



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 14, 2024

DATE/TIME: Wednesday, July 17, 2024, 3:00 PM

COMMITTEE: Joint Internal Services and Government Oversight Committees

CHAIR: Internal Services Chair Don VanSyckel; Government Oversight Chair Harold L. Haugh

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 Wednesday, July 17, 2024. THE MOTION PASSED.

Motioned by: Joseph V. Romano

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

4. Approval of Minutes

a) Internal Services Committee Minutes dated June 3, 2024

Motion to approve the Internal Services Committee Minutes dated June 3, 2024. THE MOTION PASSED.

Motioned by: Harold L. Haugh

Seconded by: James M. Perna

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)

Speakers

Laura Rios - Macomb County Veterans Services
 Todd Perkins - Attorney representing Pete Lucido

6. Internal Services Committee Department Recommendations

a) Agreements: Information Technology - Maintenance Agreements for 3rd Quarter 2024 (\$107,832.32)

MNJ - Freshservice Freshworks - (\$96,036)

People Driven Technology - Cisco WebEx - (\$11,796.32) / Jako van Blerk, CIO

Motion to recommend that the Board of Commissioners approve the maintenance agreements as follows:

MNJ - Freshservice Freshworks (\$96,036)

People Driven Technology - Cisco WebEx (\$11,796.32)

in the total amount of \$107,832.32 for Information Technology. Funding is available in the FY2024 IT Equipment Maintenance Agreement 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: Phil Kraft

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) Contract: Wakely Associates/Architects - Professional Architectural & Engineering Services for Renovations at Vic Wertz Warehouse - Relocation of Purchasing Department and Facilities and Operations Office Renovations (\$88,600) / Ben Treppa, Director of Facilities and Operations

Motion to recommend that the Board of Commissioners approve the contract with Wakely Associates/Architects to provide Professional Architectural and Engineering Services needed to relocate the Purchasing Department to Vic Wertz and reconfigure the Facilities and Operations Offices from July 19, 2024, to December 31, 2024 in the amount of \$88,600 for Facilities and Operations. Funding is available in the FY 2024 Capital Improvement Plan.

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.

Executive.

THE MOTION PASSED.

Motion by: Joseph V. Romano

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. Government Oversight Committee

8. Appointment Interviews

a) Veteran's Affairs Commission

Board Appointment

2 vacancies; 4-years term to expire on July 31, 2028

Charles J. Arnold (*attending*)

John Becker (*attending*)

Marc Cammon (*attending*)

Eddie C. Dandridge, Sr. (*attending*)

Jermaine R. Ellington (*attending*)

David Elliott (*attending*)

Lee E. Hillis (*attending*)

Mark Losinski (*attending*)

James Boyd Mulliniks (*attending*)

Michael P. Salyers, Vice Chair, reappointment (*attending*)

Marc W. Trail (*attending*)

MG(r) Darren Werner (*attending*)

Raymond W. White, Jr. (*attending*)

Therese Wrobel, Chair, reappointment (*attending*)

Motion to recommend that the Board of Commissioners appoint two members from the list of candidates to the Veteran's Affairs Commission for 4-years term to expire on July 31, 2028. THE MOTION PASSED.

Motion by: Joseph V. Romano

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

9. Government Oversight Committee Department Recommendations

- a) Contract: Nickel & Saph, Inc. - Cyber Risk Liability Insurance Policy Renewal (\$315,181) / Dana Chiamp, Assistant Corporation Counsel
approve the contract with Nickel & Saph, Inc. to provide Cyber Risk Liability Insurance Policy from July 1, 2024 to July 1, 2025 in the amount of \$315,181 for Corporation Counsel. Funding is available in the Liability Insurance 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.

- b) Contract: Nickel & Saph, Inc. - Annual Renewal of the Package Liability Policy (\$1,300,391) / Dana Chiamp, Assistant Corporation Counsel
approve the contract with Nickel & Saph, Inc. to provide package liability policy from July 1, 2024 to July 1, 2025 in the amount of \$1,300,391 for Corporation Counsel. Funding is available in the Liability Insurance 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.

- c) Contract: Nickel & Saph, Inc. - Annual Renewal of the Property Insurance Policy (\$636,449) / Dana Chiamp, Assistant Corporation Counsel
approve the contract with Nickel & Saph, Inc. to provide Property Insurance Policy from July 1, 2024 to July 1, 2025 in the amount of \$636,449 for Corporation Counsel. Funding is available in the Liability Insurance 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.

- d) Contract: Nickel & Saph, Inc. - Excess Workers' Compensation and Employers' Policy Renewal (\$300,890) / Dana Chiamp, Assistant Corporation Counsel
approve the contract with Nickel & Saph, Inc. to provide Excess Workers' Compensation and Employers' Liability Policy Renewal from July 1, 2024 to July 1, 2025 in the amount of \$300,890 for Corporation Counsel. Funding is available in the Workers Comp Insurance 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.

Motion to recommend that the Board of Commissioners approve Government Oversight Committee Department Recommendations 9a - 9d. 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

- e) Request for Outside Counsel: 16th Circuit Court Case No. 2024-002494 / John Schapka, Corporation Counsel

Motion to recommend that the Board of Commissioners 1) pursuant to the Macomb County Charter, Section 2.6.4 and subject to the Ethics Board acceptance, approve the retention of Peter Peacock as outside counsel for the Ethics Board, at a rate of \$225 per hour, in an amount not to exceed \$50,000.

2) pursuant to the Macomb County Charter, Section 7.5.3b, approve the appointment of Linda McGrail as outside counsel for John Schapka with the scope of representation limited to providing a defense in the civil litigation filed in the 16th Circuit Court, Case No. 2024-002494, at a rate of \$225 per hour, in an amount not to exceed \$50,000. For the avoidance of doubt and as required by Enrolled Ordinance No. 2019-05, representation by legal counsel in any Ethics Board proceedings shall be at the respondent's sole expense and no county funds shall be used for such purpose.

Funding is available in the Liability Insurance 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 FAILED.

Motion by: Joseph V. Romano

Seconded by: Harold L. Haugh

Vote Summary: (0 - 13 - 0)

Aye - None

Nay - 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

Abstain - None

10. Resolutions

- a) Resolution 2024-2232: A Resolution Opposing the Michigan Department of Health and Human Services (MDHHS) Proposed Language for Fiscal Year 2025 Limiting the Funding and Use of the Internal Service Fund / Phil Kraft, District 2 Commissioner

Motion to recommend that the Board of Commissioners approve Resolution 2024-2232: A Resolution Opposing the Michigan Department of Health and Human Services (MDHHS) Proposed Language for Fiscal Year 2025 Limiting the Funding and Use of the Internal Service Fund. THE MOTION PASSED.

Motion by: Antoinette Wallace

Seconded by: Phil Kraft

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

11. Proclamations

- a) A Proclamation Congratulating the Saint Clair Shores Girls 10U Hockey Team for Winning the 2024 State Championship / Barbara Zinner, District 9 Commissioner
- b) A Proclamation Congratulating the Saint Clair Shores Boys 14U Hockey Team for Winning the 2024 State Championship / Barbara Zinner, District 9 Commissioner
- c) A Proclamation Congratulating the Saint Clair Shores Boys 18U Hockey Team for Winning Both the 2024 State and National Championships / Barbara Zinner, District 9 Commissioner
- d) A Proclamation Honoring Eastwood Odd Fellows Lodge #496 on their 100th Anniversary / Sarah Lucido, District 13 Commissioner
- e) A Proclamation Congratulating Bernco, Inc. for the Honorary Mention in the CAM Magazine 2023 Special Edition / Sylvia Grot, District 3 Commissioner
- f) A Proclamation Congratulating Anderson, Eckstein & Westrick for the Honorary Mention in the CAM Magazine 2023 Special Issue / Sylvia Grot, District 3 Commissioner

Motion to recommend that the Board of Commissioners adopt Proclamations items 11a - 11f. THE MOTION PASSED.

Motion by: Phil Kraft

Seconded by: Sylvia Grot

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

12. Commissioners' Comments

Speakers

Phil Kraft

Michelle Nard

13. Public Participation (three minutes max per speaker)

Speakers

Raymond W. White, Jr.

14. Closed Session

a) Closed Session to Discuss:

1) United States District Court Case No. 20-cv-10149; and

2) United States District Court Case No. 20-cv-13318

Motion to enter into Closed Session to Discuss:

1) United States District Court Case No. 20-cv-10149; and

2) United States District Court Case No. 20-cv-13318. THE MOTION PASSED.

Motioned by: Michelle Nard

Seconded by: Joseph V. Romano

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

In accordance with the motion, committee entered Closed Session at 04:59 PM, with it concluding at 5:21 PM.

15. Government Oversight Committee Department Recommendations

a) Settlement Agreement: United States District Court Case No. 20-cv-10149 / John Schapka, Corporation Counsel

b) Settlement Agreement: United States District Court Case No. 20-cv-13318 / John Schapka, Corporation Counsel

Motion to recommend that the Board of Commissioners concur with the recommendation of Corporation Counsel in the settlement of United States District Court Case No. 20-cv-10149 and 20-cv-13318. THE MOTION PASSED.

Motion by: Sarah Lucido

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

16. Adjournment

Motion to adjourn the July 17, 2024 meeting at 05:25 PM. THE MOTION PASSED.

Motioned by: Michelle Nard

Seconded by: Joseph V. Romano

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