

**MINUTES OF THE
FINANCE COMMITTEE**

TUESDAY, NOVEMBER 23, 2010

At a meeting of the **Finance Committee**, held Tuesday, November 23, 2010, in the Board Room, on the 9th Floor of the Administration Building, Mount Clemens, the following members were present:

Kepler-Chair, Accavitti, Boyle, Brdak, Brown, Bruley, Camphous-Peterson, Carabelli, Crouchman, DiMaria, Doherty, Duzyj, D. Flynn, J. Flynn, Gielegem, Lampar, Mijac, Mocer, Rengert, Rocca, Sauger, Sprys, Szczepanski, Tocco, Torrice and Vosburg.

There being a quorum of the committee present, Chair Kepler called the meeting to order at 9:02 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA

Chair Kepler indicated that an additional resolution was distributed from Corporation Counsel regarding pending litigation.

MOTION

A motion was made by Sprys, supported by Camphous-Peterson, to adopt the agenda, as amended, (and to include 9a, b and c and two additional travel requests). **The Motion Carried.**

MINUTES

MOTION

A motion was made by Duzyj, supported by Sprys, to approve the October 21, 2010 minutes of this committee, as written. **The Motion Carried.**

LIST OF BILLS AS PREPARED BY THE FINANCE DEPARTMENT

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY CAMPHOUS-PETERSON, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE MONTHLY BILLS AND AUTHORIZE PAYMENT; FURTHER, TO APPROVE THE PAYROLL IN THE AMOUNT OF \$14,576,008.66, WITH NECESSARY MODIFICATIONS TO THE APPROPRIATIONS. **THE MOTION CARRIED WITH SPRYS ABSTAINING FROM BILLS FOR JEFFERY SPRYS.**

**DEVELOPMENT OF BID SPECIFICATIONS FOR JAIL RENOVATION PROJECT
(REFERRED FROM 11-8-10 BUILDINGS, ROADS & PUBLIC WORKS COMMITTEE MEETING)**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY DOHERTY, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE WAKELY ASSOCIATES, INC. TO PROCEED WITH THE DEVELOPMENT OF BID SPECIFICATIONS FOR JAIL RENOVATIONS IDENTIFIED IN ATTACHMENT C; BIDS WILL BE BROUGHT BACK TO THE BOARD FOR REVIEW AND APPROVAL.

Captain Wickersham and Lynn Arnott-Bryks gave an overview.

The following commissioners spoke: Camphous-Peterson, Brown, Rocca, Doherty, Duzyj, Szczepanski, Vosburg and J. Flynn.

MOTION

A motion was made by Sprys, supported by Rocca, to postpone this until January.

Commissioner Doherty asked that the rest of the presentation be heard. The motion to postpone was withdrawn until after the presentation.

Ron Syme from Wakely Associates gave an overview of proposals A, B and C.

The following commissioner spoke: Brown.

Gilbert Chang spoke about the funding for this.

The following commissioners spoke: Doherty, Carabelli, Szczepanski and Rocca.

MOTION

A motion was made by Sprys, supported by Rocca, to postpone this until January.

The following commissioners spoke: Sprys, Doherty, Duzyj, DiMaria and Szczepanski.

A roll call vote was taken on the motion to postpone as follows:

Voting Yes were Accavitti, Boyle, Brdak, Brown, D. Flynn, Gielegghem, Mocerri, Rengert, Rocca, Sprys, Szczepanski, Tocco and Bruley. There were 13 “Yes” votes.

Voting No were Camphous-Peterson, Carabelli, Crouchman, DiMaria, Doherty, Duzyj, J. Flynn, Lampar, Sauger, Torrice, Vosburg and Kepler. There were 12 “No” votes.

The Motion Carried.

LEASE AGREEMENT WITH MACOMB HEALTH PLAN

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY SPRYS, SUPPORTED BY MOCERI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE ENTERING INTO AN AGREEMENT TO LEASE APPROXIMATELY 1,500 SQUARE FEET OF OFFICE SPACE AT THE CLEMENS CENTER TO THE MACOMB HEALTH PLAN; THIS SPACE WAS FORMERLY LEASED TO DTE FOR A CUSTOMER SERVICE CENTER AND IS ADJACENT TO THE CURRENT MACOMB HEALTH PLAN OFFICE; THE TERMS AND CONDITIONS OF THE LEASE WOULD BE SIMILAR TO THE CURRENT MACOMB HEALTH PLAN LEASE WHICH IS A FIVE YEAR LEASE WITH TWO FIVE-YEAR RENEWAL OPTIONS THAT HAVE STEP RENT INCREASES.

The following commissioner spoke: Vosburg.

Chair Kepler called for a vote on the motion and **THE MOTION CARRIED WITH DOHERTY ABSTAINING.**

FORENSIC AUDIT REPORT FROM MACOMB CONSERVATION DISTRICT

MOTION

A motion was made by Doherty, supported by J. Flynn, to receive and file the Forensic Audit Report from the Macomb Conservation District.

The following commissioner spoke: Rengert.

AMENDMENT

A MOTION WAS MADE BY RENGERT, SUPPORTED BY SPRYS, THAT THE MACOMB CONSERVATION DISTRICT BE PAID THE FUNDS PREVIOUSLY ALLOCATED TO THEM.

The following commissioner spoke: Bruley.

Chair Kepler called for a vote on the motion and **THE MOTION CARRIED WITH BRDAK, GIELEGHEM AND LAMPAR VOTING “NO.”**

DISCRETIONARY MONIES FOR COUNTY EXECUTIVE-ELECT (RECOMMENDED BY AD HOC COMMITTEE TO BEGIN DELIBERATIONS REGARDING TRANSITIONAL ISSUES RELATED TO THE COUNTY CHARTER AT MEETING OF 11-17-10)

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY SPRYS, SUPPORTED BY SAUGER, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE \$50,000 OF DISCRETIONARY MONIES OUT OF THE CONTINGENCY FUND BE MADE IMMEDIATELY AVAILABLE

TO THE COUNTY EXECUTIVE-ELECT TO ASSIST IN ESTABLISHING THE OFFICE OF COUNTY EXECUTIVE AS CALLED FOR BY THE NEW COUNTY CHARTER AND TO BE USED TO SUPPORT ORDINARY AND NECESSARY EXPENDITURES COMMONLY APPROPRIATED THROUGH THE COUNTY'S GENERAL FUND BUDGET; THE EXECUTIVE-ELECT WILL SUBMIT AN AUDIT REPORT OF EXPENDITURES TO THE 2011-12 COUNTY BOARD OF COMMISSIONERS.

The following commissioner spoke: Crouchman.

AMENDMENT

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY CROUCHMAN, TO AMEND THE AMOUNT FROM \$50,000 TO \$300,000.

The following commissioners spoke: Vosburg, Carabelli, J. Flynn and Tocco.

Commissioners DiMaria and Crouchman withdrew their amendment.

Chair Mijac called for a vote on the motion and **THE MOTION CARRIED WITH VOSBURG VOTING "NO."**

LOCATION OF COUNTY EXECUTIVE-ELECT AND RELOCATION OF BOARD OF COMMISSIONERS AND CORPORATION COUNSEL (RECOMMENDED BY AD HOC COMMITTEE TO BEGIN DELIBERATIONS REGARDING TRANSITIONAL ISSUES RELATED TO THE COUNTY CHARTER AT MEETING OF 11-17-10)

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY CAMPHOUS-PETERSON, SUPPORTED BY J. FLYNN, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS RECOGNIZE THAT THE OFFICE OF COUNTY EXECUTIVE AND HIS IMMEDIATE STAFF SHOULD BE LOCATED ON THE NINTH FLOOR OF THE COUNTY ADMINISTRATION BUILDING; THE BOARD OF COMMISSIONERS WILL CONTINUE TO UTILIZE THE LARGE MEETING ROOM ON THE NINTH FLOOR FOR BOTH COMMITTEE AND FULL BOARD MEETINGS; THE OFFICES OF THE BOARD OF COMMISSIONERS AND ITS IMMEDIATE STAFF WILL BE RELOCATED TO THE EIGHTH FLOOR IN SPACE CURRENTLY OCCUPIED BY CORPORATION COUNSEL; IT IS UNDERSTOOD THAT SOME BUILD OUT MAY BE NECESSARY TO HOUSE THE OFFICE OF CORPORATION COUNSEL, BUT EVERY EFFORT WILL BE MADE TO HAVE BOTH THE COUNTY EXECUTIVE AND BOARD OF COMMISSIONERS UTILIZE EXISTING SPACE ON THE RESPECTIVE FLOORS; SINCE BOTH THE EXECUTIVE AND BOARD OF COMMISSIONERS WANT TO BE FULLY OPERATIONAL ON JANUARY 1, 2011, PHYSICAL MOVES AS WELL AS TELEPHONE AND TECHNOLOGY RELOCATIONS WILL BE IMPLEMENTED DURING THE LAST TWO WEEKS OF DECEMBER OR AS SOON AS PRACTICAL; FURTHER, THAT ANY COSTS ASSOCIATED WITH THE TRANSITION WOULD COME OUT OF THE 2010 CONTINGENCY FUND. **THE MOTION CARRIED.**

APPROVE ATTENDANCE OF FIVE NEWLY ELECTED COMMISSIONERS AT MICHIGAN STATE UNIVERSITY EXTENSION “NEW COUNTY COMMISSIONER WORKSHOP”

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY MOCERI, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE FIVE NEWLY ELECTED COMMISSIONERS TO ATTEND A MICHIGAN STATE UNIVERSITY EXTENSION “NEW COUNTY COMMISSIONER WORKSHOP” AT A REGISTRATION COST OF \$150.

The following commissioners spoke: Brown, Tocco, Vosburg, Rocca, Sprys, Sauger and J. Flynn.

Commissioner Carabelli offered a friendly amendment: WITH REIMBURSEMENT TO BE MADE UPON COMPLETION OF THE PROGRAM. That was accepted by the maker and supporter.

Chair Mijac called for a vote on the motion and **THE MOTION CARRIED WITH DiMARIA, DOHERTY, LAMPAR, ROCCA, SPRYS AND SZCZEPANSKI VOTING “NO.”**

ADOPT RESOLUTION COMMENDING ERIC BRUNK – EAGLE SCOUT (OFFERED BY CARABELLI)

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY SPRYS, SUPPORTED BY CAMPHOUS-PETERSON, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT A RESOLUTION COMMENDING ERIC BRUNK – EAGLE SCOUT. **THE MOTION CARRIED.**

TRAVEL REQUESTS

MOTION

A motion was made by Sprys, supported by Szczepanski, to approve the travel requests, as submitted. **The Motion Carried.**

EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION

MOTION

A motion was made by Camphous-Peterson, supported by Duzyj, to enter into Executive Session for the purpose of discussing pending litigation.

A roll call vote was taken as follows:

Voting Yes were Accavitti, Boyle, Brdak, Brown, Camphous-Peterson, Carabelli, Crouchman, DiMaria, Doherty, Duzyj, D. Flynn, J. Flynn, Gielegghem, Lampar, Mijac, Mocerri, Rengert, Rocca, Sauger, Sprys, Szczepanski, Tocco, Torrice, Vosburg, Bruley and Kepler. There were 26 "Yes" votes.

The Motion Carried.

In accordance with the motion, committee entered Executive Session at 10:21 a.m., with it concluding at 10:34 a.m.

RECOMMENDATION FROM CORPORATION COUNSEL REGARDING CASE OF COUNTY OF MACOMB VS. A&R MACOMB, LLC

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY BRDAK, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL REGARDING THE CASE OF COUNTY OF MACOMB VS A&R MACOMB, LLC. **THE MOTION CARRIED.**

RECOMMENDATION FROM CORPORATION COUNSEL REGARDING CASE OF MACOMB COUNTY VS. BRIAN DEMUYNCK

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY SPRYS, SUPPORTED BY DOHERTY, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL REGARDING THE CASE OF COUNTY OF MACOMB VS BRIAN DEMUYNCK. **THE MOTION CARRIED.**

ADJOURNMENT

MOTION

A motion was made by Camphous-Peterson, supported by Torrice, to adjourn the meeting at 10:36 a.m. **The Motion Carried.**

Corinne Bedard
Committee Reporter