

**OFFICIAL MINUTES OF THE
MACOMB COUNTY COMMISSION
FULL BOARD MEETING
July 28, 2011**

The Macomb County Commission met at 7:00 p.m. on Thursday, July 28, 2011 on the 9th Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chair Vosburg called the meeting to order. A roll call was taken for attendance as follows:

NAME	DISTRICT	PRESENT	NOT PRESENT
Toni Mocerì	1	X	
Marvin Sauger	2		X
Phillip A. DiMaria	3	X	
David J. Flynn	4	X	
Ray Gralewski	5	X	
James L. Carabelli	6	X	
Don Brown	7	X	
Kathy D. Vosburg	8	X	
Fred Miller	9	X	
Roland Fraschetti	10	X	
Kathleen E. Tocco	11	X	
Bob Smith	12	X	
Joe Sabatini	13	X	

INVOCATION

Commissioner Brown gave the invocation.

AGENDA

MOTION

A motion was made by Commissioner Flynn, to approve the agenda, **AS AMENDED, TO INCLUDE #8A (Commissioner Absences), 9, and 10G**, supported by Commissioner Carabelli. **THE MOTION CARRIED.**

On the addition of item #9, **THE MOTION CARRIED.**

A roll call vote was taken on the addition of item #8A.
Voting Yes were: Brown, Carabelli, Gralewski, Sabatini, Smith, Vosburg
Voting No were: DiMaria, Flynn, Fraschetti, Miller, Mocerì, Tocco

THE MOTION FAILED.

On the addition of item #10G, **THE MOTION CARRIED.**

MINUTES

MOTION

A motion was made by Commissioner Carabelli, to approve the minutes for Public Hearing and Full Board with Special Agenda June 14, 2011 and Full Board on June 23, 2011, supported by Commissioner Brown. **THE MOTION CARRIED.**

PRESENTATION TO RANDY CROWELL – 2011 VOLUNTEER WINNER BY FLYNN

PUBLIC PARTICIPATION

None

EXECUTIVE SESSION TO DISCUSS ATTORNEY/CLIENT PRIVILEGED MEMORANDUMS

MOTION

A motion was made by Commissioner Carabelli to enter executive session, supported by Commissioner Smith.

A roll call vote was taken.

Voting Yes were: Brown, Carabelli, DiMaria, Flynn, Frascchetti, Gralewski, Miller, Mocerri, Sabatini, Smith, Tocco and Vosburg. There were 12 Yes votes.
There were 0 no votes.

THE MOTION CARRIED.

The Board entered executive session at 7:25 p.m. with it concluding at 8:05 p.m.

COMMITTEE REPORTS

HEALTH & HUMAN SERVICES COMMITTEE– July 21, 2011

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

R11-042 Approve the Area Agency on Aging 1-B (AAA 1-B) FY 2012 Annual Implementation Plan; 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.

FINANCE COMMITTEE MEETING – July 26, 2011

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

Commissioner Carabelli asked to separate the items. There were no objections.

SEPARATED MOTION

R111-043 Adopt the Fiscal Year 2011 General Appropriations Ordinance restating and amending the FY 2011 Budget and Appropriations Resolution, as provided by independent counsel, as amended to replace the figure of \$13,538,934 with \$9,165,345 in Section 6, Use of Fund Balance; further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

MOTION TO AMEND

A motion was made by Commissioner Carabelli to amend Section 2 by deleting: *"The tax levies approved by the FY2011 General Appropriations Resolution shall remain in effect"* and substituting it with: *"For 2011, the General Operating Millage*

Rate is set at 4.5685 mills and the voted Veterans Millage is set at 0.04 mill,” supported by Brown. **THE MOTION TO AMEND CARRIED.**

MOTION TO AMEND

A motion was made by Commissioner Carabelli to amend Section 7 to read: “Line-Item Transfers. The County Executive shall have authority to transfer funds (i) from or to any line item within each of the following listed budgetary cost centers and (ii) to or from any line item for internal service costs between the following listed budgetary cost centers. General Fund: Apportionment Commission, Board of Commissioners, Circuit Court, Charter Commission, Civil Service Commission, Corporation Counsel, County Clerk, County Clerk-Elections, County Clerk-Jury Commission/Plat Board, County Executive, Court Building Safety, Emergency Management, Equalization, Facilities & Operations, Family Counseling, Family Court - Juvenile Division, Finance Department, 42nd District Court – Division I – Romeo, 42nd District Court – Division II – New Baltimore, Health-Water Quality Board, Human Resources Department, Information Technology, M.S.U. Extension Services, Office of Public Affairs, Planning, Community & Economic Development, Probate Court – Mental Division, Probate Court – Wills & Estate, Probation – Circuit Court, Probation – District Court, Prosecuting Attorney, Public Works Commissioner, Purchasing, Register of Deeds, Reimbursement, Risk Management & Safety, Security, Sheriff Department, Sheriff Department – Marine Division, Technical Services, Treasurer. Other Operating Funds: Child Care Fund, Community Corrections, Community Mental Health -CMH Grants, -Substance Abuse, County Reference and Research Center, Delinquent Personal Property Tax Collection Fund, Department of Human Services, Friend of the Court, Macomb/St. Clair Employment & Training, Martha T. Berry – Medical Care Facility, Parks & Recreation Fund, Prosecuting Attorney -Cooperative Reimbursement Program, -Victim Witness Program, Senior Citizens Services Programs, Telecommunications Fund, Veterans Affairs,” supported by Commissioner Brown.

MOTION

A motion was made by Commissioner DiMaria to continue the way the County is operating through the end of September and refer the matter to September’s meeting. **THE MOTION FAILED FOR LACK OF SUPPORT.**

A roll call vote was taken on the second motion to amend:

Voting Yes were: Brown, Carabelli, DiMaria, Fraschetti, Galewski, Sabatini, Smith and Vosburg. There were 8 yes votes.

Voting No were: Flynn, Miller, Mocerri and Tocco. There were 4 no votes.

THE MOTION TO AMEND CARRIED.

THE SEPARATED MOTION AS AMENDED CARRIED. (Record NO votes Flynn, Miller, Mocerri, Tocco)

MOTION

A motion was made by Commissioner DiMaria to change the agenda for the purpose of making a motion, supported by Commissioner Carabelli. **THE MOTION CARRIED.**

MOTION

R11-044

A motion was made by Commissioner DiMaria that the Chair of the Board of Commissioners enter into negotiations with the Finance Department to arrive at a reasonable percentage for line item money transfers and for this to be completed by

the end of September, supported by Commissioner Carabelli.

THE MOTION CARRIED.

SEPARATED MOTION

R11-045 Authorize payment to Kemp & Peyerk-Sterling, LLC in the amount of \$38,120.20 as approved by the Macomb County Brownfield Redevelopment Authority; further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

THE SEPARATED MOTION CARRIED.

BOARD OPERATIONS COMMITTEE – July 26, 2011

The clerk read the recommendation from the Board Operations Committee and a motion was made by Chair Tocco, supported by Vice-Chair Carabelli, to adopt the committee recommendation:

R11-046 Approve the Organization Plan submitted by the Macomb County Executive with the following amendments: 1) page 16, first paragraph, delete "Water Quality Board" and 2) page 20, include compensation for the Health and Community Services Director in the amount of \$124,950; further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

R11-047 Authorize that all resolutions be prepared prior to consideration at a committee meeting and included with the meeting notice or provided at the meeting; 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.

COURTS & CLERK/REGISTER OF DEEDS COMMITTEE MEETING – July 26, 2011

The clerk read the recommendation from the Courts & Clerk/Register of Deeds Committee and a motion was made by Chair Gralewski, supported by Commissioner Carabelli, to adopt the committee recommendation:

1. Authorize the Clerk/Register of Deeds to accept the proposal submitted by Cwiek, Irving PC to provide a study, assessment, and recommendation as the first step towards the formation of a real estate tract index, which would greatly improve Macomb County's real estate system, at a cost not to exceed \$71,550. Funds are available in the Technology Fund #27023601, the use of which is restricted by state law solely to technology improvements in the Register of Deeds. Further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

MOTION

A motion was made by Commissioner Gralewski to send this item back to the Courts & Clerk/Register of Deeds Committee in lieu of last minute questions being answered, supported by Commissioner DiMaria. **THE MOTION CARRIED.**

AUDIT COMMITTEE MEETING – July 28, 2011

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

R11-048 Forward the two opinions regarding the Open Meetings Act (one from Clark Hill dated July 12, 2011 and the other from George Brumbaugh dated July 25, 2011) to Representative Andrea LaFontaine and request that she forward it to the Attorney General to render an official opinion. Further, a copy of the two opinions will be forwarded to all members of the Macomb County delegation in Lansing. 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.

SPECIAL ECONOMIC DEVELOPMENT COMMITTEE MEETING – July 28, 2011

The clerk read the recommendation from the Economic Development Committee and a motion was made by Co-Chairs Carabelli and Flynn, to adopt the committee recommendation:

R11-049 Approve the contract with Clinton-Macomb Public Library for Macomb Blind and Physically Handicapped. Further, the funds appropriated to the Library for the Blind would be in a specific fund designated for that purpose and all reporting of expenditure of funds would be submitted back quarterly to the Finance Committee. 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.

SOLID WASTE PLAN AMENDMENT

MOTION

R11-050 A motion was made by Commissioner Carabelli, supported by Commissioner DiMaria to authorize the export of solid waste from Macomb County to Genesee County and to eliminate the expansion of Pine Tree Acres, the export and import of solid waste to SEMCOG communities and the export of septage to St. Clair County from the Plan Amendment; further to authorize that the Plan Amendment be sent to the communities for their approval as required by state law.

THE MOTION CARRIED.

CORRESPONDENCE FROM EXECUTIVE

None

RESOLUTIONS

MOTION

A motion was made by Commissioner Flynn, to adopt the following Resolutions:

- Res. No. 11-20 Commending and supporting Commissioner Toni Moceri's participation in the Marshall Memorial Fellowship – Fall 2011 Program (offered by Chair)
- Res. No. 11-19 Affirming Macomb County's Support For and Hosting of the 2011 Tri-County Summit (offered by Chair; postponed from Board Operations Committee on 07/26/11)

THE MOTION CARRIED.

SEPARATED RESOLUTION

Res. No. 11-18 Full Faith and Credit Resolution for Oakland-Macomb Interceptor Drain Drainage District Bonds (offered by Carabelli & Flynn; recommended by Economic Development Committee on 07/21/11)

A roll call vote was taken:

Voting Yes were: Brown, Carabelli, DiMaria, Flynn, Frascchetti, Gralewski, Miller, Mocerri, Sabatini, Smith, Tocco and Vosburg. There were 12 Yes votes.

There were 0 no votes.

THE MOTION CARRIED.

NEW BUSINESS

None

PUBLIC PARTICIPATION

None

ROLL CALL

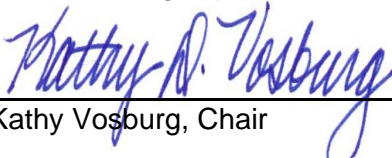
NAME	DISTRICT	PRESENT	NOT PRESENT
Toni Mocerri	1	X	
Marvin Sauger	2		X
Phillip A. DiMaria	3	X	
David J. Flynn	4	X	
Ray Gralewski	5	X	
James L. Carabelli	6	X	
Don Brown	7	X	
Kathy D. Vosburg	8	X	
Fred Miller	9	X	
Roland Frascchetti	10	X	
Kathleen E. Tocco	11	X	
Bob Smith	12	X	
Joe Sabatini	13	X	

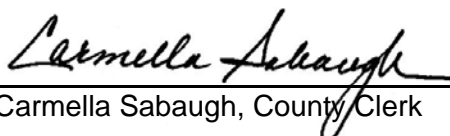
ADJOURNMENT

MOTION

A motion was made by Commissioner Miller, to adjourn, supported by Commissioner Flynn. **THE MOTION CARRIED.**

Chair Vosburg adjourned the meeting at 9:14 p.m., until the call of the Chair.


Kathy Vosburg, Chair


Carmella Sabaugh, County Clerk