join with any other local unit of government, or with any person, or with any number or combination thereof, by contract or otherwise as may be permitted by law, for the implementation of the County's PACE Program, in whole or in part, and the authorized officials are authorized to execute and deliver such documents, agreements or certificates as may be necessary or advisable to permit the cooperative implementation of the PACE Program as provided by Act 270 or other applicable law.
10. The County Executive and County Treasurer or their lawful designees, are authorized to sign necessary documents, agreements or certificates, and to take all other actions necessary or convenient to implement a PACE Program consistent with the PACE Report, the Macomb

County Charter and applicable law. Signatures of both the Executive/designee and Treasurer/designee shall be required on any agreement. All Agreements shall be approved by the Commission.

11. All resolutions and parts of resolutions inconsistent with this Resolution are repealed to the extent of such inconsistency.

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David J. Flynn, Chairman  
Macomb County Board of Commissioners

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Carmella Sabaugh  
Macomb County Clerk

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Robert Mijac, County Commissioner