JUNE 16, 2011

NOTICE OF MEETING

There will be a meeting of the BOARD OF COMMISSIONERS on Thursday, June 23, 2011, at 7 p.m., on the 9th Floor of the County Administration Building, in the Commissioners’ Board Room, Mount Clemens.

(Invocation this month is by Commissioner James Carabelli)

TENTATIVE AGENDA

1. Presentation to 2011 Volunteer Winners (attached)

2. COMMITTEE REPORTS:
   a) Special Finance, June 7 (attached)
   b) Board Operations, June 14 (attached)

3. Correspondence from Executive

4. PROCLAMATIONS:
   a) In Support of SMART (Suburban Mobility Authority for Regional Transportation) and Their Efforts in Resolving Emerging Financial Issues, as well as Call for the Creation of a Regional Transit Authority (offered by Moceri; include Flynn; recommended by Economic Development Committee on 6-16-11; awaiting background information)

In addition to the agenda items listed, a committee report is anticipated from the following committee meetings: Economic Development, June 16 and Finance, June 21.

Any other matters that require Full Board consideration and the reports listed above will be attached to your official Full Board agenda.

Corinne Bedard
Committee Reporter
Winners with Organization and Commissioner

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<tr>
<th>Don Brown</th>
<th>Robin Boeling</th>
<th>St. Peter Lutheran Church/School</th>
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<td>Robin Boeling</td>
<td>Don Brown</td>
<td>St. Peter Lutheran Church/School</td>
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<td>Dobbie Kelley</td>
<td>Nancy Nevers</td>
<td>Shelby-Macomb Daybreakers Kiwanis</td>
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<td>Nancy Nevers</td>
<td>Maxine Sobetski</td>
<td>Head Start</td>
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<td>Maxine Sobetski</td>
<td>Barbara Trbovich</td>
<td>Agape Center</td>
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<td>Barbara Trbovich</td>
<td>Vincent Wagner</td>
<td>American Cancer Society Relay for Life/St. Baldricks Foundation for Juvenile Cancer Research</td>
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<th>James L. Carabelli</th>
<th>Joann Burgess</th>
<th>Shadbush Nature Center</th>
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<td>Joann Burgess</td>
<td>Michael Ward</td>
<td>CLT/Lions Club/Special Olympics</td>
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<td>Michael Ward</td>
<td>Edward F. Young</td>
<td>RACES (Radio Amateur Civil Emergency Service)</td>
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<th>Phillip A. DiMaria</th>
<th>Beulah Banks</th>
<th>Pastor James Friedman</th>
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<td>Beulah Banks</td>
<td>Judy Betts</td>
<td>Macomb Literacy Partners</td>
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<th>David Flynn</th>
<th>Randy Crowell</th>
<th>Sterling Heights High Noon Kiwanis Club</th>
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<th>Roland Franschetti</th>
<th>Diane Bloch</th>
<th>Boy Scouts, Girl Scouts, Jobs Daughter Intl, DeMoley, Eastern Star</th>
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<td>Diane Bloch</td>
<td>Michael Clancy</td>
<td>St. Isaac Jogues Parish/School</td>
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<td>Michael Clancy</td>
<td>Madelynne Cudney</td>
<td>Optimist Club of St. Clair Shores</td>
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<td>Ernira Henry</td>
<td>In-House Hospice &amp; Palliative Care</td>
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<td>Ernira Henry</td>
<td>Donna Liccardello</td>
<td>South Lake Schools</td>
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<td>Gerald Menzel</td>
<td>Lighthouse Mission</td>
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<td>Ardmore Elementary School</td>
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<th>Ray Gralewski</th>
<th>Traci Adamczyk</th>
<th>Bishop Foley Science Olympiad Program</th>
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<td>Traci Adamczyk</td>
<td>Denise Hauer</td>
<td>Flynn Middle School</td>
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<td>Denise Hauer</td>
<td>Gary Lusk</td>
<td>St. Lawrence Parish Community</td>
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<td>Larry Prososki</td>
<td>East Detroit/Roseville American Legion Post 261</td>
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<td>Larry Prososki</td>
<td>James Waldrop</td>
<td>Friends of the Sterling Heights Public Library</td>
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<th>Fred Miller</th>
<th>Nancy Dedenbach</th>
<th>Mt. Clemens Rotary Club</th>
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<td>Nancy Dedenbach</td>
<td>Sandy Dennis</td>
<td>Angel Food Ministries</td>
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<td>Sandy Dennis</td>
<td>Gail LaCroix</td>
<td>Graham Elementary School</td>
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<td>Gail LaCroix</td>
<td>Barb Parker</td>
<td>MCFARES, Special Olympics, Trinity Lutheran Church</td>
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<td>Barb Parker</td>
<td>Susan Silver</td>
<td>MSU Extension</td>
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Toni Moceri
Ward Bartlett  Student Leadership Services, Inc.
Sigrid Dale  Gray Panthers of Metro Detroit

Joe Sabatini
Mike Bates  Dakota High School Girl's Basketball
Doreen Chorazyczewski  Fox Elementary School
Randy Lentini  St. Peter's Catholic Church
Bette Nebel  Higgins Elementary School
Michael Saigh  Sterling Heights Rotary Club and St. Therese of Lisieux Church

Marvin Saiger
Louis E. Joseph  Archdiocese of Detroit
Tom Marchand  Macomb Oakland Regional Center
Tim Stockard  Hope Center in Macomb

Bob Smith
William Colaiuta  David L. Dawson
Arthur Kubiak  Meals on Wheels
Lynda Locke  Clinton-Macomb Public Library
Doris Modrak  Clinton Township Area Optimist Club
Jim Pinello  Erin Presbyterian Church

Kathy Tocco
Joann Brown  Society of St. Vincent de Paul - St. Athanasius Church
Celeste Lombardo  Catholic Services of Macomb - RSVP
Deanna Mielke  Eisenhower Elementary School
Nancy Panther  St. Vincent De Paul Sacred Heart Conference
April Wojciechowski  Thomas Edison Elementary School

Kathy D. Vosburg
Carol Gillis  Friends of Chesterfield Library
Sue Grimaudo  Chesterfield Township Beautification Committee
Anne Nicolazzo  American Cancer Society, Carehouse, Wigs4Kids, St. Baldrick's, Explorers-Mounted Div.
Nancy Reinke  Dean A. Naldrett Elementary School
Darla Taravella  Atwood Elementary School
Michelle Wypiszewski  Turning Point
RECYCLABLE PAPER
June 7, 2011

TO: BOARD OF COMMISSIONERS

FROM: DON BROWN, CHAIR  
FINANCE COMMITTEE

RE: RECOMMENDATIONS FROM SPECIAL FINANCE COMMITTEE  
MEETING OF JUNE 7, 2011

At a special meeting of the Finance Committee, held Tuesday, June 7, 2011, the following recommendations were made and are being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY CARABELLI, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE REQUEST OF THE MACOMB COUNTY PROVIDER ALLIANCE (MCPA) AND APPROVE A TWO-YEAR EXEMPTION, FOR THE PERIOD SEPTEMBER 30, 2011 THROUGH OCTOBER 1, 2013, FROM THE REQUIREMENTS OF THE LIVING WAGE POLICY FOR ALL ORGANIZATIONS THAT ARE MEMBERS OF THE MCPA AND WHICH CONTRACT WITH MACOMB COUNTY COMMUNITY MENTAL HEALTH, 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.

2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY VOSBURG, SUPPORTED BY SAUGER, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR WITH THE RECOMMENDATION OF CORPORATION COUNSEL REGARDING ATTORNEY/CLIENT PRIVILEGED MEMORANDUM DATED JUNE 6, 2011, CONTINGENT UPON PRESENTATION OF ADDITIONAL CONDITIONS; 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 WITH CARABELLI VOTING “NO”.

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR BROWN, SUPPORTED BY VICE-CHAIR MILLER.
RESOLUTION NO. ____________ FULL BOARD MEETING DATE: ________________

AGENDA ITEM: ____________________________

MACOMB COUNTY, MICHIGAN

*SEE BELOW
RESOLUTION TO concur in the request of the Macomb County Provider Alliance (MCPA) and approve a permanent exemption from the requirements of the Living Wage Policy for all organizations that are members of the MCPA and which contract with Macomb County Community Mental Health

INTRODUCED BY Commissioner Don Brown, Chair, Finance Committee

*At the 6-7-11 meeting, the following friendly amendments were approved:

Approve a two-year exemption for the period September 30, 2011 through October 1, 2013.

COMMITTEE/MEETING DATE

Finance 06-07-11
Full Board 06-23-11
June 14, 2011

TO: BOARD OF COMMISSIONERS

FROM: KATHY TOCCO, CHAIR
BOARD OPERATIONS COMMITTEE

RE: RECOMMENDATION FROM BOARD OPERATIONS COMMITTEE MEETING OF JUNE 14, 2011

At a meeting of the Board Operations Committee, held Tuesday, June 14, 2011, the following recommendation was made and is being forwarded to the Full Board for approval:

1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)

A MOTION WAS MADE BY DIMARIA, SUPPORTED BY CARABELLI, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF ORDINANCES AND THE PRESERVATION AND INDEXING OF RESOLUTIONS; 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.

A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR TOCCO, SUPPORTED BY VICE-CHAIR CARABELLI.
MACOMB COUNTY, MICHIGAN

RESOLUTION TO adopt an ordinance to provide for the codification of ordinances and the preservation and indexing of resolutions

INTRODUCED BY: Kathy Tocco, Chair, Board Operations Committee

COMMITTEE/MEETING DATE
Board Operations  6-14-11
Full Board  6-23-11
INTRODUCED BY COMMISSIONER(S):

AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF ORDINANCES AND THE PRESERVATION AND INDEXING OF RESOLUTIONS.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CHARTER COUNTY OF MACOMB:

SECTION 1 Designation and Citation of Code

This codification of ordinances shall be known and cited as the “Code of Ordinances, County of Macomb, Michigan” or the “Macomb County Code”.

SECTION 2 Definitions

In the construction of this Code and of all the ordinances of the county, the following definitions shall be observed, unless they are inconsistent with the intent of the commission or the context clearly requires otherwise:

Charter. The word “Charter” shall mean the Charter of the County of Macomb, Michigan adopted June 17, 2009 and shall include any amendment to such Charter.

Code.  The expression “Code” or “this Code” shall mean the Code of Ordinances, County of Macomb, Michigan as designated in Section 1 and as modified by amendment, revision and by the adoption of new chapters, articles, divisions or sections.

Commission. The word “commission” shall mean the commission of the County of Macomb, Michigan as created by Charter section 4.1

County. The term “the county” or “this county” shall mean the County of Macomb in the state of Michigan.

County board of commissioners. The term “county board of commissioners” means the commission.

County executive. The term “county executive” means the chief executive officer as created by Charter section 3.1

SECTION 3 Codification

The Charter and all ordinances and resolutions of the Commission are adopted, enacted as, and entitled as the Code of Ordinances, County of Macomb, Michigan and shall be preserved and indexed. One book-form of the Code shall be certified as correct by the Macomb County
Clerk and kept at the Office of the Macomb County Clerk for review during normal County business hours.

All ordinances and resolutions enacted prior to January 1, 2011, which are inconsistent with any provision of the Code, are hereby repealed as of the effective date of this ordinance, except as follows:

A. The enactment of the Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment or prosecution for an act committed in violation of any such legislative provision. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

B. The repeal provided above shall not affect:

1. The grant or creation of a franchise, license, right, easement or privilege;
2. The purchase, sale, lease or transfer of property;
3. The appropriation or expenditure of money or promise or guarantee of payment;
4. The assumption of any contract or obligation;
5. The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
6. The levy or imposition of taxes, assessment or charges;

SECTION 4 Supplementation of Code

By contract or by county personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the commission. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission from reprinted pages.

When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:

1. Organize the ordinance material into appropriate subdivisions;
2. Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
3. Assign appropriate numbers to sections and other subdivisions to be inserted in the
Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

4. Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ;#section; to ;#section;" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and

5. Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

SECTION 5 Amendments to Code—Effect.

Any and all additions and amendments to this Code, when passed in such form as to indicate the intention of the commission to make the same a part of this Code, shall be deemed to be incorporated in this Code so that reference to the "Code of Ordinances, County of Macomb, Michigan," shall be understood and intended to include such additions and amendments.

SECTION 6 Amendment to Code—Manner.

All ordinances passed subsequent to the adoption of this Code that amend this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion in the Code. In the case of repealed chapters, sections, subsections, of parts of sections, the repealed portions may be excluded from the Code by omission from the affected reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new Code of Ordinances by the county commission.

SECTION 7 Amendment to Code—Language.

Amendments to any of the provisions of this Code should be made by amending such provisions by specific reference to the section of this Code in substantially the following language: "That section ;#section; of the Code of Ordinances, County of Macomb, Michigan, is hereby amended to read as follows: (Set out new provisions in full)."

SECTION 8 Amendment to Code—New material.

If a new section is to be added to the Code, the following language may be used: "That the Code of Ordinances, County of Macomb, Michigan, is hereby amended by adding a section (or article, chapter or other designation as the case may be), to be numbered, ;#section; which reads as follows: (Set out new provisions in full)."

When the county commission desires to enact an ordinance of a general and permanent nature embracing a subject not previously existing in the Code, which the commission desires to incorporate into the Code, a provision in substantially the following language may be made part of such ordinance: "It is the intention of the county commission, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, County of Wayne, Michigan, and the sections of this ordinance may be renumbered to accomplish such intention."
SECTION 9 Amendment to Code—Repeal.

All sections, articles, chapters or other provisions of this Code desired to be repealed should be specifically repealed by section number, article number, chapter or other number, as the case may be.

SECTION 10 Severability

This ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses are declared to be severable and if any such part is declared invalid, the remaining portions of this ordinance shall be in full force and effect.

SECTION 12 Captions

Headings and captions used in this Code are employed for reference purposes only and shall not be deemed a part of the text of any section and do not limit the subject matter.

SECTION 13 Reference to other sections

Whenever in one section reference is made to another section of this Code, such reference shall extend and apply to the section referred to as subsequently amended, revised, recodified or renumbered, unless the subject matter is changed or materially altered by the amendment or revision.

SECTION 14 Immediate effect

This ordinance shall be effective immediately.