

**MINUTES OF THE
GOVERNMENT OPERATIONS COMMITTEE**

TUESDAY, JANUARY 20, 2015

At a meeting of the **Government Operations Committee**, held Tuesday, January 20, 2015, in the Board Room, on the 9th Floor of the Administration Building, Mount Clemens, the following members were present:

Klinefelt-Chair, Smith-Vice-Chair, Brown, Carabelli, Duzyj, Flynn, Marino, Mijac, Miller, Sabatini, Sauger, Tocco and Vosburg.

There being a quorum of the committee present, Chair Klinefelt called the meeting to order at 9:03 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA

MOTION

A motion was made by Miller, supported by Duzyj, to adopt the agenda, as presented.
The Motion Carried.

MINUTES

MOTION

A motion was made by Brown, supported by Marino, to approve the November 10, 2014 minutes of this committee, as written. **The Motion Carried.**

AMENDMENTS TO BOARD RULES

Board Chair Flynn requested moving to the next agenda item because some commissioners were not yet present, due to bad weather this morning as well as attendance at an early morning Community Mental Health Board meeting.

There were no objections.

OVERVIEW OF COUNTY CHARTER

Scott Smith gave an overview of the Board's responsibilities pertaining to the County Charter.

The following commissioners spoke: Carabelli, Vosburg, Duzyj, Flynn, Miller, Brown and Klinefelt.

AMENDMENTS TO BOARD RULES

Chair Klinefelt explained that she will take each proposed amendment separately.

Various Formatting and Structural Changes

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Brown, supported by Vosburg, to recommend that the Board of Commissioners amend the 2015-16 Board Rules and approve various formatting and structural changes as necessary; 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.**

Modification of Rule 11.A. – Amending the Rules

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Marino, supported by Brown, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules, Rule 11.A., to read: The Board may amend the Rules following recommendation from the Government Operations Committee and by a two-thirds vote of the commissioners serving; 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: Duzyj.

Chair Klinefelt called for a vote on the motion and **THE MOTION CARRIED WITH DUZYJ VOTING “NO.”**

Modifications to Rule 2.A.5./5.A.6.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Duzyj, supported by Brown, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules: Rule 2.A.5. to replace 5.A.6. which reads: To allow Chairperson to submit committee assignments, listing the members of each committee and the chairperson and vice-chairperson of each committee, for approval by a majority vote of commissioners at the first meeting and not the second meeting of the odd-numbered year; 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.**

Deletion of Rule 8.G.4.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Marino, supported by Flynn, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules and delete 8.G.4.: To lay on the table for subsequent consideration at the same meeting; 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.**

Addition of Rule 8.H.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Miller, supported by Mijac, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules, 8.H., to add another exception "(iv) to call the question" for motion discussions; 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.**

After brief discussion regarding the inclusion of Roberts Rules of Order, Chair Klinefelt said she will add that discussion at the end of the amendments.

Modification to Rule 15.A.

Proposed modification: The vote on all motions, except for a (i) motion to adjourn, (ii) motion to receive and file, or (iii) motion to approve the minutes, shall be by "yes" and "no" and will be a roll call vote so that the vote of each Commissioner is recorded.

No action was taken.

Modification to Rule 16.A.7.

Proposed modification: Remove public participation provisions from Rule 16.

No action was taken.

Modification to Rule 16.A.12.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Flynn, supported by Marino, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules and add Rule 21 to read: To enhance public participation provisions for Commissioners; further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

The following commissioners spoke: Carabelli, Sabatini, Miller, Brown, Duzyj, Tocco and Marino.

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

Change Minute Time for Public Participation

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Carabelli, supported by Smith, to amend the time for public participation from five to three minutes.

The following commissioners spoke: Mijac, Sabatini, Marino, Duzyj and Klinefelt.

Chair Klinefelt called for a vote on the motion and **The Motion was Defeated.**

Modification to First Public Participation on Agendas

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Sabatini, supported by Marino, to include “on agenda items only” to the language for the first public participation listed on all agendas.

The following commissioners spoke: Miller and Marino.

Chair Klinefelt indicated that the wording for the first public participation already includes that language.

Commissioners Sabatini and Marino withdrew their motion.

The following commissioners spoke: Flynn, Carabelli, Brown and Tocco.

Addition of Rule 20.C.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Miller, supported by Marino, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules and add Rule 20.C. to read: The workgroup shall report to the Board regarding any recommendations of the workgroup; 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.**

Addition of Rules 16.B. and 16.C.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Miller, supported by Marino, to recommend that the Board of Commissioners approve an amendment to the 2015-16 Board Rules and add Rule 16.B. to read: By motion, the Board may approve an agenda in a different order when doing so is deemed by the Board to be necessary or appropriate to ensure the orderly flow of the meeting, in the interests to those attending the meeting, to accommodate those present to address particular issues, to accommodate the request of a Commissioner who needs to leave to attend to other business, or for other reasons stated, and add Rule 16.C. to read: Except when a different time is needed and provided for by motion as explained in the preceding paragraph, closed sessions should normally occur at the end of the meeting and, prior to entering into a closed session the Chairperson should state whether or not action is anticipated after the closed session; 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.**

Attachment of Charter

Chair Klinefelt stated that committee was provided a revised document pertaining to the Charter that would be attached to the Rules.

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Miller, supported by Flynn, to recommend that the Board of Commissioners approve the revised document titled "Charter Sections Imposing Time Limits for the Board of Commissioners" as an attachment to the 2015-16 Board Rules; 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.**

Addition of Roberts Rules

Chair Klinefelt said she will defer to Independent Counsel on where the notation of Roberts Rules should be included in the Rules.

Commissioner Carabelli requested that this be considered at the next meeting and appropriate language for including and/or justification for not including be provided.

EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION

MOTION

A motion was made by Sabatini, 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 Brown, Carabelli, Duzyj, Flynn, Klinefelt, Marino, Mijac, Miller, Sabatini, Smith and Tocco. There were 11 “Yes” votes.

The Motion Carried.

In accordance with the motion, committee entered Executive Session at 10:27 a.m., with it concluding at 10:59 a.m.

CORPORATION COUNSEL MONTHLY REPORT

MOTION

A motion was made by Duzyj, supported by Marino, to receive and file the monthly report submitted by Corporation Counsel.

Chair Klinefelt noted that all future Corporation Counsel reports will be discussed in Executive Session and will no longer be public documents.

Chair Klinefelt called for a vote on the motion and **The Motion Carried.**

RECOMMENDATIONS FROM CORPORATION COUNSEL

MOTION

A motion was made by Duzyj, supported by Carabelli, to forward to the Finance Committee a recommendation to concur in the recommendation of Corporation Counsel concerning the following cases: a) Darren Clay vs. James Randlett and County of Macomb; b) Roderick Murriel vs. James Randlett and County of Macomb and c) Allen Pettygrue vs. County of Macomb, et al. **The Motion Carried.**

APPOINTMENT OF LAW FIRM

COMMITTEE RECOMMENDATION – MOTION

A motion was made by Brown, supported by Smith, to recommend that the Board of Commissioners approve the appointment of Kitch, Drutches, Wagner, Valitutti and Sherbrook to represent Macomb County in the litigation entitled John Griener v Macomb County, US District Court Case #2:14-cv-13979, Honorable Matthew F. Leitman, presiding; 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

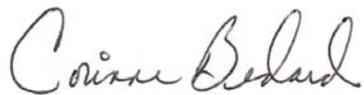
MOTION

A motion was made by Duzyj, supported by Marino, to receive and file the information provided as follows: January 7, 2015 correspondence (2) from Michigan Association of Counties and an article from the Detroit Institute of Arts regarding the retirement of Director Beal. **The Motion Carried.**

ADJOURNMENT

MOTION

A motion was made by Duzyj, supported by Smith, to adjourn the meeting at 11:02 a.m. **The Motion Carried.**



Corinne Bedard
Committee Reporter