



# BOARD OF COMMISSIONERS

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**AUGUST 8, 2013**

## **NOTICE OF MEETING**

There will be a meeting of the **BOARD OF COMMISSIONERS** on Thursday, August 15, 2013, at **7 p.m.**, on the 9<sup>th</sup> Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens.

**(Invocation this month is by Commissioner Kathy Vosburg)**

## **PRELIMINARY AGENDA**

1. Presentation of Tribute to Joseph Pierce (Miller)
2. Correspondence from Executive
3. Report by County Medical Examiner Daniel Spitz, Jr., M.D.
4. **COMMITTEE REPORTS:**
  - a) Health & Human Services, August 12 **(to be provided)**
  - b) Infrastructure, August 13 **(to be provided)**
5. Board Chair's Report **(to be provided)**
6. Adopt a Resolution Supporting the Human Services Board's Management **(attached)**  
of the Martha T. Berry Medical Care Facility **(offered by Board Chair)**  
**(referred from 8-8-13 Full Board meeting)**

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**Corinne Bedard**  
**Committee Reporter**

## **MACOMB COUNTY BOARD OF COMMISSIONERS**

David J. Flynn – Board Chair  
District 4

Kathy Tocco – Vice Chair  
District 11

Mike Boyle – Sergeant-At-Arms  
District 10

Toni Mocerì – District 1  
Don Brown – District 7

Marvin Sauger – District 2  
Kathy Vosburg – District 8

Veronica Klinefelt – District 3  
Fred Miller – District 9

Robert Mijac - District 5  
Bob Smith – District 12

James Carabelli – District 6  
Joe Sabatini – District 13

**BOARD OF COMMISSIONERS  
MACOMB COUNTY, MICHIGAN**

Resolution No. 13-\_\_\_\_

A Resolution Supporting the Human Services Board's Management  
of the Martha T. Berry Medical Care Facility

Whereas, the Macomb County Human Services Board is authorized pursuant to subsections 55(c) and 58(1) of the Social Welfare Act, 1939 PA 280, to supervise and manage the Martha T. Berry County Medical Care Facility; and

Whereas, Since 2009, the Human Services Board has managed Martha T. Berry pursuant to the terms of the Joint Operating Agreement dated January 22, 2009, among the Commission, the Human Services Board, and the several labor unions representing the employees of Martha T. Berry; and

Whereas, Charter section 11.4 provides that "all existing County offices, boards, commissions, and departments existing on the date this Charter becomes effective shall continue and perform their duties unless reorganized or discontinued by an Organization Plan;" and

Whereas, the Executive's County Organization Plan provides that the Human Services Board will exercise its full statutory operating authority over Martha T. Berry, and that Organization Plan has never been amended and cannot be amended without Commission approval; and

Whereas, on July 9, 2013, the Office of the County Executive sent a memorandum to the Human Services Board indicating that Office of the County Executive would assume control over Martha T. Berry and directed other County departments to cease payments to outside legal counsel for the Human Services Board, including those for complex Medicaid reimbursement appeals; and

Whereas, on July 26, 2013, the Office of the County Executive issued an executive directive taking over operation and supervision responsibilities over the Martha T. Berry Medical Care Facility; and

Whereas, under section 3.5(a) of the Charter, the County Executive's authority to control and manage County facilities is limited by state law and is subject to the terms of the Executive's Organization Plan; and

Whereas, the Commission believes that the Human Services Board is best suited to continue to manage and oversee Martha T. Berry because of its experience with and knowledge of complicated Medicare and Medicaid regulations, and wishes to ensure that the patients and families that rely on the service provided by Martha T. Berry continue to receive the best possible medical care available in the most efficient manner.

Therefore, it is resolved that:

1. The Commission fully supports the Human Services Board in its efforts to retain its management responsibilities over Martha T. Berry Medical Care Facility as is provided in state law, the Joint Operating Agreement, and the County Organization Plan.
2. A copy of this Resolution shall be transmitted to the Human Services Board.

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David Flynn, Chair  
Macomb County Board of Commissioners

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Carmella Sabaugh  
Macomb County Clerk