



Macomb County Board of Commissioners

Don Brown, Board Chair
District 01

Harold L. Haugh, Vice Chair
District 10

Sylvia Grot, Sergeant-At-Arms
District 03

District 02 – Phil Kraft
District 08 – Antoinette Wallace

District 04 – Joe Sabatini
District 09 – Barbara Zinner

District 05 – Don VanSyckel
District 11 – Gus Ghanam

District 06 – Joseph V. Romano
District 12 – Michelle Nard

District 07 – James M. Perna
District 13 – Sarah Lucido

MINUTES APPROVED AUGUST 13, 2024

DATE/TIME: Tuesday, July 16, 2024, 3:00 PM

COMMITTEE: Joint Public Services and Records and Public Safety Committees

CHAIR: Public Services Chair James M. Perna; Records and Public Safety Chair Joseph V. Romano

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

1. Call to Order

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

Present: Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner
Absent: None

2. Pledge of Allegiance

3. Adoption of Agenda

Motion to adopt the agenda dated Tuesday, July 16, 2024. THE MOTION PASSED.

Motioned by: Gus Ghanam

Seconded by: Antoinette Wallace

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

4. Approval of Minutes

a) Public Services Committee Minutes dated June 6, 2024

Motion to approve the Public Services Committee Minutes dated June 6, 2024. THE MOTION PASSED.

Motioned by: Michelle Nard

Seconded by: Sarah Lucido

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard,

James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner
 Nay - None
 Abstain - None

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

None

6. Public Services Committee Department Recommendations

- a) Budget Amendment: Planning & Economic Development - Clinton River Spillway Wayfinding & Interpretative Signage Grant (\$50,000) / Vicky Rowinski, Director of Planning and Economic Development

Motion to recommend that the Board of Commissioners approve a FY 2024 budget amendment to increase the Planning and Economic Development Planning Grants Fund in the amount of \$50,000 due to an award from the Ralph C. Wilson Jr. Legacy Funds of the Community Foundation for Southeast Michigan to be used for the Clinton River Spillway Wayfinding and Interpretative Signage Grant.

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 2023-04. 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.

THE MOTION PASSED.

Motion by: Harold L. Haugh

Seconded by: Michelle Nard

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

- b) Agreement: City of St. Clair Shores - Fresard Street Approach to Harper Avenue Project (Total County Cost: \$11,548.43) / Bryan Santo, Director of Roads

approve the cost share agreement outlining the cost participation between the City of St. Clair Shores and the Macomb County Department of Roads for work on the Fresard Street approach to Harper Avenue in the amount of \$11,548.43. Funding is available in the FY2024 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 2023-04. 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.

- c) Amendment to Contract 20-5304: Michigan Department of Transportation (MDOT) - Cass Avenue Bridge Project (No Cost to County) / Bryan Santo, Director of Roads

approve the amendment to Contract 20-5304 with the Michigan Department of Transportation (MDOT) to provide an increase in the Federal funding share for the Cass Avenue Bridge project from \$456,971 to \$749,962 and serving as a cost balancing change for the project at no additional

cost to 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 2023-04. 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.

- d) Agreement: Mannik & Smith Group, Inc. - Professional Services - Soil Boring (Total County Cost: \$94,233) / Bryan Santo, Director of Roads

approve the Agreement for Professional Services with Mannik & Smith Group, Inc. for soil boring from July 19, 2024 to project completion in the amount of \$94,233 for Department of Roads.

Funding is available in the FY2024 Traffic Projects 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 2023-04. 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) Agreement: Southeast Michigan Council of Governments (SEMCOG) - Road Safety Audit (Total Cost: \$22,999.82; County Cost: \$4,119.40) / Bryan Santo, Director of Roads

approve the agreement with Southeast Michigan Council of Governments (SEMCOG) to provide a Road Safety Audit at the intersections of 28 Mile Road and Van Dyke and 29 Mile Road and Van Dyke from July 19, 2024 to project completion in the amount of \$22,999.82 (\$4,119.40 County Cost) for Department of Roads. Funding is available in the FY2024 Traffic Projects 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 2023-04. 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) Contract: Michigan Department of Transportation (MDOT) - Hicks Road over Coon Creek and Bates Road over Deer Creek Maintenance Projects (Total Cost: \$449,600; County Cost: \$89,920) / Bryan Santo, Director of Roads

approve the contract with the Michigan Department of Transportation (MDOT) for the maintenance of the Hicks Road bridge over Coon Creek and the Bates Road Bridge over Deer Creek from July 19, 2024 to project completion in the amount of \$449,600 (\$89,920 County Cost). Funding is available in the FY2024 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 2023-04. 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.

- g) Contract: Great Lakes Engineering Group, LLC - Engineering Services Design of Schoenherr Road over Red Run Drain Bridge Rehabilitation Project (Total County Cost: \$259,404) / Bryan Santo, Director of Roads

Motion to recommend that the Board of Commissioners approve the contract with Great Lakes Engineering Group, LLC to provide design services for the Schoenherr Road over Red Run Drain Bridge Rehabilitation Project from July 19, 2024 to project completion in the amount of \$259,404 for Department of Roads. Funding is available in the FY2024 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 2023-04. 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: Joseph V. Romano

Seconded by: Harold L. Haugh

Vote Summary: (11 - 2 - 0)

Aye - Don Brown, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - Gus Ghanam, Joseph V. Romano

Abstain - None

- h) Agreement: Fishbeck - Professional Services for Design of 21 Mile Road over Salt Slang Gloede Drain Bridge Replacement Project (Total Cost County Cost: \$405,000) / Bryan Santo, Director of Roads **approve the contract with Fishbeck to provide design services for the 21 Mile Road over Salt Slang Gloede Drain Bridge Replacement Project from July 19, 2024 to project completion in the amount of \$405,000 for Department of Roads. Funding is available in the FY2024 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 2023-04. 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 that the Board of Commissioners approve Public Services Committee Department Recommendations 6b - 6f and 6h. THE MOTION PASSED.

Motion by: Sylvia Grot

Seconded by: Michelle Nard

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

7. Public Services Committee Correspondence

- a) Letter from Public Works Commissioner Candice Miller and Board Chair Don Brown to Michigan Department of Environment, Great Lakes, and Energy Director Phil Roos RE: Combined Sewer Overflows (CSO's)

Motion to receive and file the letter from Public Works Commissioner Candice Miller and Board Chair Don Brown to the Michigan Department of Environment, Great Lakes, and Energy Director Phil Roos regarding Combined Sewer Overflows (CSO's). THE MOTION PASSED.

Motioned by: Michelle Nard

Seconded by: Barbara Zinner

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

- b) City of Warren: Notification Letter RE: Active Mobility Plan
- c) City of Warren: Notification Letter RE: Greenspace/Conservation Plan

Motion to receive and file Public Services Correspondence items 7b and 7c. THE MOTION PASSED.

Motioned by: Sarah Lucido

Seconded by: Joe Sabatini

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

8. Records and Public Safety Committee

9. Records and Public Safety Committee Department Recommendations

- a) Budget Amendment: Sheriff Department - 2024 CPE Training (\$129,000) / Robert Doherty, Captain
Motion to recommend that the Board of Commissioners approve a FY2024 budget amendment to increase the Sheriff Department Grant Fund in the amount of \$129,000 due to increase from the Michigan Commission on Law Enforcement Standards to be used for continuing professional education for sworn officers.

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 2023-04. 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.

THE MOTION PASSED.

Motion by: Harold L. Haugh

Seconded by: Sarah Lucido

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

- b) Purchase: Wolverine Power Systems - Generac Industrial Gaseous Engine Driven Generator (\$44,900) / Brandon Lewis, Director of Emergency Management and Communications
Motion to recommend that the Board of Commissioners approve the purchase with Wolverine Power Systems to provide the Generac Industrial Gaseous Engine Driven Generator, 4.5L, for the Shelby Township Radio Tower from June 12, 2024 to September 1, 2024 in the amount of \$44,900 for Emergency Management and Communications-Tech Services. Funding is available from the

FY2024 F230 E-911 Radio Maintenance 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 2023-04. 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: Michelle Nard

Seconded by: Don VanSyckel

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

- c) Budget Amendment: Emergency Management and Communications - Public Assistance (PA) Grant Program Grant Agreement FEMA-4494-DR-MI COVID-19 (\$700,844.23) / Brandon Lewis, Director of Emergency Management and Communications

Motion to recommend that the Board of Commissioners approve a FY2024 budget amendment to increase the Emergency Management and Communications Grant Fund in the amount of \$700,844.23 due to an increase from the State of Michigan FEMA-4494-DR-MI to be used for supplemental financial assistance for disaster relief in eligible areas within the state, including funds for emergency protective measure - action taken to eliminate or lessen immediate threats to lives, public health or safety.

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 2023-04. 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.

THE MOTION PASSED.

Motion by: Harold L. Haugh

Seconded by: Don VanSyckel

Vote Summary: (11 - 2 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Antoinette Wallace

Nay - Don VanSyckel, Barbara Zinner

Abstain - None

- d) Budget Amendment: Emergency Management - 2023 Operation Stonegarden Program (\$97,500) / Brandon Lewis, Director of Emergency Management and Communications

Motion to recommend that the Board of Commissioners approve a FY2024 budget amendment to increase the Emergency Management and Communications Emergency Management Grant Fund in the amount of \$97,500 due to an increase from the U.S. Department of Homeland Security to be used for the 2023 Operation Stonegarden grant.

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 2023-04. 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.

THE MOTION PASSED.

Motion by: Michelle Nard

Seconded by: Antoinette Wallace

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

- e) Resolution 2024-2634: A Resolution Deeming Prosecuting Attorney Positions Necessary and Fixing Salaries for Additional Administrative Coordinator Position Appointed by Prosecuting Attorney Under Public Act 329 as Amended / Joe Biondo, Chief of Special Prosecutions

Motion to recommend that the Board of Commissioners adopt Resolution 2024-2634: A Resolution Deeming Prosecuting Attorney Positions Necessary and Fixing Salaries for Additional Administrative Coordinator Position Appointed by Prosecuting Attorney Under Public Act 329 as Amended. THE MOTION PASSED.

Motion by: Michelle Nard

Seconded by: Don VanSyckel

Vote Summary: (12 - 1 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - Joseph V. Romano

Abstain - None

- f) ~~Budget Amendment: Emergency Management and Communications—School Safety Grant—Richmond Schools (\$6,000)~~ *Moved to August 13, 2024 Agenda; awaiting corresponding agreement agenda item* / Brandon Lewis, Director of Emergency Management and Communications

10. Public Participation (three minutes max per speaker)

None

11. Commissioners' Comments

None

12. Closed Session

- a) Closed Session to Discuss:

- 1) Hackel v Board of Commissioners, Michigan Supreme Court Case 166363; and
- 2) Lucido v Hackel, Michigan Court of Appeals Case 370065 and Confidential Memorandum from Independent Counsel dated July 3, 2024

Motion to enter into Closed Session to Discuss:

- 1) Hackel v Board of Commissioners, Michigan Supreme Court Case 166363; and
- 2) Lucido v Hackel, Michigan Court of Appeals Case 370065 and Confidential Memorandum from Independent Counsel dated July 3, 2024. **THE MOTION PASSED.**

Motioned by: Gus Ghanam

Seconded by: Barbara Zinner

Vote Summary: (12 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

In accordance with the motion, committee entered Closed Session at 04:05 PM, with it concluding at 05:03 PM.

13. Records and Public Safety Committee Department Recommendations

- a) Request for Outside Counsel: Perkins Law Group, PLLC - Prosecuting Attorney
Engagement Agreement: Perkins Law Group, PLLC - Representation of Prosecuting Attorney (\$25,000) / Joe Biondo, Chief of Special Prosecutions

Motion to recommend that the Board of Commissioners approve outside legal counsel for the Prosecuting Attorney not to exceed the amount of \$25,000 for the legal services of Case No. 370065 and any further legal proceedings thereto.

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 2023-04. 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: Sarah Lucido

Seconded by: Michelle Nard

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None

14. Adjournment

Motion to adjourn the July 16, 2024 meeting at 05:08 PM. THE MOTION PASSED.

Motioned by: Sarah Lucido

Seconded by: Antoinette Wallace

Vote Summary: (13 - 0 - 0)

Aye - Don Brown, Gus Ghanam, Sylvia Grot, Harold L. Haugh, Phil Kraft, Sarah Lucido, Michelle Nard, James M. Perna, Joseph V. Romano, Joe Sabatini, Don VanSyckel, Antoinette Wallace, Barbara Zinner

Nay - None

Abstain - None