



Macomb County Board of Commissioners

Don Brown – Board Chair (07)

Harold L. Haugh – Vice Chair (11)

Barbara Zinner – Sergeant-At-Arms (10)

District 01 – Michelle Nard
District 06 – Jeff Farrington

District 02 – Mai Xiong
District 08 – Phil Kraft

District 03 – Veronica Klinefelt
District 09 – Antoinette Wallace

District 04 – Joseph V. Romano
District 12 – Julie Matuzak

District 05 – Donald VanSyckel
District 13 – Joe Sabatini

DATE/TIME: Monday, August 15, 2022, 3:00 PM

COMMITTEE: Joint Records and Public Safety and Public Services Committee

CHAIR: Records and Public Safety Chair Joseph V. Romano, Public Services Chair Jeff Farrington

LOCATION: Administration Building, One South Main Street, 9th Floor, Mount Clemens, MI 48043

MINUTES APPROVED SEPTEMBER 12, 2022

1. Call to Order

The meeting was called to order by the Chairperson at 03:00 PM in the Administration Building, 1 S. Main St., 9th Floor Mount Clemens, Michigan 48043.

Present: Julie Matuzak, Michelle Nard, Phil Kraft, Veronica Klinefelt, Harold L. Haugh, Don Brown, Joseph V. Romano, Barbara Zinner, Antoinette Wallace, Mai Xiong, Jeff Farrington, Don VanSyckel

Absent: Joe Sabatini

2. Pledge of Allegiance

3. Adoption of Agenda

Motion to adopt the agenda dated Monday, August 15, 2022.

THE MOTION PASSED.

Motioned by: Harold L. Haugh

Seconded by: Barbara Zinner

Vote Summary: (11 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

4. Approval of Minutes

a) Joint Records and Public Safety and Public Services Committee Minutes dated July 11, 2022

Motion to approve the Joint Records and Public Safety and Public Services Committee Minutes dated July 11, 2022.

THE MOTION PASSED.

Motioned by: Antoinette Wallace

Seconded by: Veronica Klinefelt

Vote Summary: (11 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

5. Public Participation (three minutes max per speaker, related only to issues on the agenda)

None

6. Records and Public Safety Department Recommendations

- a) Budget Amendment: Capital Improvement Fund - Relocation of Court Section File System (\$95,644) / Anthony Forlini, County Clerk-Register of Deeds

approve a FY 2022 budget amendment for the Clerk's Office in the amount of \$95,644 by increasing Transfers Out to the Capital Improvement Fund with a corresponding decrease to Non-Departmental Capital Outlay in order to fund the relocation of the Court Section file system.

This action does not constitute the Commission's approval of any contract and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Additionally, if approval is required under Ordinance 2017-03, such approval must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

- b) Purchase: Filetech Systems, Inc. - Relocation of the Court Section File System (\$95,644) / Anthony Forlini, County Clerk-Register of Deeds

approve the purchase from Filetech Systems, Inc. for the relocation of the Court Section file system in the amount of \$95,655 for the Clerk's Office.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

Motion to recommend 6a and 6b to the Full Board.

Motion to recommend Records and Public Safety Department Recommendations 6a and 6b to the Full Board.

THE MOTION PASSED.

Motion by: Jeff Farrington

Seconded by: Don VanSyckel

Vote Summary: (11 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

- c) Contract: Michigan Department of Health and Human Services - Legal Representation by the Macomb County Prosecuting Attorney (\$450,000 Revenue) / Tonya Goetz, Chief Assistant Prosecuting Attorney, Juvenile Division

Motion to recommend that the Board of Commissioners approve the contract extension with the Michigan Department of Health and Human Services for the Prosecutor's Office to provide legal representation for the abuse/neglect of children from October 1, 2022 to September 30, 2023 for a total amount of \$900,000, an increase of \$450,000 for the additional year. Revenue will be received by the Prosecutor's Office.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

THE MOTION PASSED.

Motion by: Julie Matuzak

Seconded by: Don VanSyckel

Vote Summary: (11 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

Speakers

Harold L. Haugh

- d) Additional Funding for Outside Counsel: Timothy S. Ferrand of Cummings, McClorey, Davis & Acho P.L.C. - Whitmer v Linderman et al, 6th Judicial Circuit of Oakland County Case No. 2022-193498-CZ (\$47,236.10) / Peter Lucido, Prosecuting Attorney

Motion to recommend that the Board of Commissioners approve the additional funding for outside counsel Timothy Ferrand of Cummings, McClorey, Davis & Acho P.L.C. for Whitmer v Linderman et al., 6th Judicial Circuit Court Case No. 2022-193498-CZ for the Prosecutor's Office as follows: an additional \$5,236.10 to pay invoices #342330 (\$7,532.60) and #340241 (\$7,703.50), plus an additional \$42,000, for a total additional cost of \$47,236.10. The total amount for this lawsuit, with the \$10,000 approved on April 28, 2022, equals \$57,236.10. Funding is available County's General Liability fund.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

THE MOTION FAILED.

Motion by: Don VanSyckel

Seconded by: Jeff Farrington

Vote Summary: (6 - 6 - 0)

Aye - Don Brown, Jeff Farrington, Phil Kraft, Michelle Nard, Don VanSyckel, Barbara Zinner

Nay - Harold L. Haugh, Veronica Klinefelt, Julie Matuzak, Joseph V. Romano, Antoinette Wallace, Mai

Xiong
Abstain - None

Speakers

Veronica Klinefelt
Harold L. Haugh
Phil Kraft
Julie Matuzak
Joseph V. Romano

- e) Outside Counsel: Timothy S. Ferrand of Cummings, McClorey, Davis & Acho P.L.C. - Rideout v Lucido, et al, USDC ED Mich No. 2:22-cv-11597 (Up to \$35,000) / Donn Fresard, Chief Assistant Prosecuting Attorney

Motion to recommend that the Board of Commissioners approve outside counsel, Timothy S. Ferrand of Cummings, McClorey, Davis & Acho P.L.C., for the Prosecutor's Office in the case of Rideout v Lucido, et al, USDC Case No. 2:22-cv-11597, in a total amount not to exceed \$35,000. Funding is available in the County's General Liability Fund.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

THE MOTION PASSED.

Motion by: Mai Xiong
Seconded by: Don VanSyckel

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner
Nay - None
Abstain - None

Speakers

Veronica Klinefelt

7. Public Services Department Recommendations

- a) Cost Share Agreement: City of Sterling Heights - Signal Maintenance, Riverland Drive East of the Clinton River (No Cost to County) / Scott Wanagat, County Highway Engineer
approve the cost share agreement outlining the cost participation between the City of Sterling Heights and the Macomb County Department of Roads for the maintenance of the signal on Riverland Drive east of the Clinton River in the estimated amount of \$3,000 annually. No cost to the county.
This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.
- b) Cost Share Agreement: City of Sterling Heights - Signal Maintenance, Riverland Drive West of the Clinton River (No Cost to County) / Scott Wanagat, County Highway Engineer

approve the cost share agreement outlining the cost participation between the City of Sterling Heights and the Macomb County Department of Roads for the maintenance of the signal on Riverland Drive west of the Clinton River in an estimated amount of \$3,000 annually. No cost to the County.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

Motion to recommend Public Services Department Recommendations 7a and 7b to the Full Board.

THE MOTION PASSED.

Motioned by: Antoinette Wallace

Seconded by: Mai Xiong

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner
Nay - None

Abstain - None

- c) Cost Share Agreement: Village of Romeo, Bruce Township and Armada Township - Powell Road Rehabilitation (Total Cost: \$1,948,595; County Cost: \$212,815) / Scott Wanagat, County Highway Engineer

Motion to recommend that the Board of Commissioners approve the cost share agreement outlining the cost participation between the Village of Romeo, Bruce Township, Armada Township and the Macomb County Department of Roads for the rehabilitation of Powell Road from 32 Mile Road to just south of 33 Mile Road in the amount of \$1,948,595 (\$212,815 County Cost). Funding is available in the FY2022 Department of Roads Construction Budget.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

THE MOTION PASSED.

Motion by: Antoinette Wallace

Seconded by: Michelle Nard

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner
Nay - None

Abstain - None

- d) Maintenance Agreement: City of Madison Heights - Winter Maintenance for Dequindre Road (Total County Cost: \$28,982.10) / Scott Wanagat, County Highway Engineer
approve the contract with the City of Madison Heights to provide winter maintenance on Dequindre Road from 10 Mile Road to 14 Mile Road from 10/1/2022 through 9/30/2027 in the amount not to exceed \$28,982.10. Funding is available in the FY2022 maintenance budget for the

Department of Roads.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

- e) Maintenance Agreement: City of Sterling Heights - Primary Roads Mowing/Sweeping Services (Total County Cost: \$68,300) / Scott Wanagat, County Highway Engineer

approve the contract with the City of Sterling Heights to provide mowing and sweeping services on primary roads within the City from 10/1/2022 through 9/30/2024 in the amount of \$68,300. Funding is available in the FY2022 Department of Roads maintenance budget.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

- f) Maintenance Agreement: City of Warren - Winter Maintenance for Dequindre Road (Total County Cost: \$12,500) / Scott Wanagat, County Highway Engineer

approve the contract with the City of Warren to provide winter maintenance on Dequindre Road from 8 Mile Road to 10 Mile Road from 10/1/2022 to 9/30/2027 in an amount not to exceed \$12,500. Funding is available in the FY2022 maintenance budget for the Department of Roads.

This action does not constitute the Commission's approval of a budget amendment and does not otherwise change or amend any other budget provision or requirement, including but not limited to the provisions and requirements of Ordinance 2021-04. Any budget amendment required for this contract/purchase/agreement must be sought separately. A copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive.

Motion to recommend Public Services Department Recommendations 7d - 7f to the Full Board.

THE MOTION PASSED.

Motion by: Joseph V. Romano

Seconded by: Don VanSyckel

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

Speakers

Mai Xiong

8. Resolutions

- a) Resolution 2022-8648: Opposing the Department of Labor Proposed Rules for Macomb/St. Clair Workforce Development / Justin Al-Igoe, Director

Motion to recommend that the Board of Commissioners adopt Resolution 2022-8648: A Resolution Opposing the Department of Labor Proposed Rules for Macomb/St. Clair Workforce Development.

THE MOTION PASSED.

Motion by: Julie Matuzak

Seconded by: Michelle Nard

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

Speakers

Julie Matuzak

Phil Kraft

Don Brown

Don VanSyckel

9. Correspondence

- a) Charter Township of Washington: Notice of Intent to Prepare Master Plan Amendments
receive and file the Charter Township of Washington Notice of Intent to Prepare Master Plan Amendments.
- b) Charter Township of Washington: Zoning Board of Appeals Notice of Public Hearing
receive and file the Charter Township of Washington Zoning Board of Appeals Notice of Public Hearing.
- c) City of Sterling Heights: Notice of Public Hearing re: A.G. Simpson (USA) Inc.
receive and file the City of Sterling Heights Notice of Public Hearing re: A.G. Simpson (USA), Inc.

Motion to receive and file Correspondence items 9a - 9c.

THE MOTION PASSED.

Motioned by: Antoinette Wallace

Seconded by: Don VanSyckel

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

Speakers

Harold L. Haugh

10. Commissioner's Comments

Speakers

Antoinette Wallace

Harold L. Haugh
Barbara Zinner
Julie Matuzak
Veronica Klinefelt
Joseph V. Romano
Michelle Nard

11. Public Participation (three minutes max per speaker)

None

12. Closed Session

- a) Closed Session To Discuss Confidential - Attorney / Client Privilege Memorandums / Peter H. Webster, Board Independent Counsel

Motion to enter into Closed Session to discuss confidential attorney/client privilege memorandums.

THE MOTION PASSED.

Motioned by: Veronica Klinefelt

Seconded by: Phil Kraft

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner

Nay - None

Abstain - None

In accordance with the motion, committee entered Closed Session at 4:20 p.m., with it concluding at 5:37 p.m.

13. Adjournment

Motion to adjourn the August 15, 2022 meeting at 05:39 PM.

THE MOTION PASSED.

Motioned by: Harold L. Haugh

Seconded by: Antoinette Wallace

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Jeff Farrington, Harold L. Haugh, Veronica Klinefelt, Phil Kraft, Julie Matuzak, Michelle Nard, Joseph V. Romano, Don VanSyckel, Antoinette Wallace, Mai Xiong, Barbara Zinner; Nay - None;

Abstain - None