

**MINUTES OF THE
MACOMB COUNTY ETHICS BOARD
Tuesday, June 21, 2022**

A meeting of the Macomb County Ethics Board was held Tuesday, June 21, 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 8:33 a.m.

ROLL CALL

The following Members were present:

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

The following individuals were also in attendance:

Ms. Karlyn Semlow, Director of Human Resources and Labor Relations

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

Mr. John Schapka, Corporation Counsel

Valerie Schave, Macomb County Finance, Recording Secretary

ADOPTION OF AGENDA

MOTION

A motion was made by Mr. Blackburn, supported by Ms. Vazquez-Nolan to adopt the Agenda as provided. **The motion carried.**

PUBLIC PARTICIPATION (five minutes per speaker on agenda topics only)

Ms. Lula Peterson, an employee with the Macomb Community Action Meals on Wheels program, was given an opportunity to speak. She indicated that for the last six months she has experienced discrimination, harassment, bullying, and a toxic workplace caused by the individuals supervising the program. She stated that rules are constantly changing, hours are being changed and she has been intimidated and accused of forgery. This behavior goes against the County's policy on bullying in the workplace and she stated that her union referred her to Ethics Board (her complaint is on the agenda for discussion later in the meeting). She is currently on medical leave due to mental abuse. This matter was first reported to her manager who did a site review. After that review, she experienced retaliation and reported the matter to Human Resources (HR). She met with HR and they stated that management should address this issue. At that point a meeting was scheduled with her union representative, her manager and the director. The behavior continued and she feels no resolution has been reached and it seems that management and HR are simply pointing fingers back and forth.

APPROVE MEETING MINUTES OF MARCH 15, 2022

MOTION

A motion was made by Ms. Vazquez-Nolan, supported by Ms. Rescoe to approve the minutes of March 15, 2022. **The motion carried.**

OLD BUSINESS

A. 2021 Annual Report Submission

Chair Amboyer indicated the Report was submitted on April 23, 2022 to the Board of Commissioners. To date, he has not received any comments or follow-up from any Commissioners. He distributed copies of the Report to members.

B. Personal Disclosure, Nepotism, Advisory Opinion, and Complaint forms

Chair Amboyer provided the Board with an updated on some revisions that have taken place to the Ethics Board forms available online. Ms. Schave confirmed that all of the forms are "fillable" and can be completed online. The Advisory Opinion Request Form can also now be submitted entirely online without the need to print, scan or email anything. The Complaint Form does require a notarized signature, so that form must still be printed out so the necessary signature can be obtained. Ms. Schave noted that this was all done with the assistance and support of the County IT Department and advised the Board that Mr. Anthony June was especially helpful in making the updates.

Chair Amboyer advised that he is receiving Personal Disclosure forms from HR. He mentioned that perhaps at the next meeting the Board can discuss what has been shared and if there needs to be input from the Board regarding the sharing of future forms or if they have questions related to what is being submitted. He apologized for not sharing the forms with the Board ahead of time and feels it would be best to discuss this once the other members have had a chance to review them. The other Board members had no objections.

C. Virtual Ethics Ordinance Training

Chair Amboyer inquired if Certificates can be printed once the online training is completed. HR will check to see if that is still available. If it is available, the Board may want to review it to see if there are any changes need to be made to certificate. There may be different Board members than when it was first initiated. HR will report back at the next meeting on the availability of this, so the Board can discuss it further.

D. Board Vacancy

Chair Amboyer noted that Ms. Carol Grant unfortunately had to withdraw her nomination due to some family health issues. She chose to remove herself from consideration at this time and the vacancy remains. He is unsure if the County Executive intends to nominate another individual at this time.

NEW BUSINESS

A. Correspondence

Chair Amboyer advised the Board that he had received an anonymous letter from a person claiming to be the mother who indicated that her son was in the Macomb County Jail. The letter offered no identifying information (no names, no return address, etc.) and as such there was really nothing for the Board to investigate or act upon it.

He also noted that he had received an email from a student at Macomb Community College who was interested in auditing the meeting. They were invited to come, but did not attend today.

MOTION

A motion was made by Ms. Rescoe, supported by Mr. Blackburn to receive and file the correspondence. **The motion carried.**

B. Ethics Complaint 01-2022

Chair Amboyer advised that Ethics Complaint 01-2022 was filed by Prosecuting Attorney Peter Lucido. In accordance with the County Ethics Ordinance and the Board's Rules of Procedure, took it upon himself after reviewing and seeking some advice from Corporation Counsel to summarily dismiss the complaint. He found that the allegations made were not supported by the documents submitted. He felt that the alleged facts were not sufficient to prompt further action.

Upon summary dismissal, a letter was sent back to Prosecutor Lucido per the Ordinance and the Board's Rules of Procedure advising him that no further action would be taken. The next step is for the Board to discuss this matter in order to either override or support action taken by Chair Amboyer.

Ms. Vazquez-Nolan advised that she would be abstaining from any discussion and/or votes on this issue due to Prosecutor Lucido holding a seat on the Board of Directors of the agency she works for. Ms. Rescoe indicated that she concurs with Chair Amboyer's opinion and the summary dismissal. Mr. Blackburn also agreed and noted that ample examples were given in the letter that was sent back to the Prosecutor.

MOTION

A motion was made by Ms. Rescoe, supported by Mr. Blackburn to support the summary dismissal and close the case. **The motion carried with "yes" votes from Chair Amboyer, Ms. Rescoe and Mr. Blackburn. Ms. Vazquez-Nolan abstained.**

C. Ethics Complaint 02-2022

Chair Amboyer noted again for the record that Ms. Lula Peterson is present for the meeting today and the Board heard from her under Public Participation. Her complaint (02-2022) was received May 23, 2022 and has been shared with the other Board members. Chair Amboyer prepared a letter to acknowledge receipt of Ms. Peterson's complaint and informed her that it would be discussed at next meeting (today).

He indicated that it is now up to the Ethics Board to determine if there is probable cause and justification to further investigate the allegations. The complaint indicates an alleged violation of the General Standards of Conduct (Section 5 of the Ethics Ordinance). An individual public servant was not named in the complaint. The relief sought in the complaint is that some form of mandatory

management/leadership training should be required for the individuals allegedly involved and that the people involved be written up for their alleged behavior.

Mr. Blackburn stated that he believes further investigation is warranted and Ms. Rescoe agreed that more information needed. The Board's Rules & Procedures indicate that the next step is to appoint a subcommittee to further research the allegations made in the complaint and interview the parties involved (including staff from HR who may have conducted their own investigation). The subcommittee would then report their findings back to the rest of the Board.

MOTION

A motion was made by Mr. Blackburn, supported by Ms. Rescoe to investigate Complaint 02-2022 further. **The motion carried.**

Mr. Blackburn and Ms. Rescoe will form the subcommittee in order to further investigate this complaint and provide at least a preliminary report back to the Board at the next meeting.

D. Other

None

Public Participation

None

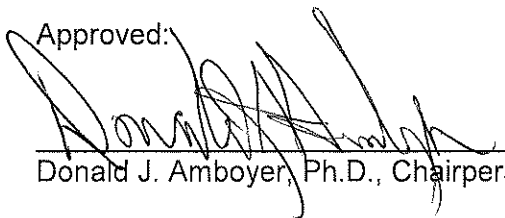
NEXT REGULARLY SCHEDULED MEETING: TUESDAY, JULY 19, 2022 - 8:30 A.M.

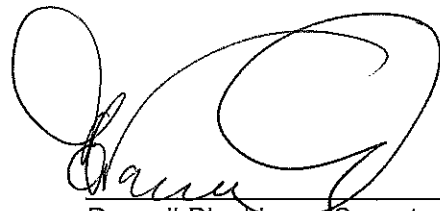
ADJOURNMENT

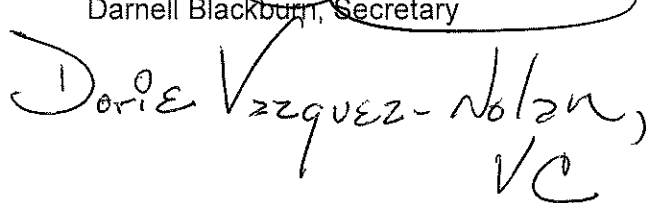
MOTION

A motion was made by Mr. Blackburn, supported by Ms. Vazquez-Nolan to adjourn the meeting at 9:19 a.m. **The Motion Carried.**

Approved:


Donald J. Amboyer, Ph.D., Chairperson


Darnell Blackburn, Secretary


Dorie Vazquez-Nolan,
VC