

**MINUTES OF THE
FINANCE COMMITTEE
WEDNESDAY, JANUARY 25, 2012**

At a meeting of the **Finance Committee**, held Wednesday, January 25, 2012, in the Board Room, on the 9th Floor of the Administration Building, Mount Clemens, the following members were present:

Brown-Chair, Carabelli, DiMaria, Flynn, Frascchetti, Gralewski, Miller,
Moceri, Sabatini, Sauger, Smith, Tocco and Vosburg.

There being a quorum of the committee present, Chair Brown called the meeting to order at 9:48 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA

Chair Brown requested the additions of an Executive Session to discuss attorney/client privileged correspondence from Independent Counsel and discussion on a Procurement Ordinance and a Resolution regarding County Contracting Policy.

MOTION

A motion was made by DiMaria, supported by Carabelli, to adopt the agenda, as amended. **The Motion Carried.**

MINUTES

MOTION

A motion was made by Miller, supported by Carabelli, to approve the November 22 (special), November 29 (special) and December 13, 2011 minutes of this committee, as written. **The Motion Carried.**

**EXECUTIVE SESSION TO DISCUSS ATTORNEY/CLIENT PRIVILEGED
CORRESPONDENCE FROM INDEPENDENT COUNSEL DATED 1-24-12**

MOTION

A motion was made by Carabelli, supported by Sabatini, to enter into Executive Session for the purpose of discussing an attorney/client privileged memorandum from Independent Counsel dated January 24, 2012.

A roll call vote was taken as follows:

Voting Yes were Carabelli, DiMaria, Flynn, Frascchetti, Gralewski, Mocerri, Sabatini, Sauger, Smith, Tocco, Vosburg, Miller and Brown. There were 13 "Yes" votes.

The Motion Carried.

In accordance with the motion, committee entered Executive Session at 9:52 a.m., with it concluding at 10:54 a.m.

**DISCUSSION ON PROCUREMENT ORDINANCE AND RESOLUTION
ON COUNTY CONTRACTING POLICY**

Procurement Ordinance (#2011-7)

Commissioner Tocco noted that throughout the document references are made to both a procurement ordinance and a purchasing ordinance. Mr. Smith said he will review the document and make sure the terms are consistent throughout it prior to the Full Board meeting.

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY MILLER, SUPPORTED BY DiMARIA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT ORDINANCE NO. 2011-7, AN ORDINANCE TO ESTABLISH COMPREHENSIVE POLICIES AND PROCEDURES GOVERNING THE AWARDED OF MACOMB COUNTY CONTRACTS FOR THE PROCUREMENT OF SERVICES, SUPPLIES, MATERIALS AND EQUIPMENT.

Scott Smith reviewed the ordinance and noted the sections that require figures to be inserted.

The following commissioners spoke: Vosburg, Carabelli and Flynn.

A recess was taken from 11:08-11:20 a.m.

AMENDMENT

A MOTION WAS MADE BY MILLER, SUPPORTED BY DiMARIA, TO AMEND THE ORDINANCE AS FOLLOWS: PAGE 7, SECTION 4.1. GENERAL, INSERT THE FOLLOWING FIGURES: LINE 3, \$35,000; LINE 4, \$35,000, LINE 5, \$105,000 AND LINE 6, \$100,000.

The following commissioner spoke: Vosburg.

Chair Brown called for a vote on the amendment and **THE MOTION CARRIED.**

AMENDMENT

A MOTION WAS MADE BY MILLER, SUPPORTED BY DiMARIA, TO AMEND THE ORDINANCE AS FOLLOWS: PAGE 8, 1., INSERT THE FIGURES OF \$5,000-\$35,000; 2., INSERT THE FIGURE OF \$35,000 AND 6., INSERT THE FIGURE OF \$35,000; ALSO, PAGE 13, SECTION 6.1., INSERT THE FIGURE OF \$5,000. **THE MOTION CARRIED.**

AMENDMENT

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY CARABELLI, TO AMEND THE ORDINANCE AS FOLLOWS: PAGE 9, SECTION 4.1., ADD A NEW SECTION D TO READ: ALL CONTRACTS FOR CONSTRUCTION, REPAIR, ALTERATION OR REBUILDING OF A COUNTY BUILDING OR OTHER PROPERTY SHALL INCLUDE A PROVISION REQUIRING THE CONTRACTOR AND ANY SUBCONTRACTOR PROVIDING SERVICES UNDER THE CONTRACT TO CONDUCT PRE-HIRE SCREENING FOR ILLEGAL DRUG USE BY EMPLOYEES WHO PROVIDE SERVICES UNDER THE CONTRACT.

Commissioner Smith asked questions of Commissioner DiMaria, Corporation Counsel and Independent Counsel. Scott Smith suggested inserting the words at the beginning of the new section: "To the extent not prohibited by law." That was accepted by the maker and supporter.

The following commissioner spoke: Miller.

Commissioner Sabatini offered a friendly amendment: insert the word "their" before "employees." That was accepted by the maker and supporter.

The following commissioner spoke: Carabelli.

A ROLL CALL VOTE WAS TAKEN ON THE AMENDMENT AS FOLLOWS:

VOTING YES WERE CARABELLI, DiMARIA, FLYNN, FRASCHETTI, GRALEWSKI, MOCERI, SABATINI, SMITH, TOCCO, VOSBURG, MILLER AND BROWN. THERE WERE 12 "YES" VOTES.

THE MOTION CARRIED.

Chair Brown called for a vote to adopt the ordinance, as amended, and **THE MOTION CARRIED.**

Adopt Resolution to Amend Resolution No. 11-23

Scott Smith reviewed the proposed resolution and contracting policy (Exhibit A).

Commissioner Tocco referred to page 4, II. B. 1. and requested that the word "Generally" be deleted. Scott Smith suggested the words "Except as otherwise specifically provided in this policy" be inserted. There were no objections.

Commissioner Tocco referred to page 5, 3. and felt clarifying language pursuant to the Charter should be added. Scott Smith suggested adding: "Pursuant to subsection 4.4(d) of the Charter." There were no objections.

The following commissioner spoke: Smith.

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY MILLER, SUPPORTED BY MOCERI, TO ADOPT A RESOLUTION TO AMEND RESOLUTION NO. 11-23 TO ESTABLISH A COMPREHENSIVE COUNTY CONTRACTING POLICY, AS AMENDED.

AMENDMENT

A MOTION WAS MADE BY MILLER, SUPPORTED BY TOCCO, TO AMEND THE POLICY AS FOLLOWS: PAGE 5, INSERT THE FIGURE OF \$35,000 IN 3.C. AND 3.E. AND PAGE 6, 3.F., 3.H., 3.J. AND 3.K.; ALSO, PAGE 6, INSERT THE FIGURE OF \$100,000 IN 3.G.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

VOTING YES WERE CARABELLI, DiMARIA, FLYNN, FRASCHETTI, MOCERI, SABATINI, SMITH, TOCCO, VOSBURG, MILLER AND BROWN. THERE WERE 11 "YES" VOTES.

THE MOTION CARRIED.

AMENDMENT

A MOTION WAS MADE BY FLYNN, SUPPORTED BY DiMARIA, TO AMEND THE POLICY AS FOLLOWS: PAGE 8, ADD THE FOLLOWING TO SECTION 3.: A. COPIES OF THOSE POLICIES AND ANY AMENDMENTS SHALL BE SUBMITTED TO THE COMMISSION FOR INFORMATION WITHIN 14 DAYS AFTER THE EXECUTIVE APPROVES THEM. AS AN ALTERNATIVE, THE EXECUTIVE MAY POST THESE MATERIALS ON THE COUNTY'S WEBSITE WITHIN THE SAME 14 DAYS AND ENSURE THEY CONTINUE TO BE AVAILABLE ON THE WEBSITE; AND B. COPIES OF CONTRACTS THAT DO NOT REQUIRE COMMISSION APPROVAL UNDER THIS POLICY OR OTHER APPLICABLE LAW, SHALL BE SUBMITTED TO THE COMMISSION FOR INFORMATION WITHIN 14 DAYS AFTER THEY ARE SIGNED BY THE EXECUTIVE AS REQUIRED BY THE CHARTER. AS AN ALTERNATIVE, THE EXECUTIVE MAY POST THESE MATERIALS ON THE COUNTY'S WEBSITE WITHIN THE SAME 14 DAYS AND ENSURE THEY CONTINUE TO BE AVAILABLE ON THE WEBSITE.

The following commissioners spoke: Carabelli and Tocco.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

VOTING YES WERE CARABELLI, DiMARIA, FLYNN, FRASCHETTI, MOCERI, SABATINI, SMITH, TOCCO, VOSBURG, MILLER AND BROWN. THERE WERE 11 "YES" VOTES.

THE MOTION CARRIED.

AMENDMENT

A MOTION WAS MADE BY TOCCO, SUPPORTED BY FLYNN, TO AMEND THE POLICY AS FOLLOWS: PAGE 7, D.1., INSERT AT THE END OF THE FIRST SENTENCE: "REGARDLESS OF THE CONTRACT AMOUNT." **THE MOTION CARRIED.**

Chair Brown called for a vote on the resolution, as amended, and **THE MOTION CARRIED.**

QUARTERLY EXPENDITURE AND REVENUE REPORTS FOR 12-31-11

MOTION

A motion was made by DiMaria, supported by Carabelli, to receive and file the Quarterly Expenditure and Revenue Reports for December 31, 2011. **The Motion Carried.**

REPORT BY ADG ECO & ENERGY ADVISEMENT GROUP

Robert Wagner and David Allen spoke about RED, a Utility Savings Company Program, which is looking for utility users to participate in a new multi-million dollar program fund.

The following commissioners spoke: Carabelli, Brown and Mocerri.

Commissioner Frascchetti suggested referring this report to the Health and Human Services Committee, as well as the Office of County Executive.

Chair Brown asked Commissioner Mocerri to consider this as a future agenda item and said he will forward the report to the Office of County Executive.

MOTION

A motion was made by Frascchetti, supported by Tocco, to receive and file the report by ADG Eco and Energy AdviseMENT Group. **The Motion Carried.**

APPOINTMENT OF LAW FIRMS

MOTION

A motion was made by DiMaria, supported by Frascchetti, to concur in the appointment of the following law firms:

Aloia & Associates, P.C., to provide legal services to the Department of Roads in litigation involving real property;

Cummings McClorey Davis & Acho PLC to represent Macomb County in the litigation entitled Edward Koralewski vs. Macomb County Sheriff's Department, et al, which is pending in Macomb County Circuit Court;

Kitch, Drutchas, Wagner, Valitutti & Sherbrook to represent the County defendants in the litigation entitled Sharon Rix, personal representative of the estate of Anthony Leach vs. Macomb County, et al, which is pending in Macomb County Circuit Court;

McConaghy & Nyovich to represent the County in the litigation entitled Macomb County Professional Deputy Sheriff's Association vs. County of Macomb, which is pending in Macomb County Circuit Court and

Plunkett Cooney to represent the County defendants in the litigation entitled Jeffrey Liming vs. Macomb County, et al, which is pending in Federal District Court.

The Motion Carried.

ITEM REFERRED FROM 1-24-12 JUSTICE & PUBLIC SAFETY COMMITTEE MEETING: CONTRACT EXTENSION WITH SOUND COUNSELING TO PROVIDE PROFESSIONAL AND THERAPEUTIC SERVICES AT THE JUVENILE JUSTICE CENTER

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE A ONE-YEAR CONTRACT EXTENSION WITH SOUND COUNSELING TO PROVIDE PROFESSIONAL AND THERAPEUTIC SERVICES AT THE JUVENILE JUSTICE CENTER FROM JANUARY 1, 2012 TO DECEMBER 31, 2012; 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.**

**ADOPTION OF PROCLAMATION COMMENDING GORDON FUERSTENAU –
RETIREMENT AS SUPERVISOR OF RICHMOND TOWNSHIP (OFFERED BY BROWN)**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY FRASCHETTI, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT A PROCLAMATION COMMENDING GORDON FUERSTENAU – RETIREMENT AS SUPERVISOR OF RICHMOND TOWNSHIP. **THE MOTION CARRIED.**

**RECOMMENDATION FROM 1-25-12 ECONOMIC DEVELOPMENT COMMITTEE
MEETING: APPROVE INCREASES TO THE MSU EXTENSION 2012 GRANT-
FUNDED BUDGET**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY CARABELLI, SUPPORTED BY MOCERI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE INCREASES, PER ATTACHED DOCUMENTS, TO THE MSU EXTENSION 2012 GRANT-FUNDED BUDGET, WHICH INCLUDES ROLLING FORWARD 2011 FUND BALANCES AND/OR RECEIVING ADDITIONAL 2012 REVENUE FROM THE FOLLOWING FUNDS: GENERAL CHILD CARE, GENERAL HOUSING, GENERAL EXTENSION, GENERAL YOUTH DEVELOPMENT, ENVIRONMENTAL EDUCATION, GREAT LAKES EDUCATION PROGRAM (GLEP), NATIONAL FORECLOSURE MITIGATION COUNSELING (NFMC) ROUND TWO AND ROUND FIVE AND MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA) FORECLOSURE; FURTHER, A COPY OF THIS BOARD OF COMMISSIONERS' ACTION IS DIRECTED TO BE DELIVERED FORTHWITH TO THE OFFICE OF THE COUNTY EXECUTIVE.

The following commissioner spoke: Carabelli.

Chair Brown called for a vote on the motion and **THE MOTION CARRIED.**

**APPROVE INCREASES IN BUDGET REVENUES AND EXPENSES FOR BOARD
OF COMMISSIONERS GREEN SCHOOLS PROGRAM**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY MOCERI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE INCREASES IN BUDGET REVENUES AND EXPENSES IN THE AMOUNT OF \$644.66 WHICH IS 2011 FUND BALANCE ROLL FORWARD FOR THE BOARD OF COMMISSIONERS GREEN SCHOOLS PROGRAM; 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.**

ADJOURNMENT

MOTION

A motion was made by Tocco, supported by Mocerri, to adjourn the meeting at 12:32 p.m. **The Motion Carried.**



Corinne Bedard
Committee Reporter