

**OFFICIAL MINUTES OF THE  
MACOMB COUNTY BOARD OF COMMISSIONERS  
FULL BOARD MEETING  
NOVEMBER 20, 2008**

The Macomb County Board of Commissioners met at 7:00 p.m. on Thursday, November 20, 2008 on the 9<sup>th</sup> Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chairman Crouchman called the meeting to order. A roll call was taken for attendance as follows:

<b>NAME</b>	<b>DISTRICT</b>	<b>PRESENT</b>	<b>NOT PRESENT</b>
Andrey Duzyj	1	X	
Marvin Sauger	2	X	
Phillip A. DiMaria	3	X	
Jon Switalski	4	X	
Susan L. Doherty	5	X	
Joan Flynn	6	X	
Sue Rocca	7	X	
David J. Flynn	8	X	
Robert Mijac	9	X	
Philis DeSaele	10	X	
Ed Szczepanski	11	X	
Peter J. Lund	12	X	
Don Brown	13	X	
Brian Brdak	14	X	
Keith Rengert	15	X	
Carey Torrice	16	X	
Ed Bruley	17	X	
Dana Camphous-Peterson	18	X	
Paul Gielegghem	19	X	
Kathleen E. Tocco	20	X	
Leonard Haggerty	21		X
Elizabeth Slinde	22	X	
William A. Crouchman	23	X	
Sarah Roberts	24	X	
Kathy Vosburg	25	X	
Leon Drolet	26		X

Commissioner Haggerty was absent and excused.

**INVOCATION**

Commissioner Vosburg gave the invocation.

**AGENDA**

**MOTION**

A motion was made by Commissioner Duzyj, supported by Commissioner Roberts, to adopt the agenda. **THE MOTION CARRIED.**

## **MINUTES**

### **MOTION**

A motion was made by Commissioner Rocca, supported by Commissioner Slinde, to approve the minutes of October 9, 2008. **THE MOTION CARRIED.**

### **PRESENTATION**

Chair Crouchman presented a resolution to MCREST.

Commissioner DiMaria presented a resolution to Detective Derek McLaughlin.

### **PUBLIC PARTICIPATION**

Thomas Catenacci; 45481 Nottingham, Macomb Township

Tony Mannino; 43667 Columbia Drive; Clinton Township

Michelle Sobieski; 36777 Maple Ridge; Clinton Township

Marty Clauw; 79223 Brown Road; Bruce Township

Sandra Dubay; 39824 Litke; Clinton Township

Karen Kenna; 8213 Prospect; Warren

Carol Bissa; 21324 Cenntennial; St. Clair Shores

Cecelia Clauw; 79223 Brown Road; Bruce Township

Samier Saba; 18500 Pratt Road; Armada

Patricia Harsen; 68421 Lowe Plank; Lenox Township

Basel Batayeh; 17150 Bordman Ave; Armada

Darryl Onderik; 53245 Sams Lane; Chesterfield

Dennis Kott, 23355 Deanhurst, Clinton Township

Leocadia Breasbois; 7227 Meisner; China

Helen Batayeh; 17150 Bordman Ave; Armada

James Tiganelli; 11801 Francesca Ct.; Bruce Township

Donald Lobsinger; 26900 Taylor, St. Clair Shores

Chris Utykanski; 13642 Whispering Lane; Sterling Heights

### **COMMITTEE REPORTS**

#### **JUSTICE AND PUBLIC SAFETY COMMITTEE – November 10, 2008**

### **MOTION**

The clerk read the recommendations from the Justice and Public Safety Committee and a motion was made by Chair Rengert, supported by Vice-Chair Brdak, to adopt the committee recommendations:

1. Accept and enter into the 2007 Michigan Citizen Corps Grant Agreement with the Michigan State Police Emergency Management Homeland Security Division in the amount of \$21,753.32. No local match is required.
2. Approve the Emergency Vendor Agreement as recommended by the acting Director of Emergency Management and the Purchasing manager.
3. Approve the fiscal year 2008/2009 Access and Visitation contract in the amount of \$12,000, which is 100% federally funded. This contract covers the period of October 1, 2008 through September 30, 2009.

### **THE MOTION CARRIED.**

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE – November 12, 2008**

**MOTION**

The clerk read the recommendation from the Planning and Economical Development Committee and a motion was made by Chair Vosburg, supported by Commissioner Camphous-Peterson, to adopt the committee recommendation:

1. Authorize the Neighborhood Stabilization Program Substantial Amendment to the Urban County's 2008 CDBG Annual Plan and authorize the Board Chair to sign the substantial amendment so that it can be submitted to HUD on December 1, 2008.

**THE MOTION CARRIED.**

**OPERATIONAL SERVICES COMMITTEE – November 12, 2008**

**MOTION**

The clerk read the recommendations from the Operational Services Committee and a motion was made by Chair Joan Flynn, supported by Vice-Chair Tocco, to adopt the committee recommendations:

1. Authorize payment for the following invoice:  
Juvenile Justice Center-Phase II Bernco, Inc. \$332,684.71  
Further, funds are available in the capital budget.
2. Authorize the Macomb County Community Services Agency to extend the North Action Center lease.

**THE MOTION CARRIED.**

**HEALTH SERVICES COMMITTEE – November 13, 2008**

**MOTION**

The clerk read the recommendations from the Health Services Committee and a motion was made by Chair DeSaele, supported by Vice-Chair Camphous-Peterson, to adopt the committee recommendations:

1. Approve Clinton Township's request to extend the Stream Bank Stabilization Project, supported by the environmental problems: Lake/River fund, through August 1, 2009.
2. Authorize the Health Department to apply for a Michigan Department of Environmental Quality Grant in the amount of approximately \$290,000.00 for dye testing.
3. Approve a recommendation from the Health Department and the Purchasing Manager that a contract in an amount not to exceed \$46,081.00 be awarded to Public Sector Consultants, Inc. for "Regional Water Quality Monitoring: Governance & Funding Plan".
4. Approve the Health Department's recommendation that a contract in the amount of \$164,000.00 be awarded to Patriot Services Corporation for services necessary to assist the Health Department with its responsibilities under its Bioterrorism-Emergency Preparedness Grant from the State of Michigan.

5. Authorize the Macomb County Animal Shelter to prepare a proposal for constructing an exercise/outdoor kennel area at the shelter.
6. Authorize the Macomb County Animal Shelter to discontinue the spay/neuter deposit program and implement a spay/neuter prior to release or adoption program.
7. Authorize the Health Department to issue a request for proposals for spay/neuter services for Macomb County Animal Shelter.
8. Approve the Health Department's recommendation that a contract for an amount not to exceed \$100,000.00 be awarded to Southeastern Michigan Health Association (SEMHA) for a behavioral risk factor survey needed by the Health Department to fulfill requirements for local Health Department accreditation by the Michigan Departments of Community Health, Environmental Quality, and agriculture, and to assist the Health Department in identifying services of greatest public health urgency during a period of budget reductions.
9. Authorize the Health Department to conduct a public hearing on December 4, 2008 on the proposed regulations governing body art establishments in Macomb County.

**THE MOTION CARRIED.**

**COMMUNITY SERVICES COMMITTEE – November 14, 2008**

**MOTION**

The clerk read the recommendations from the Community Services Committee and a motion was made by Chair Tocco, supported by Commissioner Bruley, to adopt the committee recommendations:

1. Authorize the Macomb County Community Services Agency to receive \$115,381 in Weatherization Assistance Program Redistribution funds.
2. Authorize the Macomb County Community Services Agency to receive \$348,500 from the Department of Human Services to provide weatherization and client education measures for low-income families.
3. Authorize the Macomb County Community Services Agency to receive \$117,948 from the Michigan Community Action Agency Association.
4. Authorize the Macomb County Community Services Agency to receive \$39,732 from Suburban Mobility Authority for Regional Transportation (SMART) under the specialized services operating assistance program.
5. Authorize the Macomb County Community Services Agency to receive an additional \$20,164 from the FEMA – Federal Emergency Food and Shelter Program through United Way for Southeastern Michigan.
6. Authorize MSU Extension 4H Program to accept Michigan State University's Teen Peer Mentoring & Service Learning Supplemental Funding Grant for October 1, 2008, through April 30, 2009, in the amount of \$12,500 to develop and implement a peer mentor program for elementary and high school youth in Macomb County schools.

**THE MOTION CARRIED.**

**PERSONNEL COMMITTEE – November 17, 2008**

**MOTION**

The clerk read the recommendations from the Personnel Committee and a motion was made by Chair Camphous-Peterson, supported by Vice-Chair Duzyj, to adopt the committee recommendations:

Commissioner Mijac asked to separate item #2. There were **NO** objections.

1. Approve reconfirmation of one Case Manager for Macomb/St. Clair Employment and Training Agency.
3. Approve an amendment to the county hiring policy in regard to vacant entry level positions as outlined in a November 10, 2008 correspondence from the acting Human Resources Department Director.
4. Approve the modified Employee Assistance Program (EAP) contract for 2009.
5. Concur with the request from the Department of Planning and Economic Development to transfer and reassign up to two full-time librarian positions from the county library to the Planning and Economic Development Department as research librarians for the purposes of assisting in economic development efforts; Further, these positions, which are currently represented by the UAW, would continue to maintain union status and current level of wages and benefits as provided in the union contract. The implementation of this resolution would be subject to discussions with the UAW. (Record NO votes for DeSaele, Drolet, Lund and Vosburg)

**THE MOTION CARRIED.**

**SEPARATED MOTION**

2. Approve reconfirmation of the following vacancies:

One Nurse Aide	Martha T. Berry
One Rehabilitation Nurse Aide	Martha T. Berry
Two Team Leaders	Martha T. Berry
One Unit Clerk	Martha T. Berry
One Dispatcher	Sheriff

Further, that the acting Human Resources Director discuss the need for the positions with the department heads and proceed accordingly.

**THE MOTION CARRIED.**

**AD HOC COMMITTEE ON COUNTYWIDE ENERGY CONSERVATION – November 17, 2008**

**MOTION**

The clerk read the recommendation from the Ad Hoc Committee and a motion was made by Chair DiMaria, supported by Commissioner Bruley, to adopt the committee recommendation:

1. Concur in the recommendation of the Facilities and Operations Department Director and the Purchasing Manager and proceed with the installation of the ozone laundry generation system at the jail annex.

**THE MOTION CARRIED.**

**BUDGET COMMITTEE – November 18, 2008**

**MOTION**

The clerk read the recommendations from the Budget Committee and a motion was made by Chair Brown, supported by Vice-Chair Sauger, to adopt the committee recommendations:

Commissioner Rengert asked to separate item #1. There were **NO** objections.

Commissioner Doherty asked to separate item #8. There were **NO** objections.

2. Accept the Plan B budget proposal as submitted by the acting Director of Emergency Management and maintain the current acting director's position through 2009.
3. Authorize the filing of the 10<sup>th</sup> year Juvenile Accountability Block Grant in the amount of \$39,406 with a county cash match of \$3,941 to support Juvenile Drug Court Operations.
4. Approve payment of \$12,284 to Harrison Township from the environmental problems: Lake/River Fund for debris removal from the Murdock Ballard drain.
5. Correct the 2008 Macomb County Apportionment Report for Chesterfield Township's millage increase from 8.3001 to 8.8001 as a result of voter approval at the November 4, 2008 general election.
6. Renew the lease for the court building cafeteria with Mr. Amir Eisho for a five-year term at the annual rate of \$9,000 effective January 1, 2009. (Record NO vote for DeSaele)
7. Retain the part-time Account Clerk I/II position previously deleted in Plan B, promote a housekeeper to the recently vacant custodian position and delete the resulting vacant housekeeper position in the Facilities and Operations Department for an additional annual savings of \$41,170 in 2009, as outlined in the Director of Facilities and Operations memo dated October 27, 2008.

**THE MOTION CARRIED.**

**SEPARATED MOTION**

1. Accept the Plan A budget proposal as submitted by the acting Director of Emergency Management.

**THE MOTION CARRIED.**

**SEPARATED MOTION**

8. Delete from the 2008 budget the vacant positions in the amount of \$1,832,202 as outlined in the Finance Director's October 30, 2008 memorandum, revised vacant position listing. (Record NO votes for Crouchman, Doherty, Duzyj, J. Flynn, Roberts, Rocca, Sauger and Slinde)

**MOTION TO AMEND**

A motion to amend was made by Commissioner Doherty, supported by Commissioner Gielegghem, to re-title position to "Emergency Manager Coordinator" and restore funding to match the previous level of the Assistant Director's position and have that position continue to report to the Board of Commissioners. **THE MOTION TO AMEND CARRIED.0**

**MOTION TO AMEND**

A motion to amend was made by Commissioner Brown, supported by Commissioner Camphous-Peterson, to amend the 2008 Macomb County vacant position listing to remove the Supervisor of Records listing under the County Clerk-Register of Deeds and replace it with a Typist Clerk II position. **THE MOTION TO AMEND CARRIED.** (Record NO vote for Doherty)

**MOTION TO AMEND**

A motion to amend was made by Commissioner DiMaria, supported by Commissioner Bruley, to reinstate the Public Works Station Operator. **THE MOTION TO AMEND CARRIED.**

**MOTION TO AMEND**

A motion to amend was made by Commissioner Brown, supported by Commissioner DiMaria, to delete from the vacant position listing the \$68,331 Public Works Drain Account Specialist.

**FRIENDLY AMENDMENT**

Commissioner Brdak made a friendly amendment to refer the item back to Budget Committee. Commissioner Brown accepted the friendly amendment.

**THE MOTION TO AMEND CARRIED.**

**THE SEPARATED MOTION AS AMENDED CARRIED.**

**FINANCE COMMITTEE – November 19, 2008**

**MOTION**

The clerk read the recommendations from the Finance Committee and a motion was made by Chair Slinde, supported by Vice-Chair Szczepanski, to adopt the committee recommendations:

1. Approve the monthly bills (with corrections, deletions and/or addenda) and authorize payment; further, to approve the payroll in the total amount of \$16,126,568.88, with necessary modifications to the appropriations. (Torrice abstaining)
2. Authorize the Human Resources Department to send a first class and certified letter, to include the cost of cobra, to all employees and retirees who have not responded to the dependent eligibility audit and are not in compliance; anyone who is 75 years or older will be personally contacted by the Human Resources Department to determine their situation; for those not responding, their retirement check will be held in abeyance until their situation is straightened out; once an employee or retiree turns in their audit, they will be reinstated in the program; for any senior or retiree, the online probate record in the county they reside in shall be reviewed to determine if they have a guardian.
3. Authorize the Department of Planning and Economic Development to work with the Finance Department and Information Technology Department to develop procedures to accept online registrations and credit card payments for Macomb County.
4. Eliminate the Transportation Specialist position from Community Services Agency's (MCCSA) budget.
5. Concur in the recommendation of Corporation Counsel and Risk Management regarding potential litigation as outlined in attorney/client privileged communication of Corporation Counsel.

6. Concur in the recommendation of Corporation Counsel and outside counsel regarding the case of LeBeau vs. County of Macomb, et al.
7. Concur in the recommendation of Corporation Counsel and outside counsel regarding the case of Yarbrough vs. County of Macomb.
8. Consider legal opinion of Corporation Counsel regarding contract issues with Benefit Control Methods for senior prescription discounts.

**THE MOTION CARRIED.**

**RESOLUTIONS/TRIBUTES**

**MOTION**

A motion was made by Commissioner Camphous-Peterson, supported by Commissioner Torrice, to adopt the following Resolutions:

Commissioner Drolet asked to separate Resolutions B & E. There were **NO** objections.

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|----------------|---|
| Res. No. 08-73 | Supporting the Van Dyke - 8 Mile Gateway Collaborative as a Michigan Center for Regional Excellence (offered by Vosburg; recommended by PED Committee on 11/12/08)  |
| Res. No. 08-69 | Supporting the National Guard and Reserve (offered by Camphous-Peterson; recommended by Personnel Committee on 11/17/08)  |
| Res. No. 08-68 | Commending MCREST on 20 Years of Service to the Community (offered by Crouchman; recommended by Personnel Committee on 11/17/08)  |
| Res. No. 08-75 | Supporting the Principles and Concepts of the Michigan Association of Home Builders Proposed Stimulus Package Being Considered by State Legislative Leaders (offered by Brown; recommended by Budget Committee on 11/18/08) |
| Res. No. 08-71 | Commend Detective Derek McLaughlin For Years of Dedicated Service (offered by DiMaria; recommended by Finance Committee on 11/19/08)  |
| Res. No. 08-74 | Commending Mr. Paul's Chop House for 40 Years in Business (offered by Board Chair; recommended by Finance Committee on 11/19/08)  |

**THE MOTION CARRIED.**

**SEPARATED RESOLUTIONS**

- |                |  |
|----------------|--|
| Res. No. 08-70 | Supporting the Michigan Green Schools Program in Macomb County (offered by Brdak; waived to Full Board by LAS Chair)                   |
| Res. No. 08-72 | Urging Government Assistance to the Automobile Industry (offered by Camphous-Peterson; recommended by Personnel Committee on 11/17/08) |

**THE MOTION CARRIED** (Record NO vote for Drolet)

**ITEM WAIVED BY LAS COMMITTEE CHAIR:**

**MOTION**



A motion was made by Commissioner Szczepanski, supported by Commissioner Camphous-Peterson, to accept miscellaneous department request / Sheriff's Office. **THE MOTION CARRIED.**

**MOTION**

A motion was made to renew authorization for Clerk/Register of Deeds to fight real estate fraud and continue the five "extra hire" employees to implement the "Entry Book." **THE MOTION CARRIED.**

**ITEM WAIVED BY SENIOR CITIZENS COMMITTEE CHAIR:**

**MOTION**

A motion was made by Commissioner J. Flynn, supported by Commissioner Gielegem, to accept AAA 1-B/MMAP One-Time supplemental contract for LIS outreach. **THE MOTION CARRIED.**

**MOTION**

A motion was made to accept SMART specialized services operating assistance program third-party contract for FY 2009. **THE MOTION CARRIED.**

**APPOINTMENTS**

- a) **Community Corrections Board** (1 appointment; vacant term ending 03/31/11)

**MOTION**

A motion was made by Commissioner J. Flynn, supported by Commissioner DeSaele, to approve the appointment of Richard M. Kelley to the Community Corrections Board. **THE MOTION CARRIED.**

- b) **Local Emergency Planning Committee** (1 appointment)

**MOTION**

A motion was made by Commissioner Slinde, supported by Commissioner Tocco, to approve the appointment of Kevin M. Sommers to the Local Emergency Planning Committee. **THE MOTION CARRIED.**

**NEW BUSINESS**

Commissioner Lund spoke regarding SEMCOG appointments.

**PUBLIC PARTICIPATION**

Jennifer Jozwiak, 10071 Carroll Road, Columbus Twp.

**ROLL CALL**

<b>NAME</b>	<b>DISTRICT</b>	<b>PRESENT</b>	<b>NOT PRESENT</b>
Andrey Duzyj	1	X	
Marvin Sauger	2	X	
Phillip A. DiMaria	3	X	
Jon Switalski	4	X	
Susan L. Doherty	5	X	
Joan Flynn	6	X	
Sue Rocca	7	X	
David J. Flynn	8	X	
Robert Mijac	9	X	

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Philis DeSaele	10	X	
Ed Szczepanski	11	X	
Peter J. Lund	12	X	
Don Brown	13	X	
Brian Brdak	14	X	
Keith Rengert	15	X	
Carey Torrice	16	X	
Ed Bruley	17	X	
Dana Camphous-Peterson	18	X	
Paul Gielegem	19	X	
Kathleen E. Tocco	20	X	
Leonard Haggerty	21		X
Elizabeth Slinde	22	X	
William A. Crouchman	23	X	
Sarah Roberts	24	X	
Kathy Vosburg	25	X	
Leon Drolet	26	X	

Commissioner Haggerty was absent and excused.

**ADJOURNMENT**

**MOTION**

A motion was made by Commissioner Duzyj, supported by Commissioner Slinde, to adjourn.

**THE MOTION CARRIED.**

Chair Crouchman adjourned the meeting at 8:50 p.m., until the call of the Chair.

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William Crouchman, Chairman

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Carmella Sabaugh, County Clerk