

**OFFICIAL MINUTES OF THE
MACOMB COUNTY COMMISSION
FULL BOARD MEETING WITH A SPECIAL AGENDA
August 8, 2013**

The Macomb County Commission met at 9:40 a.m. on Thursday, August 8, 2013 on the 9th Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chair Flynn called the meeting to order.

ROLL CALL

NAME	DISTRICT	PRESENT	NOT PRESENT
Michael Boyle	10	X	
Don Brown	7	X	
James Carabelli	6	X	
David Flynn	4	X	
Veronica Klinefelt	3	X	
Robert Mijac	5	X	
Fred Miller	9	X	
Toni Mocerri	1		X
Joe Sabatini	13	X	
Marvin Sauger	2	X	
Bob Smith	12	X	
Kathy Tocco	11	X	
Kathy Vosburg	8	X	

AGENDA

MOTION

A motion was made by Commissioner Carabelli, to approve the agenda as amended to include Item #9e, Executive Session to discuss Appointment of Law Firm, supported by Commissioner Sabatini. **THE MOTION CARRIED.**

PUBLIC PARTICIPATION

None

CORRESPONDENCE FROM THE EXECUTIVE

None

CONSIDER POSSIBLE CONFIRMATION OF CORPORATION COUNSEL NOMINEE GABE ORZAME

Comments were made by Gabe Orzame and he was questioned by the Commission.

The Board took a short recess and reconvened.

MOTION

R13-180 A motion was made by Commissioner Boyle, to adopt a resolution to reject the appointment of Gabriel Orzame, Jr. to the position of Corporation Counsel, supported by Commissioner Mijac.

A roll call vote was taken:

Voting Yes were: Tocco, Flynn, Mijac, Miller, Smith, Vosburg and Boyle. There were 7 Yes votes.

Voting No were: Brown, Carabelli, Klinefelt and Sauger. There were 4 No votes.

THE MOTION CARRIED.

RESOLUTIONS

MOTION TO POSTPONE

R13-181 A motion was made by Commissioner Carabelli to postpone the Resolution Supporting the Human Services Board's Management of the Martha T. Berry Medical Care Facility (offered by Board Chair) to the Thursday, August 15th Full Board meeting, supported by Commissioner Tocco.

MOTION TO AMEND

A motion to amend was made by Commissioner Brown to refer this item to the Health Services Committee, supported by Commissioner Vosburg.

A roll call vote was taken:

Voting Yes were: Vosburg, Brown and Carabelli. There were 3 Yes votes.

Voting No were: Mijac, Sauger, Smith, Boyle, Klinefelt, Tocco and Flynn. There were 7 No votes.

THE MOTION TO AMEND FAILED.

THE ORIGINAL MOTION TO POSTPONE CARRIED.

MOTION

- R13-182** A motion was made by Commissioner Carabelli to adopt a Resolution to Establish a Property Assessed Clean Energy (PACE) Program and Calling for a Public Hearing (offered by Mijac; recommended by Economic Development Committee on 08/07/13), supported by Commissioner Tocco.

THE MOTION CARRIED.

COMMITTEE REPORTS

MOTION

A motion was made by Commissioner Tocco to waive reading of committee recommendations, supported by Commissioner Smith. **THE MOTION CARRIED.**

GOVERNMENT OPERATIONS COMMITTEE MEETING – August 5, 2013

A motion was made by Chair Tocco, supported by Vice-Chair Flynn, to adopt the committee recommendation.

- R13-183** Approve the County Executive's appointment of Katherine Benford as the Director of the Macomb County Office of Senior Services; 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.

ECONOMIC DEVELOPMENT COMMITTEE MEETING – August 7, 2013

A motion was made by Chair Mijac, supported by Vice-Chair Carabelli, to adopt the committee recommendation.

- R13-184** Approve the Brownfield Plan for 9 Mile and Kelly Roads in Eastpointe; 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 – August 8, 2013

A motion was made by Chair Miller, supported by Vice-Chair Mocerri, to adopt the committee recommendations.

- R13-185** Approve the transfer of \$15,000 from the 2013 Circuit Court budget to the 2013 County Clerk budget to provide funding for Clerk staff overtime for court-related work; Further, this budget action addresses budgetary issues only. It does not constitute the Commission's approval of any County contract. If a contract requires Commission approval under the County's Contracting Policy or the County's Procurement Ordinance, such approval must be sought separately; Further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

R13-186 Approve a three year contract renewal to Quad-Tran to provide data processing services to the 42-1 and 42-2 District Courts; the cost of this contract for the three year period is a total of \$72,000; additional costs associated with Quad-Tran are as follows: unlimited terminal access, unlimited LEIN access, postage, forms/notices, mail processing and UPS; the Court's total average costs for three years are 42-1 \$133,000 and 42-2 \$149,000; Further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

R13-187 Approve the appointments of the following law firms:

Garan Lucow to represent the County in the litigation entitled Jeremy Benjamin Proffitt vs County of Macomb, et al, which is pending in Macomb County Circuit Court and

McConaghy & Nyovich, PLLC to represent the County of Macomb and the Macomb County Sheriff in the litigation entitled Police Officers Association of Michigan and Jacqueline Felix v County of Macomb, et al.

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.

EXECUTIVE SESSION TO DISCUSS APPOINTMENT OF LAW FIRM

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: Mijac, Sauger, Smith, Vosburg, Boyle, Brown, Carabelli, Klinefelt, Tocco and Flynn. There were 10 Yes votes. There were 0 No votes.

THE MOTION CARRIED.

The Commission entered executive session at 11:20 a.m. with it ending at 11:38 a.m.

MOTION

- R13-188** A motion was made by Commissioner Vosburg to appoint Collins Einhorn to represent the Honorable Richard Caretti in the matter pending before the Judicial Tenure Commission, supported by Commissioner Carabelli.

FRIENDLY AMENDMENT

Commissioner Smith offered a friendly amendment to appoint the law firm through preliminary stages and for the appointment to be reviewed upon the filing of a formal complaint. Commissioners Vosburg and Carabelli accepted the friendly amendment.

THE MOTION CARRIED WITH THE FRIENDLY AMENDMENT.

PROCLAMATION

MOTION

A motion was made by Commissioner Klinefelt to adopt the following Proclamation, supported by Commissioner Vosburg.

- R13-189** Commending Dan Hoekenga – Retirement from the Michigan Education Association (MEA) (offered by Flynn; include Miller; recommended by Finance Committee on 08/08/13)

THE MOTION CARRIED.

NEW BUSINESS

Commissioner Vosburg mentioned that New Haven and Lenox Township have held public meetings regarding a proposed new landfill. If this matter proceeds it may come to the Board through Solid Waste Planning Commission. Commissioner Vosburg asked the Chair to get information regarding the committee process so that the Board can be made aware of potential issues that may arise. Chair Flynn indicated he would ask the Office of Corporation Counsel to put something together explaining the process. Commissioner Klinefelt said she has also received inquiries on the matter and was waiting to respond when she had further information.

PUBLIC PARTICIPATION

None

ROLL CALL

NAME	DISTRICT	PRESENT	NOT PRESENT
Michael Boyle	10	X	
Don Brown	7	X	
James Carabelli	6	X	
David Flynn	4	X	
Veronica Klinefelt	3	X	
Robert Mijac	5		X
Fred Miller	9		X
Toni Mocerri	1		X
Joe Sabatini	13		X
Marvin Sauger	2	X	
Bob Smith	12	X	
Kathy Tocco	11		X
Kathy Vosburg	8	X	

ADJOURNMENT

MOTION

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

Chair Flynn adjourned the meeting at 11:44 a.m., until the call of the Chair.



David Flynn, Chair



Carmella Sabaugh, County Clerk