

**OFFICIAL MINUTES OF THE  
MACOMB COUNTY BOARD OF COMMISSIONERS  
FULL BOARD MEETING  
OCTOBER 15, 2009**

The Macomb County Board of Commissioners met at 7:00 p.m. on Thursday, October 15, 2009 on the 9<sup>th</sup> 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:

<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	
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	

**INVOCATION**

Commissioner Lampar introduced Reverend Bart Beebe, Christ Lutheran Church, Sterling Heights to give the invocation.

**AGENDA**

**MOTION**

A motion was made by Commissioner DiMaria, to adopt the agenda **AS AMENDED, TO INCLUDE 10B AND C, 11 AND 12**, supported by Commissioner Tocco. **THE MOTION CARRIED.**

## **MINUTES**

### **MOTION**

A motion was made by Commissioner Duzyj, to approve the minutes dated September 24, 2009 and October 13, 2009 (Special), supported by Commissioner Torrice. **THE MOTION CARRIED.**

### **PUBLIC PARTICIPATION**

Michael Gainer, Westerville, OH  
Jason Blair, 19124 Toepfer, Eastpointe  
James Boglev, Jr., 28109 Hughes, St. Clair Shores

### **COMMITTEE REPORTS**

#### **HEALTH & ENVIRONMENTAL SERVICES COMMITTEE– October 1, 2009**

The clerk read the recommendation from the Health & Environmental Services Committee and a motion was made by Vice-Chair J. Flynn, supported by Commissioner Brdak, to adopt the committee recommendation:

1. Authorize the Board Chairman to declare, when necessary, that a county heightened state of alert exists in Macomb County due to the impending flu pandemic and to further exercise the powers and authorities granted to the Board Chairman, as outlined in county Resolution No. 82 of 2009.

**THE MOTION CARRIED.**

#### **SENIOR SERVICES COMMITTEE– October 1, 2009**

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

Commissioner Sprys asked to separate Item #3. There were NO objections.

1. Accept AAA 1-B negotiated multi-year contractual terms for the Resource Advocacy Program in the amount of \$69,438 for first year of three year contract (first fiscal year 10/1/2009 – 9/30/2010).
2. Accept AAA 1-B negotiated multi-year contractual terms for the Legal Assistance Program in the amount of \$36,835 for first year of three year contract (first fiscal year 10/1/2009 – 9/30/2010).

**THE MOTION CARRIED.**

### **SEPARATED MOTION**

3. Authorize to sever the relationship between the County of Macomb and Benefit Control Methods.

**THE SEPARATED MOTION CARRIED.**

**PUBLIC SERVICES COMMITTEE – October 1, 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 Community Services Agency to extend the agreement with Washtenaw County ETCS to provide commodity foods to low income families at no cost to the County.

**THE MOTION CARRIED.**

**TECHNOLOGY & COMMUNICATIONS COMMITTEE – October 5, 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:

Commissioner Vosburg asked to separate all three items. There were NO objections.

**SEPARATED MOTION**

1. Approve the following miscellaneous department requests:

Two Citrix Desktop Computers, Two LCD Monitors, Two Citrix Laptop Computers, Four Microsoft Office 2007 Licenses, Four Citrix Xen App Platinum – Licenses, and Four Microsoft Terminal Server User Licenses for the Public Health Department WIC Program at a cost not to exceed \$4,923.86; Funding is available in the Public Health – WIC Program Grant Fund,

476 Citrix Xen App Platinum Licenses and 476 MS Terminal Services Licenses at a cost not to exceed \$199,920; Funding is available in the PC Replacement Fund,

44 E-Ticket in-car systems for the Sheriff's Office at a cost not to exceed \$44,207.24; Funding is provided from the Department Of Justice Byrne Jag Grant, and

One Arc Editor Upgrade License for the current Arc GIS License for the Public Works USACE Drain Layer Mapping Project at a cost not to exceed \$2,856; Funding is available in the Public Works Equipment Revolving Fund.

**THE SEPARATED MOTION CARRIED.**

**SEPARATED MOTION**

2. Approve the attached agreement to purchase the I-Jury Juror Impaneling System from Travis County, Texas for use by the Macomb County Clerk's Office, with the provision that all modified program code and derivative works be made available to Travis County as per the agreement, at a cost not to exceed \$10 per year; funding is available within the IT budget.

**THE SEPARATED MOTION CARRIED.**

**SEPARATED MOTION**

3. Direct the lobbyist to lobby on behalf of supporting legislation to allow counties to delay filling of a vacancy occurring in the office of Circuit Court Judge due to the ineligibility of an incumbent judge to seek re-election, as adopted at the September 24, 2009 Full Board.

**THE SEPARATED MOTION CARRIED.** (Record NO votes for Brown, Carabelli, Rengert and Vosburg)

**BUILDING, ROADS AND PUBLIC WORKS COMMITTEE – October 5, 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:

1. Approve the Circuit Court Probation Department to expand into a portion of the vacated office space formerly occupied by the worker's compensation court in the Clemens Center; the Probation Department has requested no floor plan modifications (only request is lock on doors); provision computer network not to exceed \$12,000; funds are available in the Capital Improvements budget.

**THE MOTION CARRIED.**

**PUBLIC SAFETY AND CORRECTIONS COMMITTEE – October 6, 2009**

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

1. Authorize the Board Chairman to declare, when necessary, that a county heightened state of alert exists in Macomb County due to the impending flu pandemic and to further exercise the powers and authorities granted to the board chairman, as outlined in county resolution no. 82 of 2009.
2. Accept and enter into a 2009 Community Orientated Policing Services (COPS) Grant Agreement for \$500,000 for renovations and technology and equipment enhancements for the county's emergency operations center. There is no local match required.

**THE MOTION CARRIED.**

**COURTS AND LEGAL AFFAIRS COMMITTEE – October 6, 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 to enter into an agreement with Paypal/Payflow to allow electronic payments through the Courtview Case Management System.

**THE MOTION CARRIED.**

**EDUCATION AND TRAINING COMMITTEE – October 7, 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 MSU Extension on behalf of the Macomb County Board of Commissioners to

accept a one-month extension to the 4C Resource and Referral Contract with the Early Childhood Investment Corporation (ECIC) in the amount of \$5,000 effective October 1, 2009 through October 31, 2009.

**THE MOTION CARRIED.**

**PERSONNEL COMMITTEE – October 13, 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:

Commissioner Tocco asked to separate Item #5. There were NO objections.

1. Approve reconfirmation of the following vacancy:  
One Administrative Assistant III Community Mental Health  
(Record Duzyj NO vote)
2. Approve waiving the non-union five percent salary reduction for 100 percent grant funded Head Start positions in the Macomb County Community Services Agency.
3. Approve an amendment to the county hiring policy regarding vacant positions as outlined in an October 2, 2009 correspondence from the Human Resources Program Director-Personnel Services.
4. Authorize the Department of Planning and Economic Development to hire a part-time intern to assist in the Neighborhood Stabilization Program (NSP); funding is available from the NSP Grant.

**THE MOTION CARRIED.**

**SEPARATED MOTION**

5. Approve the revised personnel manual. (Record NO votes for: Accavitti, Camphous-Peterson, Crouchman, Doherty, Duzyj, Lampar, Rengert, Rocca and Vosburg)

**MOTION**

A motion was made by Commissioner Tocco to make amendments to the Personnel Manual, supported by Commissioner Kepler. **THE MOTION CARRIED.**

**THE SEPARATED MOTION CARRIED.** (Record NO votes for: Boyle, Doherty, Duzyj, Lampar, Rengert, Rocca and Vosburg)

**BUDGET COMMITTEE – October 13, 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:

Commissioner Kepler asked to separate Item #11. There were NO objections.

1. Adopt the 2010 budget reductions for the 42<sup>nd</sup> District Court Division I – Romeo as outlined on the revised resolution.
2. Adopt the 2010 budget reductions for the 42<sup>nd</sup> District Court Division II – New Baltimore as

outlined.

3. Authorize the Finance Department to establish a restricted fund balance account for use by the Macomb County Health Department.
4. Authorize the filing of the 11<sup>th</sup> Year Juvenile Accountability Block Grant Application in the amount of \$45,985 with a county cash match of \$4,598 to support Juvenile Drug Court Operations.
5. Amend the 2009 Probate Court budget – visiting judges line item by \$15,000 in order to compensate the visiting judge requirements for the Probate Court, as outlined in the correspondence from the Acting Chief Judge dated September 30, 2009; in reviewing the Probate Court's operating budget, there is no funding available; funds are available in the 2009 contingency account.
6. Adopt the 2009 Macomb County apportionment report as prepared by the Finance Department.
7. Approve the deletion from the 2010 county budget any budgeted positions previously "frozen" or "unfunded" by action of the Board of Commissioners and currently vacant; further, that departments that have met their 2010 target reductions be authorized to fill newly vacant positions under the following conditions: 1) the department continues to meet its 2010 budget reduction target and 2) authority to fill the vacancy is granted through the personnel committee's reconfirmation process.
8. Adopt the 2010 budget reductions for the Senior Citizens Services Department as outlined. (Record NO vote for Doherty)
9. Adopt the 2010 budget reductions for the County Treasurer as outlined on the revised resolution.
10. Adopt the 2010 budget reductions for the Public Works office as outlined.
12. Adopt the 2010 budget reductions for the Macomb County Community Services Agency (MCCSA) programs as outlined on the revised resolution.
13. Adopt the 2010 budget reductions for the Community Corrections Department as outlined.
14. Adopt the 2010 budget reductions for the Reference & Research Center as outlined on the revised resolution.
15. Adopt the 2010 budget reductions for the Child Care Fund – Foster Care Programs as outlined.
16. Adopt the 2010 budget reductions for the Human Resources Department; further, the HR Department requires the reconfirmation of one vacant HR Tech position and the transfer of one HR Coordinator employee to the vacant HR Tech position and the elimination of the vacated HR Coordinator position from the budget; further, to enact the 2010 budget reductions as outlined. In addition, the HR Department is authorized to reconfirm and fill positions as they become vacant in 2010.

**THE MOTION CARRIED.**

**SEPARATED MOTION**

11. Adopt the 2010 budget reductions for the Prosecuting Attorney as follows: Elimination of 8 of the 10 vacant general funded positions as outlined and allow the Prosecuting Attorney to fill one vacant entry level APA I and one vacant entry level clerical staff for a savings of \$609,155. (Record NO votes for: Boyle, Brown, Bruley, Carabelli, D. Flynn, Gielegem, Mijac, Mocer, Szczepanski, Tocco, Sprys and Brdak)

A roll call vote was taken:

Voting Yes were: Accavitti, Camphous-Peterson, Crouchman, DiMaria, Doherty, Duzyj, J. Flynn, Lampar, Rengert, Sauger, Torrice and Vosburg. There were 12 Yes votes.

Voting No were: Boyle, Brdak, Brown, Bruley, Carabelli, D. Flynn, Kepler, Mijac, Mocer, Rocca, Sprys, Szczepanski, Tocco and Gielegem. There were 14 No votes.

**THE MOTION FAILED.**

**FINANCE COMMITTEE – October 14, 2009**

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

1. Approve the monthly bills and authorize payment; further, to approve the payroll in the amount of \$10,019,423.02 with necessary modifications to the appropriations. (Torrice abstaining from bills for Torrice & Zalewski, PLLC)
2. Concur with the Purchasing Manager and Fleet Manager and recommend award of bid item 35-09, vehicle bid 2010MY, to the lowest responsible bidders, as outlined.
3. Concur with the Fleet Manager and approve the purchase of one 2010 Ford F250 pickup truck for the Facilities and Operations Department to the lowest responsible bidder, Varsity Ford, Ann Arbor, Michigan, in the amount of \$18,725; funds are available from the 2009 vehicle account. (Record NO votes for Brown, Carabelli and Sprys)
4. Concur with the Fleet Manager and approve the purchase of one 2010 Dodge Grand Caravan for the Planning And Economic Development Department to the lowest responsible bidder, Slingerland Dodge, Owosso, Michigan, in the amount of \$17,707; funds are available from the 2009 vehicle account. (Record NO votes for Brown, Carabelli, Doherty and Sprys)
5. Concur with the Fleet Manager and approve the purchase of one 2010 Dodge Grand Caravan for the Purchasing Department to the lowest responsible bidder, Slingerland Dodge, Owosso, Michigan, in the amount of \$17,707; funds are available from the 2009 vehicle account. (Record NO votes for Brown, Bruley, Carabelli, D. Flynn And Sprys)
6. Concur with the Fleet Manager and approve the purchase of one 2010 Ford E350 extended van for the Sheriff's Department to the lowest responsible bidder, Signature Ford, Perry, Michigan, in the amount of \$20,342; funds are available from the U.S. Department of Homeland Security.

**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 Torrice.

- Res. No. 09-94 Welcoming the Chinese Delegation to Macomb County (offered by Chairman; recommended by Finance Committee on 10-14-09)
- Res. No. 09-95 Commending Matthew J. Heika on the Honor of Achieving the Status of Eagle Scout (offered by Vosburg; recommended by Finance Committee on 10-14-09)
- Res. No. 09-96 Commending Michael J. Heika on the Honor of Achieving the Status of Eagle Scout (offered by Vosburg; recommended by Finance Committee on 10-14-09)

**THE MOTION CARRIED.**

**ITEM WAIVED BY PUBLIC SERVICES COMMITTEE CHAIR**

**MOTION**

A motion was made by Commissioner Torrice, to approve the following items that were waived by the Chair of the Public Services Committee:

1. Authorize the Macomb County Community Services Agency to approve the following receive \$379,563 from FEMA – Emergency Food and Shelter Program through the United Way for Southeastern Michigan;
2. Authorize Community Services Agency to Receive Funds from the Department of Human Services to Provide Weatherization Measures and Client Education Activities for Low-Income Families;
3. Authorize Community Services Agency to Hire Part-Time Communication and Outreach Specialist at No Cost to the County;

supported by Commissioner Vosburg. **THE MOTION CARRIED.**

**ITEM WAITIVED BY BUDGET COMMITTEE CHAIR**

**MOTION**

A motion was made by Commissioner Mocerri to approve the amendment to the Clerk/Register of Deeds Budget Position Elimination List, supported by Commissioner Boyle.

**THE MOTION CARRIED.**

**ITEM WAIVED BY PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE CO-CHAIRS**

**MOTION**

A motion was made by Commissioner Accavitti to support submission of application for energy efficiency and conservation block grant program, supported by Commissioner Camphous-Peterson.



**THE MOTION CARRIED.**

**2010 MEETING DATES**

**MOTION**

A motion was made by Commissioner Camphous-Peterson, to approve the 2010 meeting schedule, supported by Commissioner Rengert. **THE MOTION CARRIED.**

**APPOINTMENTS:**

**Chair Appointment with Concur of Board:**

- a) **Brownfield Redevelopment Authority:**  
*3 vacancies; 3 year terms (10/01/09 to 09/30/12)*

- ◆ Community Leader Category                      Jeffrey L. Lucas

**MOTION**

A motion was made by Commissioner Doherty, to appoint Jeffrey L. Lucas to the Brownfield Redevelopment Authority, supported by Commissioner J. Flynn. **THE MOTION CARRIED.**

**Jeffrey L. Lucas was appointed to the Brownfield Redevelopment Authority.**

**Appointments made by Vote of Board:**

- b) **Substance Abuse Advisory Board:**  
*3 vacancies; 3 year terms; Upon appointment to 08/31/12*

- ◆ Theresa Morin (reappointment)
- ◆ Kenneth Roberts (appointment)

**MOTION**

A motion was made by Commissioner Vosburg, to appoint Theresa Morin and Kenneth Roberts to the Substance Abuse Advisory Board, supported by Commissioner J. Flynn. **THE MOTION CARRIED.**

**Theresa Morin was reappointed and Kenneth Roberts was appointed to the Substance Abuse Advisory Board.**

**NEW BUSINESS**

**MOTION**

A motion was made by Commissioner Sprys to suspend the rules to make a motion to amend the agenda to eliminate the 10 vacant positions from the Prosecutors budget and to also to authorize the Prosecutor to reconfirm and fill any and all positions as they become vacant in 2010 only without any further approval of this Board, supported by Commissioner Szczepanski.

**MOTION**

A motion was made by Commissioner Doherty to take a recess, supported by Commissioner DiMaria. **THE MOTION CARRIED.**

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A recess was taken.

A roll call vote was taken on the motion to suspend the rules with a 2/3 vote required:  
Voting Yes were: Boyle, Brdak, Bruley, D. Flynn, Mijac, Sprys, Szczepanski, Tocco and Gielegghem. There were 9 Yes votes.

Voting No were: Accavitti, Brown, Camphous-Peterson, Carabelli, Crouchman, DiMaria, Doherty, Duzyj, J. Flynn, Kepler, Lampar, Mocerri, Rengert, Rocca, Sauger, Torrice and Vosburg. There were 17 No votes.

**THE MOTION TO SUSPEND THE RULES FAILED.**

**PUBLIC PARTICIPATION**

Jason Blair, 19124 Toepfer, Eastpointe

**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	
Toni Mocerri	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 Gielegghem	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 Kepler. **THE MOTION CARRIED.**

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Chair Gielegem adjourned the meeting at 8:17 p.m., until the call of the Chair.

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Paul Gielegem, Chairman

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Todd Schmitz, Deputy Clerk