

**OFFICIAL MINUTES OF THE
MACOMB COUNTY COMMISSION
FULL BOARD MEETING
November 10, 2011**

The Macomb County Commission met at 7:00 p.m. on Thursday, November 10, 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	

Commissioner Brown arrived after roll call.

INVOCATION

Commissioner Smith introduced Reverend Dr. Tyrone Martin, Minister at Greater Morning Star Missionary Baptist Church in Mt. Clemens to give the invocation.

AGENDA

MOTION

A motion was made by Commissioner Carabelli, to approve the agenda, supported by Commissioner Sabatini. **THE MOTION CARRIED.**

MINUTES

MOTION

A motion was made by Commissioner DiMaria, to approve the minutes of the October 20, 2011 Full Board meeting, supported by Commissioner Carabelli. **THE MOTION CARRIED.**

PUBLIC PARTICIPATION

Simon Haddad, 37796 E. Horseshoe Drive; Clinton Township
 Leo Garry, 45815 Grant Court, Macomb Township
 Philis DeSaele, Sterling Heights
 Juanita Parker, 16442 Clarkson Drive, Fraser
 Pauline Holeton, 2392 Barclay, Shelby Township

John HOLETON, 2392 Barclay, Shelby Township
Kermit Harris, Director of Veterans Services; Pine Creek Drive, Chesterfield
Russell Holtslander, 23140 Wellington Crescent; Clinton Township
Chris Utykanski, 13642 Whispering Lane, Sterling Heights
Don Lobsinger, 29600 Taylor, St. Clair Shores

COMMITTEE REPORTS

BOARD OPERATIONS COMMITTEE – November 1, 2011

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

R11-077 Concur in the recommendation of the County Executive and approve the appointment of Steven Gold as Executive Director of the Health and Community Services 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.

R11-078 Adopt Ordinance #4, Ethics Ordinance for Macomb County, as amended; Further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive. (Roll call vote: Yes-Brown, Flynn, Miller, Mocerri, Smith, Vosburg and Tocco; No-Fraschetti and Carabelli)

MOTION TO AMEND

A motion was made by Commissioner Miller, to amend Ordinance #2011-4, Amendment #1, Sec.1.1 as indicated below, supported by Commissioner Flynn.

AMENDMENT #1: Sec 1.1: *Strike* "This ordinance applies to all public servants unless otherwise provided by state or federal law" and ***insert*** "This ordinance shall apply to all Macomb County Public Servants unless otherwise provided for by state or federal law."

A roll call vote was taken:

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

Voting no was: Fraschetti. There was 1 no vote.

THE MOTION TO AMEND CARRIED.

THE MOTION AS AMENDED CARRIED.

MOTION TO AMEND

A motion was made by Commissioner DiMaria, to amend Ordinance #2011-4, Amendments #2 thru #5 as indicated below, supported by Commissioner Flynn.

AMENDMENT #2: Sec 3.2, *delete* language of subsection B and ***replace*** with "Public Servants specified under this section shall file personal disclosure statements by January 31, 2012. Candidates for county offices shall file the personal disclosure statement 30 days after filing as a candidate for public office. Newly hired or appointed Public Servants shall file within 30 days of date of hire or

appointment. Public servants would not be required to file an additional personal disclosure statement unless the substances of the document were to change, in which case they shall file an amended personal disclosure statement.”

AMENDMENT #3: Sec 3.2, after first mention of “personal disclosure statement”, **insert the following**: “The County Executive shall be responsible for enforcement and implementation of the requirements of this section for those Public Servants specified herein over which that office has the responsibility to supervise, coordinate, direct, and control.”

AMENDMENT #4: Sec 3.2, subsection D, line 3, strike “or Chairperson of the Board of Commissioners”

AMENDMENT #5: Sec 3.5, subsection C, line 9, strike “Chairperson of the Board of Commissioners shall be notified” and **insert** “the Board of Ethics shall be notified in writing.”

A roll call vote was taken:

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

Voting no was: Fraschetti. There was 1 no vote.

THE MOTION TO AMEND CARRIED.

THE MOTION AS AMENDED CARRIED.

MOTION TO AMEND

A motion was made by Commissioner Miller, to amend Ordinance #2011-4, Section 2, Conflicts of Interest, subsection B, Line 2 as indicated below, supported by Commissioner Mocerri.

A Public Servant shall not engage in a business transaction in which the Public Servant **strike** “and” and **insert** “or” his or her relative may profit from his or her official position or authority or benefit financially from confidential information which the Public Servant has obtained or may obtain by reason of that position or authority.

(Record **NO** vote for Fraschetti)

THE MOTION TO AMEND CARRIED.

THE MOTION AS AMENDED CARRIED.

MOTION TO AMEND

A motion was made by Commissioner Miller, to amend Ordinance #2011-4, Section 3, Standards of Conduct, section 3.1, subsection A9 as indicated below, supported by Commissioner Flynn.

Any contribution that is lawfully made under Campaign Finance Laws of the State of Michigan **insert** “and the United States”.

FRIENDLY AMENDMENT

A friendly amendment was offered as follows: “*Any contribution that is lawfully made under State or Federal Campaign Finance Laws*”.

Commissioners Miller and Flynn accepted the friendly amendment.

THE MOTION TO AMEND CARRIED WITH THE FRIENDLY AMENDMENT.

THE MOTION AS AMENDED CARRIED.

MOTION TO AMEND

A motion was made by Commissioner Miller, to amend Ordinance #2011-4, Section 3.3, Personal Disclosure for Vendors, subsection “c” as indicated below, supported by Commissioner Mocerri.

Legal or beneficial ownership by a Public Servant of the County of 10% or more, **strike** “of the total outstanding stock of a corporation, limited liability company, partnership, sole proprietorship, or other business entity, and **insert** “in the entity”, supported by Commissioner Mocerri.

THE MOTION TO AMEND CARRIED.

THE MOTION AS AMENDED CARRIED.

MOTION TO AMEND

A motion was made by Commissioner Mocerri, to amend Ordinance #2011-4, Amendment #6, Section 3.2 as indicated below, supported by Commissioner Miller.

AMENDMENT #6: Sec 3.2, insert “B. The personal disclosure statement shall also include (a) the source of any income over \$5,000 annually of the Public Servant and (b) the address or location of any real estate holdings within Macomb County, excluding primary residence, of the Public servant and his or her immediate family.”; reformat following subsections accordingly.

A roll call vote was taken:

Voting yes was: Mocerri, Miller, Flynn and Tocco. There were 4 yes votes.

Voting no was: Brown, Carabelli, DiMaria, Frascchetti, Gralewski, Sabatini, Sauger, Smith and Vosburg. There were 9 no votes.

THE MOTION TO AMEND FAILED.

A roll call vote was taken on the entire motion as amended:

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

Voting no was: Frascchetti. There was 1 no vote.

THE MOTION CARRIED.

R11-079 Concur in the recommendation of the Board Chair and approve the appointments of Commissioners Joe Sabatini and Marv Sauger to the Retiree Health Care Board as “Commissioner Designee”; terms to run concurrent with commissioner terms; 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.

CORRESPONDENCE FROM EXECUTIVE

None

RESOLUTIONS

MOTION

A motion was made by Commissioner DiMaria, to adopt the following Resolution, supported by Commissioner Mocerri.

Res. No. 11-24 Resolution To Override Veto Of Resolution To Require Submission Of County Contracts For Review And Action, (offered by Chair)

THE MOTION CARRIED.

PROCLAMATIONS

MOTION

A motion was made by Commissioner Brown, to adopt the following Proclamations in their entirety, supported by Commissioner Mocerri.

Proc. No. 11-21 Honoring Pastor J. Richard Evans on his Thirteenth Anniversary as Minister (offered by Miller; recommended by Finance Committee on 11/08/11)

Proc. No. 11-22 Commending Patrick Jeffery Bohm on Achieving the Status of Eagle Scout, (offered by Miller; recommended by Finance Committee on 11/08/11)

Proc. No. 11-23 Honoring Eric Griffin for his Work for the International Order of Alhambra, (offered by Sauger; recommended by Finance Committee on 11/08/11)

Proc. No. 11-24 Honoring Reverend Dr. Tyrone Martin – 10th Anniversary as minister to the Greater Morning Star Missionary Baptist Church, (offered by Miller; recommended by Board Operation Committee on 11/01/11)

Proc. No. 11-25 Proclaiming November 26, 2011 as Small Business Saturday in Macomb County, (offered by Vosburg; recommended by Finance Committee on 11/08/11)

Proc. No. 11-26 Commending Peter Aaron Darga on Achieving the Status of Eagle Scout, (offered by DiMaria)

Proc. No. 11-27 Proclaiming the Need for Food System Policy, (offered by Mocerri; recommended by Health & Human Services Committee on 11/02/11)

THE MOTION CARRIED.

NEW BUSINESS

Commissioner Frascchetti spoke regarding appointing auditor for the Department of Roads.
Commissioner Carabelli spoke regarding the birthday of the United States Marine Corps.
Commissioner Vosburg spoke regarding Veterans Day.
Commissioner Vosburg spoke regarding 2012 committee meetings and schedules.

PUBLIC PARTICIPATION

Chris Utykanski, 13642 Whispering Lane, Sterling Heights
Russell Holtslander, 23140 Wellington Crescent; Clinton Township

Pauline Holeton, 2392 Barclay, Shelby Township
John Holeton, 2392 Barclay, Shelby Township
Dana Lazechko, 35861 Harvard, New Baltimore
Don Lobsinger, 29600 Taylor, St. Clair Shores

ROLL CALL

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 Frascchetti	10	X	
Kathleen E. Tocco	11	X	
Bob Smith	12	X	
Joe Sabatini	13	X	

ADJOURNMENT

MOTION

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

Chair Vosburg adjourned the meeting at 9:45 p.m., until the call of the Chair.


Kathy Vosburg, Chair


Todd Schmitz, Deputy County Clerk