

**MINUTES OF THE
MACOMB COUNTY ETHICS BOARD
Tuesday, March 15, 2022**

A meeting of the Macomb County Ethics Board was held Tuesday, March 15, 2022, at 8:30 a.m., in the Talmer Building 2nd Floor Conference Room, 120 North Main Street, Mount Clemens, Michigan.

CALL TO ORDER

Chair Amboyer called the meeting to order at 8:39 a.m.

ROLL CALL

The following Members were present:

Dr. Donald Amboyer, Ms. Anne Rescoe, Ms. Dorie Vazquez-Nolan

The following Members were excused:

Mr. Darnell Blackburn

The following individuals were also in attendance:

Mr. Andrew McKinnon, Director of Human Resources and Labor Relations

Mr. Brian Jacks, Service Partner Human Resources and Labor Relations

Valerie Schave, Macomb County Finance, Recording Secretary

ADOPTION OF AGENDA

MOTION

A motion was made by Ms. Vazquez-Nolan, supported by Ms. Rescoe to adopt the Agenda as provided. **The Motion Carried.**

PUBLIC PARTICIPATION

None

APPROVE MEETING MINUTES OF AUGUST 17, 2021

MOTION

A motion was made by Ms. Rescoe, supported by Ms. Vazquez-Nolan to approve the minutes of August 17, 2021. **The Motion Carried.**

OLD BUSINESS

A. County & Sheriff Department Ethics Ordinance Training Implementation

Chair Amboyer indicated this would be discussed more later on in the agenda, but that from his perspective training is going well and the updates he has been receiving are indicating good progress is being made with training.

B. 2020 Ethics Board Annual Submission

Chair Amboyer reported that the Board had submitted the 2020 Ethics Board Annual Report to the Board of Commissioners (BOC) a bit late, but to date he has heard no questions or follow-up from any of the Commissioners or the Board Chair. For the first time in the last ten years, there has also not been a request for the Ethics Board to appear before the BOC to explain the Annual Report.

NEW BUSINESS

A. Ethics Board Member Nomination

Chair Amboyer introduced Ms. Carol Grant who is attending and observing the meeting as a member of the public today. She has been nominated by the County Executive to take Paddy Laske's place on the Board and there will be a Board of Commissioner's meeting held in April to confirm her appointment. Chair Amboyer is unaware of any other nominees at this time.

B. Virtual Ethics Ordinance Training Program Statistical Update

Ms. Vazquez-Nolan recalled a prior discussion related to Court employees and whether or not they should be required to participate in the online Ethics Ordinance training. They had discussed whether or not it would be appropriate to request an Attorney General opinion and she conducted a search to see whether such an opinion had been issued previously. She found an opinion that was somewhat interesting by former Attorney General Frank Kelley. The opinion was that the County Board of Commissioners is the public employer of County employees, other than Court employees. She said this could be interpreted to mean that the County Ethics Ordinance would not apply to Court employees because they are employees of the Court (not the County).

Mr. McKinnon indicated that the relationship with the Court is complicated because of the way the County is the funding unit for the Court. He does feel that it is worth continuing conversations with the Chief Judge and the Court Administrator. He believes that the only way to force compliance with the Ethics Ordinance for Court employees would be to tie it to the appropriations the Court receives (and that may not be the most collaborative approach). Chair Amboyer agreed that it is a sensitive topic, but he fully believes that while the Judges themselves may be held to a higher ethical standard (the Judicial Canons of Ethics), he finds it difficult to understand why Court staff (receptionists, clerical staff, probation officers, etc.) would not be held to the County Ethics Ordinance.

Ms. Vazquez-Nolan stated that she is fine with the Court employees being held to a higher ethical standard, but she would like to see the gray area cleared up before this Board receives a complaint from or about a Court employee. They need to know whether or not they have any standing to handle those types of complaints. Mr. McKinnon reminded the Board that the one complaint they did receive last year was related to a Friend of the Court employee and the Court had no issues with the Board investigating that matter. Situations may need to be handled on a case-by-case basis as they come up to keep the good working relationship the Ethics Board has with the Court.

C. 2021 Ethics Board Annual Report Draft Review

Mr. Jacks and Mr. McKinnon helped confirm numbers provided in the report related to the number of disclosure and nepotism forms that had been completed in 2021. They also cleared up some confusion about which types of forms exist and how many of each were submitted. There was also discussion about where the forms are found on the County website and who is responsible for updating that information. They also provided the appropriate numbers for those who participated in the online Ethics training (number completed, passed, in progress, etc.). Mr. Jacks and Mr. McKinnon excused themselves at this time to attend another meeting.

The Board members continued to go through the draft report provided by Chair Amboyer page by page and Ms. Vazquez-Nolan and Ms. Rescoe requested some revisions and updates to grammar/spelling. Chair Amboyer will prepare a second draft for Board member review. He will email this to each of them as soon as it has been updated for additional feedback. Ms. Vazquez-Nolan and Ms. Rescoe thanked Chair Amboyer for his work on this.

D. Confrontational, Threatening Phone Call

Chair Amboyer advised the other Board members that he had received a very odd telephone call to the Ethics Board number recently. The caller advised him that the call was being recorded and was incredibly rude and nasty to Chair Amboyer. He believes it was an attempt at provocation and when he began swearing at Chair Amboyer, he ended the call and contacted Mr. Schapka in Corporation Counsel to advise him that this happened.

E. Office Supply Reimbursement Request

Chair Amboyer advised the other Board members that he recently purchased some supplies for use on Ethics Board business. He purchased a thumb drive, some file folders, paper, a binder, and dividers. He provided receipts for each item he purchased and is requesting reimbursement for these items which total approximately \$77.00.

MOTION

A motion was made by Ms. Vazquez-Nolan, supported by Ms. Rescoe to approve Chair Amboyer's expenses and request reimbursement. **The Motion Carried.**

Chair Amboyer gave the receipts to Ms. Schave and she will handle generating the check request for reimbursement to him for these expenses.

F. Other

None

NEXT REGULARLY SCHEDULED MEETING: TUESDAY, APRIL 19, 2022 - 8:30 A.M.

ADJOURNMENT

MOTION

A motion was made by Ms. Vazquez-Nolan, supported by Ms. Rescoe to adjourn the meeting at 10:01 a.m. **The Motion Carried.**

Approved:

Donald J. Amboyer VS
Donald J. Amboyer, Ph.D., Chairperson

Darnell Blackburn VS
Darnell Blackburn, Secretary