

**OFFICIAL MINUTES OF THE
MACOMB COUNTY BOARD OF COMMISSIONERS
FULL BOARD MEETING
MAY 21, 2009**

The Macomb County Board of Commissioners met at 7:00 p.m. on Thursday, May 21, 2009 on the 9th Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chairman Gielegem called the meeting to order. A roll call was taken for attendance as follows:

NAME	DISTRICT	PRESENT	NOT PRESENT
Andrey Duzyj	1	X	
Marvin Sauger	2	X	
Phillip A. DiMaria	3	X	
Toni Mocerì	4	X	
Susan L. Doherty	5	X	
Joan Flynn	6	X	
Sue Rocca	7	X	
David J. Flynn	8	X	
Robert Mijac	9		X
Ken Lampar	10	X	
Ed Szczepanski	11	X	
James L. Carabelli	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	
Irene M. Kepler	21	X	
Frank Accavitti, Jr.	22	X	
William A. Crouchman	23	X	
Michael A. Boyle	24	X	
Kathy D. Vosburg	25	X	
Jeffery S. Sprys	26	X	

Commissioner Mijac arrived at 8:03 p.m.

INVOCATION

Commissioner DiMaria gave the invocation.

AGENDA

MOTION

A motion was made by Commissioner Szczepanski, to adopt the agenda, **AS AMENDED TO INCLUDE #11, 12 AND 13**, supported by Commissioner Boyle. **THE MOTION CARRIED.**

MINUTES

MOTION

A motion was made by Commissioner Duzyj, to approve the minutes dated April 30, 2009, (Public Hearing and Regular), supported by Commissioner J. Flynn. **THE MOTION CARRIED.**

REPORT BY RICHARD RONDEAU, EXECUTIVE DIRECTOR, MADD SE/MICHIGAN

PUBLIC PARTICIPATION

Rick Stathakis, Supervisor of Shelby Township, 52700 Van Dyke
I.J. Campbell, 18961 Common Road, Roseville

COMMITTEE REPORTS

TECHNOLOGY & COMMUNICATIONS COMMITTEE – May 11, 2009

The clerk read the recommendations from the Technology & Communications Committee and a motion was made by Chair Accavitti, supported by Vice-Chair Boyle, to adopt the committee recommendations:

1. Approve the following miscellaneous department requests:

One Blackberry for the Planning and Economic Development Department with a one-time cost not to exceed \$100, and the additional monthly charge of \$50 (\$600 annually); funding is available in the Planning Department's SBA Incubator Grant fund; and

One wireless air card for Veterans Outreach and Counseling Program at a one-time cost of \$0.00 and a monthly recurring charge of \$42.99; funding is available in the Veteran Affairs fund.

2. Approve wireless internet access in the Planning and Economic Development offices for client access at a cost not to exceed \$1,986 for three wireless access points, funding available in IT capital, and a monthly recurring cost of \$79.99; funding available in the Planning and Economic Development budget.

THE MOTION CARRIED.

BUILDING, ROADS AND PUBLIC WORKS COMMITTEE – May 11, 2009

The clerk read the recommendations from the Building, Roads and Public Works Committee and a motion was made by Chair Duzyj, supported by Vice-Chair Carabelli, to adopt the committee recommendations:

Commissioner Camphous-Peterson asked to have Item #2 separated. There were **NO** objections.

1. Authorize payment for the following invoice:

Juvenile Justice Center-Phase II	Bernco, Inc.	\$199,561.82
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Further, funds are available in the Capital budget.

3. Authorize the location of additional Circuit Court Probation employees in vacant space in the

County building.

THE MOTION CARRIED.

SEPARATED MOTION

2. Approve the license agreement between Macomb County and Care House for the use of the parking structure on June 26, 2009 between the hours of 11 a.m. – 12 midnight; Care House agrees to pay the sum of \$380 as reimbursement for lost revenue from the 74 parking spaces located on “F” level; Care House also agrees to reimburse the county for costs incurred in opening the parking structure on June 27, 2009 for teardown and clean-up after the event. (Caphous-Peterson abstained)

THE MOTION CARRIED.

SENIOR SERVICES COMMITTEE– May 12, 2009

The clerk read the recommendation from the Senior Services Committee and a motion was made by Chair Rocca, supported by Vice-Chair Mocerri, to adopt the committee recommendation:

1. Concur with the Director of Senior Services to accept \$1,717 from AAA 1-B to offset the county general fund contribution to the Legal Assistance Program budget.

THE MOTION CARRIED.

PUBLIC SERVICES COMMITTEE – May 12, 2009

The clerk read the recommendation from the Public Services Committee and a motion was made by Chair Torrice, supported by Vice-Chair Tocco, to adopt the committee recommendation:

1. Authorize the Macomb County Community Services Agency to submit the revised Community Services Block Grant Plan for 2009.
2. Authorize the Macomb County Community Services Agency to receive additional funds to operate the Senior Citizens Nutrition Program during fiscal year 2008-09.
3. Authorize the Macomb County Community Services Agency to submit the Head Start Plan for 2009-10.

THE MOTION CARRIED.

ADMINISTRATIVE SERVICES COMMITTEE – May 13, 2009

The clerk read the recommendation from the Administrative Services Committee and a motion was made by Chair Vosburg, supported by Vice-Chair Sauger, to adopt the committee recommendation:

1. Authorize the Register of Deeds to purchase a plat scanner at an amount not to exceed \$41,731.30; the annual maintenance agreement of \$3,250 per year will begin in the second year from purchase; funding is available in the Register of Deeds Technology fund, which by state law must be used for Register of Deeds technological improvements.

THE MOTION CARRIED.

PLANNING & ECONOMIC DEVELOPMENT COMMITTEE– May 13, 2009

The clerk read the recommendations from the Planning & Economic Development Committee and a motion was made by Co-Chairs Carabelli & Bruley, supported by Vice-Chair D. Flynn, to adopt the committee recommendations:

1. Authorize the Board Chair to sign and submit the 2009 Annual Plan for the Urban County of Macomb and the 2009-2013 Macomb Home Consortium Consolidated Plan.
2. Authorize the execution of grant agreements of \$67,524 in CHDO Operations funding for Solid Ground and \$447,112 for Springhill Housing Corporation. (Accavitti abstained)
3. Authorize the submittal to HUD of a substantial amendment to the 2008 CDBG Program for \$687,807 in homeless prevention funding.
4. Support the County's efforts to host Chinese business in Michigan and Chinese-American leaders in Michigan to become more familiar with Macomb County on June 26, 2009.
5. Authorize the Planning and Economic Development Department to accept \$25,000 from the State of Michigan's Centers for Regional Excellence Program on behalf of the Van Dyke-8 Mile Gateway Collaborative (V-8 Gateway).
6. Authorize to enroll in the Rebuild Michigan Program for the purpose of conducting a technical energy analysis for the following buildings: County Building, Court Building, Jail, Southeast Health Center and Verkuilen Building.
7. Authorize the Planning and Economic Development Department to coordinate the preparation of the EECBG proposal in time for the June 25 deadline.
8. Approve the contract with the E.P.A. for the award of \$200,000 for initiation of the Brownfield Petroleum Substance Assessment Grant.
9. Approve the contract with the E.P.A. for the award of \$200,000 for continuation of the Brownfield Hazardous Substances Assessment Grant.

THE MOTION CARRIED.

EDUCATION AND TRAINING COMMITTEE – May 13, 2009

The clerk read the recommendations from the Education and Training Committee and a motion was made by Chair D. Flynn, supported by Vice-Chair Mocerri, to adopt the committee recommendations:

1. Authorize Macomb MSU Extension to receive \$13,200 from the Michigan Department of Community Health on behalf of Macomb County to implement renewal of project fresh from June 1, 2009 through October 31, 2009.
2. Authorize Macomb MSU Extension to receive \$25,000 from local schools, community organizations and MSU Extension to support the Great Lakes Education Program from

January 1, 2009 until funds are fully expended.

THE MOTION CARRIED.

COURTS AND LEGAL AFFAIRS COMMITTEE – May 14, 2009

The clerk read the recommendation from the Courts and Legal Affairs Committee and a motion was made by Chair Crouchman, supported by Vice-Chair Sprys, to adopt the committee recommendation:

1. Authorize the filing of the Michigan Drug Court Grant Program application in the amount of \$13,500 to enhance Juvenile Drug Court operations. No County cash match required.

THE MOTION CARRIED.

PERSONNEL COMMITTEE – May 15, 2009

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

1. Approve the addition of one Public Health Nurse II position in the Health Department.
2. Authorize the Macomb County Community Services Agency to receive additional funds to operate the Head Start Program in 2009-10.
3. Approve the various personnel actions in the office of the Treasurer, as outlined in a May 8, 2009 correspondence from the Human Resources Department Program Director.

THE MOTION CARRIED.

BUDGET COMMITTEE – May 15, 2009

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

1. Approve the change to the cell phone purchase approval process as outlined in attached correspondence from the Information Technology Director. (Record no votes Doherty and Rengert)
2. Approve the purchase of six wireless Card/Blackberry devices at a one-time cost of \$300 and a monthly recurring cost of \$47.99 each; seven mobile devices at a cost not to exceed \$9,805.88; hardware, software, training and implementation of a business contact information system at a one-time cost not to exceed \$20,000 and an annual recurring cost per seat not to exceed \$480 for up to 12 users for the Planning and Economic Development Department; funding available within IT capital and Planning and Economic Development Aerial Photo account; \$15,255.88 and \$14,850 respectively, and recurring costs available within the Planning and Economic Development budget.
3. Approve an allocation of \$30,000 for contractual services in support of the collective bargaining function within the department of Human Resources. Funds are available in the contingency account.

THE MOTION CARRIED.

FINANCE COMMITTEE – May 21, 2009

The clerk read the recommendation from the Finance Committee and a motion was made by Chair Kepler, supported by Vice-Chair Bruley, to adopt the committee recommendation:

1. Approve the monthly bills (with corrections, deletions and/or addenda) and authorize payment; further, to approve the payroll in the amount of \$4,964,729.31 with necessary modifications to the appropriations. (Sprys abstaining from bills for Adam Latra (fees-defense attorneys) and Torrice abstaining from bills for Torrice and Zalewski, PLLC (fees-defense attorneys.)

THE MOTION CARRIED.

RESOLUTIONS/TRIBUTES

MOTION

A motion was made by Commissioner Camphous-Peterson, to adopt the following Resolutions in their entirety, supported by Commissioner Boyle:

Commissioner Crouchman asked to separate Resolution E (09-44). There were **NO** objections.

- Res. No. 09-42 Commending Michael Noll on the Honor of Being Recognized as an Eagle Scout (offered by Vosburg; recommended by Administrative Services Committee on 05/13/09)
- Res. No. 09-46 Designating April 1, 2010 as Census Day in Macomb County and Assistance to Communities to Promote the Census and Citizen Participation (offered by Bruley & Carabelli; recommended by PED Committee on 05/13/09)
- Res. No. 09-41 Commending Hevel Elementary School on Being Honored as a Michigan Blue Ribbon Exemplary School (offered by Brown; recommended by Finance Committee on 05/21/09)
- Res. No. 09-43 Commending Parker Elementary School on Being Honored as a Michigan Blue Ribbon Exemplary School (offered by Camphous-Peterson; recommended by Finance Committee on 05/21/09)
- Res. No. 09-47 Opposing any Action by the State to Give Up its Program for Regulation of Wetlands in Michigan and to Return Responsibility for Wetlands Regulation to the Army Corps of Engineers (offered by Camphous-Peterson; recommended by Finance Committee on 05/21/09)
- Res. No. 09-48 Honoring Stephen Temple Church of God in Christ and Reverend Theodore Colbert (offered by Bruley)
- Res. No. 09-49 Commending Wilkerson Elementary School on Being Honored as a Blue Ribbon School (offered by Doherty; recommended by Finance Committee on 05/21/09)

THE MOTION CARRIED.

SEPARATED RESOLUTION

Res. No. 09-44 Supporting House Bill 4830, Allow Macomb County to Reorganize Management of County Road System through New County Charter (offered by Carabelli; recommended by Finance Committee on 05/21/09)

A roll call vote was taken:

Voting Yes were: Accavitti, Boyle, Brdak, Bruley, Camphous-Peterson, Carabelli, DiMaria, Doherty Duzyj, D. Flynn, J. Flynn, Kepler, Lampar, Mocerri, Sauger, Sprys, Tocco, Torrice and Gielegem. There were 19 Yes votes.

Voting No were: Brown, Rengert, Rocca, Szczepanski and Vosburg. There were 5 No votes.

Commissioner Crouchman abstained.

THE MOTION CARRIED.

ITEM WAIVED BY PUBLIC SERVICES COMMITTEE CHAIR

MOTION

A motion was made by Commissioner Doherty, to authorize Community Services Agency to receive the low income energy assistance program funds, supported by Commissioner Torrice.

THE MOTION CARRIED.

ITEM WAIVED BY HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE CHAIR

MOTION

A motion was made by Commissioner Szczepanski, to restore the \$25,000 emergency provision in the Environmental Problems: Lake/River Fund, awards shall be made from \$75,000 grant match portion of the annual appropriation, supported by Commissioner Duzyj.

MOTION TO AMEND

A motion was made by Commissioner Vosburg, to change the \$25,000 to \$15,000, supported by Commissioner Brown.

MOTION TO AMEND

A motion was made by Commissioner Bruley, to amend the motion to read: "If the Supervisor of Shelby Township certifies that he has no money and this is an emergency that we will loan Shelby Township \$15,000 at no interest to be paid back within 9 months, supported by Commissioner Sprys. **THE MOTION WAS RULED NON-GERMAINE TO THE ISSUE.**

THE MOTION TO AMEND FAILED.

A roll call vote was taken on the original motion:

Voting Yes were: Boyle, Brown, Camphous-Peterson, Carabelli, Duzyj, D. Flynn, J. Flynn, Kepler, Lampar, Mocerri, Rengert, Rocca, Sprys, Szczepanski, Torrice and Gielegem. There were 16 Yes votes.

Voting No were: Accavitti, Brdak, Bruley, Crouchman, DiMaria, Doherty, Mijac, Sauger, Tocco, Vosburg. There were 10 No votes.

THE ORIGINAL MOTION CARRIED.

ITEM WAIVED BY HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE CHAIR

MOTION

A motion was made by Commissioner Szczepanski, to approve Shelby Township's emergency request for \$15,000 from the Environmental Problems: Lake/River Fund to address flooding problems in the Ryan and Auburn Roads Area, supported by Commissioner Torrice.

SUBSTITUTE MOTION

A substitute motion was made by Commissioner Bruley, to grant Shelby Township \$15,000 at no interest with repayment required in 9 months subsequent to an agreement entered into with Shelby Township, supported by Commissioner DiMaria.

MOTION TO CALL THE QUESTION

A motion was made by Commissioner Crouchman, to call the question, supported by Commissioner DiMaria.

A roll call vote was taken on the motion to call the question with 2/3 vote required:

Voting Yes were: Accavitti, Boyle, Brdak, Brown, Bruley, Camphous-Peterson, Crouchman, DiMaria, D. Flynn, J. Flynn, Kepler, Lampar, Mijac, Mocerri, Rocca, Sauger, Sprys, Tocco and Gielegem. There were 19 Yes votes.

Voting No were: Carabelli, Doherty, Duzyj, Rengert, Szczepanski, Torrice and Vosburg. There were 6 No votes.

THE MOTION TO CALL THE QUESTION CARRIED.

A roll call vote was taken on the substitute motion.

Voting Yes were: Accavitti, Boyle, Brdak, Brown, Bruley, Camphous-Peterson, Crouchman, DiMaria, Doherty, Duzyj, D. Flynn, J. Flynn, Kepler, Mijac, Mocerri, Rocca, Sauger, Sprys, Tocco, Torrice and Gielegem. There were 21 Yes votes.

Voting No were: Carabelli, Lampar, Rengert, Szczepanski and Vosburg. There were 5 No votes.

THE SUBSTITUTE MOTION CARRIED.

MOTION

A motion was made by Commissioner Boyle, to reconsider Item 12, supported by Commissioner Sprys. **THE MOTION CARRIED.**

MOTION

A motion was made by Commissioner Boyle, to restore the \$25,000 emergency provision in the Environmental Problems: Lake/River Fund, awards shall be made from \$75,000 grant match portion of the annual appropriation, supported by Commissioner Sprys.

MOTION TO CALL THE QUESTION

A motion was made by Commissioner Szczepanski, to call the question, supported by Commissioner Sprys. **THE MOTION TO CALL THE QUESTION CARRIED.**

THE MOTION FAILED.

APPOINTMENTS:

MOTION

A motion was made by Commissioner Camphous-Peterson, to approve the appointments in their entirety, supported by Commissioner Brdak. **THE MOTION CARRIED.**

Board Appointment:

a) **Solid Waste Planning Committee:**

5 vacancies; 2-year terms starting June 1, 2009 through May 31, 2011

1 application received; 4 vacancies remain (to be appointed when applications are received)

Solid Waste Industry Representative

- Reappointment: Charles Hersey, SEMCOG

**Charles Hersey was appointed to the Solid Waste Planning Committee.
Chair Appointment with Concurrence of Board:**

b) **Commission on Women:**

1 vacancy for term starting June 1, 2009 through December 31, 2009.

County Commissioner Representative

- Appointment: Commissioner Irene Kepler

Commissioner Irene Kepler was appointed to the Commission on Women.

c) **Partnership for Sustainability:**

1 vacancy for term starting June 1, 2009 through December 31, 2011.

County Commissioner Representative

- Appointment: Commissioner Ken Lampar

Commissioner Ken Lampar was appointed to the Partnership for Sustainability.

d) **SEMCOG:**

2 vacancies for term starting June 1, 2009 through December 31, 2010.

Alternate Representative

- Appointment: Dan Dirks

Dan Dirks was appointed to SEMCOG.

Commissioner Appointment with Concurrence of Board:

e) **Commission on Women:**

4 vacancies exist in Districts 1, 13, 16 & 18 for term starting June 1, 2009 through December 31, 2009.

- District 13 – Marge Swiatkowski
- District 18 – Marianne Weiss

Marge Swiatkowski and Marianne Weiss were appointed to the Commission on Women.

NEW BUSINESS

Commissioner Szczepanski spoke regarding Shelby Township.

Commissioner Sauger questioned the lack of repayment of Shelby Township and who owns the property of the problem.

PUBLIC PARTICIPATION

None

ROLL CALL

MACOMB COUNTY BOARD OF COMMISSIONERS
 FULL BOARD MEETING - OFFICIAL MINUTES – May 21, 2009

NAME	DISTRICT	PRESENT	NOT PRESENT
Andrey Duzyj	1	X	
Marvin Sauger	2	X	
Phillip A. DiMaria	3	X	
Toni Mocerì	4	X	
Susan L. Doherty	5	X	
Joan Flynn	6	X	
Sue Rocca	7	X	
David J. Flynn	8	X	
Robert Mijac	9	X	
Ken Lampar	10	X	
Ed Szczepanski	11	X	
James L. Carabelli	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	
Irene M. Kepler	21	X	
Frank Accavitti, Jr.	22	X	
William A. Crouchman	23	X	
Michael A. Boyle	24	X	
Kathy D. Vosburg	25	X	
Jeffery S. Sprys	26	X	

ADJOURNMENT

MOTION

A motion was made by Commissioner Duzyj, to adjourn, supported by Commissioner Camphous-Peterson. **THE MOTION CARRIED.**

Chair Gielegem adjourned the meeting at 9:35 p.m., until the call of the Chair.

Paul Gielegem, Chairman

Todd Schmitz, Chief Deputy Clerk