



BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
586.469.5125 ~ Fax: 586.469.5993
www.macombBOC.com

NOTICE OF MEETING

There will be a meeting of the **GOVERNMENT OPERATIONS COMMITTEE** on Monday, December 8, 2014, at **12 p.m.**, on the 9th Floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens.

PRELIMINARY AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)
5. Interviews of Candidates for Boards & Commissions Appointments:

Board Chair Appointment with Board Concurrence

- a) Area Agency on Aging 1-B
(1 application is attached) (page 1)

Board Chair Appointment with Board Concurrence

- b) Health Department Hearing Board (Commissioner Representative)
(1 application is attached) (page 9)

Executive Appointment with Board Concurrence

- c) Health Department Hearing Board (Citizen-at-Large and Alternate)
(2 applications are attached) (page 14)

Board Chair Appointment with Board Concurrence

- d) Hospital Finance Authority Board
(to be determined) (page 25)

MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair
District 4

Kathy Tocco – Vice Chair
District 11

Mike Boyle – Sergeant-At-Arms
District 10

Toni Mocerri – District 1
Don Brown – District 7

Marvin Sauger – District 2
Kathy Vosburg – District 8

Veronica Klinefelt – District 3
Fred Miller – District 9


Robert Mijac - District 5
Bob Smith – District 12

James Carabelli – District 6
Joe Sabatini – District 13

**GOVERNMENT OPERATIONS COMMITTEE
PRELIMINARY AGENDA
DECEMBER 1, 2014**

PAGE 2

6. Adopt Ordinance Establishing the Process for Initiative and Referendum (page 26) (attached)
7. Corporation Counsel Monthly Report (page 29) (attached)
8. Responses from Corporation Counsel Re: Lawsuit Settlement Funds (page 35) (attached)



**Corinne Bedard
Committee Reporter**

MEMBERS: Tocco-Chair, Flynn-Vice-Chair, Boyle, Brown, Carabelli, Klinefelt, Mijac, Miller, Mocerri, Sabatini, Sauger, Smith and Vosburg.

DECEMBER 2014 – Summary of Boards & Commissions Appointments

Area Agency on Aging 1-B

Two vacancies to be appointed by **Board Chair w/ Board Concurrence**:

- One “Older person representative” position, upcoming vacancy due to term expiration.
- One “Commissioner representative” position, upcoming vacancy due to term expiration.

Term of Office

Members are appointed for a **term of two (2) years, beginning Jan. 1, 2015 through Dec. 31, 2016.**

1. Commissioner Representative: Commissioner Bob Smith
2. Older Person Representative: TBD by Board Chair

Health Department Hearing Board

Three vacancies to be appointed by **Board Chair w/ Board Concurrence** and **Department Nomination w/ Board Concurrence** and:

- One “Commissioner representative” position, upcoming vacancy due to term expiration.
- One “Citizen-at-Large” position, upcoming vacancy due to term expiration.
- One “Alternate Citizen-at-Large” position, upcoming vacancy due to term expiration.

Term of Office

Members are appointed for a **term of two (2) years, beginning Jan. 1, 2015 through Dec. 31, 2016.**

1. Commissioner Representative: Commissioner-elect Steve Marino
2. Citizen-at-Large: George Penna
3. Alternate Citizen-at-Large: Dr. Donald Amboyer

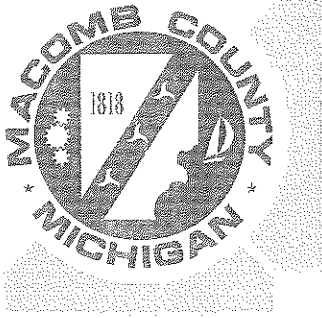
Hospital Finance Authority Board

One vacancy to be appointed by **Board Chair w/ Board Concurrence.**

Term of Office

Members are appointed for a term of five (5) years, beginning Jan. 1, 2015 through Dec. 31, 2019.

1. Member: TBD by Board Chair



BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
586.469.5125 ~ Fax: 586.469.5993
www.macombBOC.com

December 2, 2014

TO: Honorable Commissioners
FROM: Dave Flynn, Board Chairman *DF*
RE: Request for Concurrence

I request you concur with my appointment of the following individuals. I am confident they are well-informed and will each be active participants on these boards:

Area Agency on Aging 1-B, Commissioner Representative: Commissioner Bob Smith
Health Department Hearing Board, Commissioner Representative: Commissioner-elect Steve Marino

I will also be requesting your concurrence of individuals to fill the following positions:

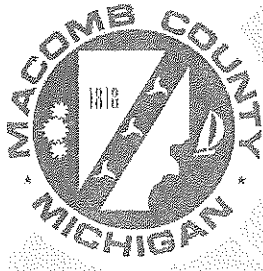
Area Agency on Aging 1-B, Older Citizen Representative
Hospital Finance Authority, Member

Please note: Names and information will be provided in advance of the Government Operations Committee meeting to be held on Monday, December 8, 2014.

Thanks.

MACOMB COUNTY BOARD OF COMMISSIONERS

- | | | | | |
|--|---|--|---------------------------|-------------------------------|
| David J. Flynn – Board Chair
District 4 | Kathy Tocco – Vice Chair
District 11 | Mike Boyle – Sergeant-At-Arms
District 10 | | |
| Toni Mocerì – District 1 | Marvin Sauger – District 2 | Veronica Klinefelt – District 3 | Robert Mijac - District 5 | James Carabelli -- District 6 |
| Don Brown -- District 7 | Kathy Vosburg – District 8 | Fred Miller – District 9 | Bob Smith -- District 12 | Joe Sabatini – District 13 |



Application forms and submission materials should be sent to:

Macomb County Board of Commissioners
 1 S. Main Street, 9th Floor
 Mt. Clemens, MI 48043

586.469.5125 www.macombBOC.com

Two vacancies are created by term expiration on 12-31-2014. One position must be filled by a Macomb County Commissioner. The other must be filled by a Macomb County resident age 60 years or more. Application materials must be submitted no later than **5pm on Monday, December 1, 2014**. Public interviews to be held on **Monday, December 8, 2014 at 12pm** at the Government Operations Committee meeting. Applicants are encouraged to attend this meeting. Appointments are expected to be made at a December 2014, Full Board meeting

Name of Board/Commission	Area Agency on Aging
Origin	PA345 ('68); PA189 ('86); MCL 168.639
Appointment Authority	Board Chair appt w/ Board of Commissioners concur
Function	The Area Agency on Aging for Region 1-B is a statutory agency, composed of members from Livingston, Macomb, Monroe, Oakland, St. Clair and Washtenaw Counties. The function of the Agency is to serve as the advocate for aging and older persons and to develop and administer an area plan for a comprehensive and coordinated service delivery system in the planning and service area, providing opportunities for older persons and service providers to express their views to the area agency on policy development and program implementation under the plan.
Membership Composition	2 persons: 1 Commissioner delegate and 1 Older Adult Representative (age 60+, resident of Macomb County)
Term	2 years

News

Macomb County Board of Commissioners



FOR IMMEDIATE RELEASE
Nov. 13, 2014

Media contact: Courtney Flynn
courtney.flynn@macombgov.org (586) 469-5713

BOC Seeks Applicant for Area Agency on Aging Board

MOUNT CLEMENS, Mich. — The Macomb County Board of Commissioners is seeking a Macomb County representative for the Area Agency on Aging Region 1B board.

Applicants for the open position should be age 60 or older and reside in Macomb County. This is a two year term that will begin on Jan. 1, 2015.

The Area Agency on Aging for Region 1-B is a statutory agency, composed of members from Livingston, Macomb, Monroe, Oakland, St. Clair and Washtenaw counties. The function of the Agency is to serve as the advocate for aging and older persons and to develop and administer an area plan for a comprehensive and coordinated service delivery system in the planning and service area, providing opportunities for older persons and service providers to express their views to the area agency on policy development and implementation under the plan.

Information and a downloadable application form are available at macombBOC.com, under the "Boards and Commissions" tab. Applications and form submission materials can be sent to: Macomb County Board of Commissioners, One South Main Street, Mount Clemens, Michigan 48043.

Notarized applications are due by 5 p.m. Dec. 1. Interviews will be held in the Board Room, located on the ninth floor of the Administration Building, on Dec. 8.

For more information, call the Board of Commissioners office at 586.469.5125.

#

Application for Appointment or Re-Appointment to Macomb County Board/Commission

TO THE MACOMB COUNTY BOARD OF COMMISSIONERS:

STATE OF MICHIGAN)
)ss
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Area Agency on Aging 1-B

Term: years; from (date/year) to (date/year)

1. Applicant Information

Name:

Residence Address:

City, Zip Code:

County of Residence:

Mailing Address (if different than above):

Preferred Phone:

Email:

Best method of contact:

2. I am at least 18 years of age: Yes No

3. I am currently registered to vote: Yes No

4. Citizenship:

5. Employer:

Employer Address:

Nature of your work:

Position:

6. Educational level, degree(s) received, other relevant certification or endorsements:

Bachelor's degree in public administration from Central Michigan University;
Graduation candidate 12-2014, Thomas Cooley Law School.

7. I presently hold the following appointments and elected positions:

Title/Board-Commission: County Commissioner

Appointment/Election Date: November 2010

Title/Board-Commission: SEMCOG delegate

Appointment/Election Date: 2011

Title/Board-Commission:

Appointment/Election Date:

8. Previously-held appointments and/or elected positions:

Title/Board-Commission: Charter Commissioner

Dates Served: 2008-09

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

9. Have you been convicted of a felony? Yes No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? *

If so, please explain. *Please reference the Macomb County Ethics Policy at www.macombBOC.com.

None

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

Eric Smith, Prosecutor

12. Is this an application for re-appointment? Yes No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

Macomb County has a significant portion of population which is aging; I am interested in making sure this segment of residents have access to the services and information that is needed.

14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: (Pending)

Printed Name: Robert Smith, Jr.

Date: 12-02-14

Subscribed and sworn to before me this [] day of [], []

(Pending)

Notary Public
Macomb County, Michigan

My Commission expires: []

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page



Application forms and submission materials should be sent to:

Macomb County Board of Commissioners
 1 S. Main Street, 9th Floor
 Mt. Clemens, MI 48043
 586.469.5125 www.macombBOC.com

Four vacancies are created by term expirations on 12-31-14. Applications due by **5pm on Monday, December 1, 2014**. Public interviews to be held on

Monday, December 8, 2014 at 12pm during the Government Operations Committee meeting. Applicants are encouraged to attend this meeting.

Appointment is expected to be made at a Full Board meeting to be held in December, 2014.

Name of Board/Commission	Health Department Hearing Board
Origin	PA 368 (1978); PA 306 (1969)
Appointment Authority	1. Chair appt with Board concur (commissioner appointments) 2. Department nomination, Bd confirmation (citizen-at-large appointments)
Function	The Board hears appeals or contested cases from aggrieved individuals in matters concerning food service establishments, sub-surface sewage disposal, excreta disposal, and any other public health programs requiring issuance of licenses, permits, certificates, and/or seals of approval
Membership Composition	5 members: 1 County Officer: 1 commissioner, 1 commissioner alternate; 1 citizen-at-large, 1 alternate citizen-at-large
Term	2 years

Application for Appointment or Re-Appointment to a
Macomb County Board/Commission

TO MACOMB COUNTY:

STATE OF MICHIGAN)
)ss
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Heath Department Hearing Board

Term: 2 years; from 01/01/2015 (date/year) to 12/31/2016 (date/year)

1. Applicant Information

Name: Steve Marino

Residence Address: 37884 Lakeshore Drive

City, Zip Code: Harrison Twp., 48045

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: (586-556-1616)

Email: Marinoformacomb@gmail.com

Best method of contact: Email

2. I am at least 18 years of age: Yes No

3. I am currently registered to vote: Yes No

4. Citizenship: United States of America

5. Employer: Campaign Finance Strategies, LLC

Employer Address: 37884 Lakeshore Drive, Harrison Twp., MI 48045

Nature of your work: Government Affairs Consulting (Insurance and Health Policy)

Position: Owner

6. Educational level, degree(s) received, other relevant certification or endorsements:

Michigan State University

- B.A., Public Policy and Public Administration
- B.A., Economics
- B.A., Political Theory and Constitutional Democracy

7.I presently hold the following appointments and elected positions:

- 1) Title/Board-Commission: Commissioner, Macomb County Board of Commissioners
 Appointment/Election Date: 11/04/2014
 Term: 01/01/2015 -12/31/2016
- 2) Title/Board-Commission: Harrison Twp. Zoning Board of Appeals
 Appointment/Election Date: 12/2012
 Title/Board-Commission:
 Appointment/Election Date:

8.Previously-held appointments and/or elected positions:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

N/A

9. Have you been convicted of a felony? Yes No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

N/A

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? *
If so, please explain. *Please reference the Macomb County Ethics Policy at www.macombBOC.com.

No

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

None

12. Is this an application for re-appointment? Yes No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended

Number of meetings held

N/A

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

I believe that given my background in health policy, insurance, patient/provider affairs, and public health will make me a valuable asset to the Health Department Hearing Board.

14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature:



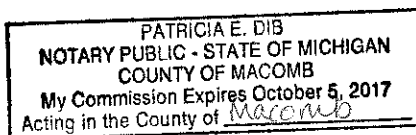
Printed Name: Steven Marino

Date: 12/2/2014

Subscribed and sworn to before me this 2nd day of December, 2014


Notary Public
Macomb County, Michigan

My Commission expires:



Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume - up to one page
- Letter of Reference - up to two pages
- Letter of Intent - up to one page



MACOMB COUNTY HEALTH DEPARTMENT

Mount Clemens Health Center

43525 Elizabeth Road ♦ Mount Clemens, Michigan 48043

PHONE: 586-469-5235 FAX: 586-469-5885

www.macombgov.org/publichealth

14

Mark A. Hackel
County Executive

William J. Ridella, M.P.H., M.B.A.
Director/Health Officer

Kevin P. Lokar, M.D.
Medical Director

November 25, 2014

TO: AL LORENZO, ASSISTANT COUNTY EXECUTIVE
OFFICE OF THE COUNTY EXECUTIVE

FROM:  WILLIAM. J. RIDELLA
DIRECTOR/HEALTH OFFICER

SUBJECT: NOMINATIONS OF CITIZEN-AT-LARGE AND ALTERNATE CITIZEN-AT-LARGE MEMBERS TO HEALTH DEPARTMENT HEARING BOARD

On behalf of the Macomb County Health Department, I am pleased to nominate Mr. George Penna as the Citizen-At-Large and Dr. Donald Amboyer as the alternate Citizen-At-Large for the Health Department's Hearing Board.

Mr. Penna and Dr. Amboyer have experience serving on the Hearing Board and therefore, know the expectations associated with these appointments. Their current appointments are set to expire on December 31, 2014.

If there are any questions or concerns, please contact me at 469-5510.

mg

Application for Appointment or Re-Appointment to
Macomb County Board/Commission

TO MACOMB COUNTY: _____

STATE OF MICHIGAN)

)ss
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Health Dept.

Term: 2 years; from 1/1/15 (date/year) to 12/31/16 (date/year)

1. Applicant Information

Name: George Penna

Residence Address: 37670 Fiore Trail

City, Zip Code: Clinton Twp. 48036

County of Residence: Macomb

Mailing Address (if different than above): _____

Preferred Phone: 586-484-6536

Email: pennavilla@yahoo.com

Best method of contact: email

2. I am at least 18 years of age: Yes No

3. I am currently registered to vote: Yes No

4. Citizenship: US

5. Employer: Villa Penna

Employer Address: 43985 Hayes

Nature of your work: Owner

Position: _____

6. Educational level, degree(s) received, other relevant certification or endorsements:

N/A

7. I presently hold the following appointments and elected positions:

Title/Board-Commission:

Appointment/Election Date:

Title/Board-Commission:

Appointment/Election Date:

Title/Board-Commission:

Appointment/Election Date:

8. Previously-held appointments and/or elected positions:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

9. Have you been convicted of a felony? Yes No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? *
If so, please explain. *Please reference the Macomb County Ethics Policy at www.macombBOC.com.

N/A

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

N/A

12. Is this an application for re-appointment? Yes No

If yes, how many years have you served on this board/commission?

Please indicate your attendance record for term(s) served:

Number of meetings attended Number of meetings held

Comments/Clarification (if necessary)

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

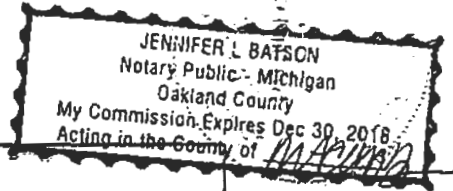
14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: ~~George Penna~~ George Penna
Printed Name: George Penna 11-25-14
Date: 11-18-14

Subscribed and sworn to before me this 25 day of Nov, 2014

Jennifer L. Batson
Notary Public
Macomb County, Michigan



My Commission expires: Dec 30, 2018

Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page

Application for Appointment or Re-Appointment to Macomb County Board/Commission

TO MACOMB COUNTY:

STATE OF MICHIGAN)
)ss
COUNTY OF MACOMB)

Name of Board/Commission to which appointment is being made:

Macomb County Health Department Appeals Board - Citizen Alternate

Term: 2 years; from January 1, 2015 (date/year) to December 31, 2016 (date/year)

1. Applicant Information

Name: Donald J. Amboyer, Ph.D.

Residence Address: 54367 Queens Row

City, Zip Code: Shelby Township, MI 48316-1529

County of Residence: Macomb

Mailing Address (if different than above):

Preferred Phone: 248.935.7047

Email: dramboyer@aol.com

Best method of contact: e-Mail

2. I am at least 18 years of age: Yes No

3. I am currently registered to vote: Yes No

4. Citizenship: American

5. Employer: Retired

Employer Address:

Nature of your work:

Position:

6. Educational level, degree(s) received, other relevant certification or endorsements:

- Ph.D., Wayne State University
- M.S., Wayne State University
- M.C.S., University of Detroit-Mercy
- B.S., State University of New York at Buffalo
- A.A.S., Genesee Community College

7. I presently hold the following appointments and elected positions:

Title/Board-Commission: Alternate Citizen, Macomb County Health Department Appeals Board

Appointment/Election Date: January 1, 2013

Title/Board-Commission: Chairperson, Macomb County Ethics Board

Appointment/Election Date: 2012

Title/Board-Commission:

Appointment/Election Date:

8. Previously-held appointments and/or elected positions:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

Title/Board-Commission:

Dates Served:

9. Have you been convicted of a felony? Yes No

If yes, list each – provide date, nature of offense or violation, name and location of court, penalty imposed (if any) or the disposition of the case. A conviction will not automatically bar you from appointment.

10. Do you have a conflict of interest or a potential conflict of interest such as a financial or business interest in any contracts, grants, permits, etc., with Macomb County? *
If so, please explain. *Please reference the Macomb County Ethics Policy at www.macombBOC.com.
No current or potential conflict of interest.

11. List any family members who are, or have been, employed by Macomb County or who have been elected to County offices.

Kevin Bamwell, son-in-law, formerly employed by County of Macomb.

12. Is this an application for re-appointment? Yes No

If yes, how many years have you served on this board/commission? ⁸

Please indicate your attendance record for term(s) served: ⁰

Number of meetings attended ⁰

Number of meetings held ⁰

Comments/Clarification (if necessary)


Never requested to appear on the Macomb County County Health Department Appeals Board as an Alternate Citizen.

13. Briefly indicate your qualifications for appointment to this specific board and the reason you believe your appointment will benefit Macomb County:

As a retired Jail Administrator and College Dean with over forty years of practice and experience dealing with a variety of human service issues in Macomb County, I am uniquely qualified to listen, research and fairly adjudicate any matter brought before the Macomb County Health Department Appeals Board.

14. Statement of Application to Board/Commission

I hereby apply for appointment and do swear or affirm that, (1) if appointed, I will comply with all statutory and other requirements and obligations of my appointment; (2) if I cease to comply with such requirements, I automatically forfeit said appointed position; (3) I hold no position or appointment which is a conflict of interest with the appointment position applied for; and (4) to the best of my knowledge and belief, I possess the requisite qualifications for the office I am seeking:

Signature: 

Printed Name: DONALD J. AMBOYER, Ph.D.

Date:

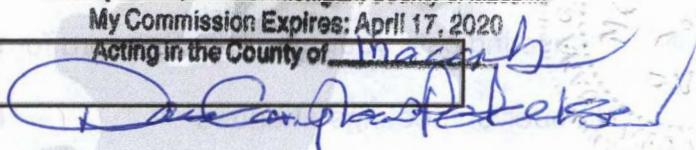
Subscribed and sworn to before me this 20 day of November, 2014



Notary Public
Macomb County, Michigan

DANA CAMPHOUS PETERSON
Notary Public, State of Michigan, County of Macomb
My Commission Expires: April 17, 2020
Acting in the County of Macomb

My Commission expires: 



Note to Applicants: You may – but it is not required – attach additional information pertaining to this Application for Appointment as long as attachments do not exceed the maximum for each item listed below:

- Resume – up to one page
- Letter of Reference – up to two pages
- Letter of Intent – up to one page



Donald J. Amboyer, Ph.D.
Biography

e-Mail: dramboyer@aol.com
Telephone (248) 935-7047

Following high school graduation from the Western New York Village of Perry, Dr. Donald Amboyer began diversified careers in criminal justice and higher education administration as a distance learner taking correspondence courses while serving overseas in the United States Air Force. He subsequently earned the Associate in Applied Science Degree from Genesee Community College and Bachelor of Science in Criminal Justice from State University of New York College at Buffalo.

While a probation officer and Director of the Volunteer Probation Officer Program for the 16th Judicial Circuit Court of Michigan, he earned the Master of Correctional Administration Degree from University of Detroit-Mercy. As the Macomb County Jail Administrator for over two decades, he also earned a Master of Science in Criminal Justice and Doctor of Philosophy (Ph.D.) Degree in Higher Education Administration from Wayne State University. He retired as chief administrative officer from the 1,350 bed correctional facility in 1994.

Dr. Amboyer then began a second career as Dean of Continuing and Professional Education at Macomb Community College responsible for continuing education programs and courses in traditional classrooms and online, e-learning. He also served as Vice Provost for Learning Outreach focused on expanding Macomb Community College online and dual enrollment learning opportunities for high school and college students of all ages to advance themselves personally and professionally. He has been a champion of diversified learning opportunities for gifted, multi-cultural, and international students. He also hosted a weekly community education television program on the Comcast network for four years.

Dr. Amboyer retired from higher education administrative roles in 2008, but has continued to teach graduate and undergraduate courses at Wayne State University as an adjunct professor. While quasi-retired, Dr. Amboyer serves as a consultant on ethics, higher education, and criminal justice issues. He was nominated by Macomb County Executive Mark Hackel, appointed by the Macomb County Board of Commissioners, to the Macomb County Ethics Board as Chairperson for a county having a population of nearly 850,000.

He also serves on the Macomb County Health Department Appeals Board, St. Kieran Church Council, president of Lake Tiara Homeowners Association, Inc., and is a Major in the Civil Air Patrol, an auxiliary of the United States Air Force.

Don and his wife, Claudia, are parents of four children. Their oldest son, Don, is a digital media executive working from his offices in London and New York City while a second son, Dan, lives in New York City working as a stage and television actor. Their eldest daughter, Kelly, lives in the British Virgin Islands and youngest daughter, Kate, is an advertising executive on behalf of the Ford Motor Company.

Don was on a business trip in 1985 when a corporate plane crashed killing two colleagues while he and a fellow passenger survived. During height of the 2000 Presidential Campaign, Vice President Al Gore was an overnight guest of the Amboyers' in their Shelby Township, Michigan home. Subsequent trips to the Washington, D.C. home of V.P. Gore and campaign debates around the nation were quite memorable. Don and Claudia have traveled in Europe and China, seeing in the United States at ground level while traveling in their motorhome, but enjoy their four-season lakefront in suburban Detroit immensely.



Application forms and submission materials should be sent to:
 Macomb County Board of Commissioners
 1 S. Main Street, 9th Floor
 Mt. Clemens, MI 48043
 586.469.5125 www.macombBOC.com

One vacancy created by term expiration. Applications due by **5pm on Monday, December 1, 2014**. Public interviews to be held on **Monday, December 8, 2014** at 12pm at the Gov't Operations meeting. Applicants are encouraged to attend.

Appointment is expected to be made at a December, 2014 Full Board Meeting

Name of Board/Commission	Hospital Finance Authority Board
Origin	PA 38 (1969)
Appointment Authority	Chair appointment w/ Board concur
Function	The Commission may issue revenue bonds to finance hospital construction and/or renovation projects; mortgage hospital facilities in favor of the bond holders; loan money to hospitals for the purpose of refinancing outstanding indebtedness of a hospital; employ consultant and fix their compensation; charge, impose and collect fees in connection with its loans; undertake a project for the benefit of one or more hospitals; and invest funds not required for immediate use or disbursement at its discretion.
Membership Composition	5 members
Term	5 years

**BOARD OF COMMISSIONERS
MACOMB COUNTY, MICHIGAN**

Whereas, sections 10.2.1 and 10.5 of the Home Rule Charter of Macomb County, Michigan (the "Charter") requires process for the electorate's exercise of the powers of initiative and referendum to be established by ordinance; and

Whereas, section 10.2.1 of the Charter requires an initiatory petition proposing an ordinance to be signed by registered electors constituting not less than 8 percent of the total casting votes in the County for governor in the last state general election at which a governor was elected; and

Whereas, section 10.2.1 of the Charter also requires a referendary petition addressing an ordinance to be signed by registered electors constituting not less than 5 percent of the total casting votes in the County for governor in the last state general election at which a governor was elected; and

Whereas, pursuant to section 10.2.1 of the Charter, initiatives and referendums can only address ordinances that are not making or reducing appropriations; and

Whereas, section 10.5 of the Charter, requires an initiatory petition proposing a charter amendment to be signed by registered electors constituting not less than 10 percent of the total casting votes in the County for governor in the last state general election at which a governor was elected.

ENROLLED ORDINANCE

No. 2014-__

ORDINANCE ESTABLISHING THE PROCESS FOR INITIATIVE AND REFERENDUM

THE PEOPLE OF THE CHARTER COUNTY OF MACOMB ORDAIN:

Sec. 1. Definitions and Construction.

A. The following definitions shall apply to this ordinance.

1. "Charter" means the Home Rule Charter of Macomb County, Michigan, which took effect on January 1, 2011.
2. "Charter Amendment" means an amendment to the Charter proposed and approved as provided in section 10.5 of the Charter.
3. "Clerk" means the person holding the office of County Clerk or that person's designee(s).
4. "Commission" means the County Board of Commissioners.
5. "Commission Chair" means the person holding the office of Chairperson of the Commission or that person's designee.
6. "Corporation Counsel" means the person holding the office of County Corporation Counsel or that person's designee.
7. "County" means the County of Macomb, Michigan.
8. "County general election" means a November general election in an even numbered year.
9. "Executive" means the person holding the office of County Executive or that person's designee.
10. "Michigan Election Law" means 1954 PA 116, as amended, MCL 168.1 *et seq.*
11. "Ordinance Initiative" means an initiative proposing a County ordinance or an amendment to a County ordinance.
12. "Ordinance Referendum" means a referendum to determine whether the electorate wishes to implement or repeal a County ordinance or a part of a County ordinance.

B. Other words used in this ordinance shall have the meanings provided in the Charter and the Michigan Election Law.

C. If any provision of this ordinance violates any provision of the Michigan Election Law as it may from time-to-time be amended, the provisions of the Michigan Election Law shall control. If this ordinance includes requirements that are not entirely consistent with but do not violate the Michigan Election Law, the provisions of this ordinance shall control to the extent they may do so without violating other applicable law.

Sec. 2. Time.

A. A fully completed petition for a Charter Amendment shall be filed with the Clerk not less than 120 days prior to the next County general election.

B. A fully completed petition for an Ordinance Initiative shall be filed with the Clerk not less than 180 days prior to the next County general election.

C. A fully completed petition for an Ordinance Referendum shall be filed with the Clerk not more than 60 days after the adoption of the ordinance or ordinance provision that is the subject of the petition. Unless enacted (adopted by the Commission without an Executive veto) within 90 days after filing with the Clerk, it shall be placed on the ballot for the next County general election that is at least 120 days after the date it was filed with the Clerk.

D. Initiatory and referendary ballot proposals shall only be considered at County general elections.

Section 3. Petitions.

A. Petitions shall be in the form prescribed by the Michigan Election Law and the Michigan Secretary of State for local ballot proposals.

B. At the time of circulation, the circulator of a petition shall be a registered elector of the County. At the time of executing the certificate of circulator, the circulator shall be registered in the city or township indicated in the certificate of circulator on the petition.

C. Signatures shall be obtained not more than 90 days prior to the date the petitions are filed with the Clerk.

D. When the petitions are filed, the Clerk shall canvass the petitions to ensure they comply with the Charter, this ordinance, and the Michigan Election Law. The canvass shall be completed within 21 days after the petitions are filed.

E. If, after canvassing the petitions, the Clerk determines they fail to meet the requirements of the Charter, this ordinance, or the Michigan Election Law, within 7 days after making that determination, the Clerk shall inform in writing those submitting the petitions of the Clerk's determination and the reasons for that determination.

F. If, after canvassing the petitions, the Clerk determines they meet the requirements of the Charter, this ordinance, and the Michigan Election Law, the Clerk shall notify in writing the Executive, the Commission Chair, Corporation Counsel, and those submitting the petitions of that determination and include a copy of a representative page of the petitions showing the ballot proposal.

G. Any person or persons, feeling themselves aggrieved by any determination made by the Clerk, may have such determination reviewed by mandamus, certiorari, or other appropriate remedy in the Macomb County Circuit Court.

Section 4. Commission Action.

A. If the petition is for an Ordinance Initiative, the Commission may, within 60 days after the Clerk determines they meet the requirements of the Charter, this ordinance, and the Michigan Election Law, adopt the ordinance or ordinance amendment as proposed in the petition.

B. If the petition is for an Ordinance Initiative that the Commission fails or decides not to adopt as provided in subsection 4.A, a Charter Amendment, or an Ordinance Referendum, the Commission shall approve the proposal language and place the proposal on the ballot for the next County general election.

C. A proposal shall be an impartial statement containing 100 or fewer words. It shall, to the extent that it will not confuse the electorate, be worded so that a “yes” vote will be a vote in favor of the subject matter of the proposal or issue and a “no” vote will be a vote against the subject matter of the proposal or issue. The question shall be worded so as to apprise the voters of the subject matter of the proposal or issue, but need not be legally precise. The question shall be clearly written using words that have a common everyday meaning to the general public.

D. If the petition is for an Ordinance Referendum, the ordinance or part of an ordinance that is the subject of the proposal shall be suspended pending the results of the election.

E. Following the Commission’s approval of the ballot proposal, the Clerk shall certify the proposal for the ballot as provided in the Michigan Election Law. Certification shall include the statement provided in subsection 4.C together with the manner in which it will be printed on the ballot.

F. The Clerk shall provide copies of the text of the ordinance that is subject to the initiative or referendum or the proposed Charter Amendment and the statement provided pursuant to subsection 4.C to the clerk of each city and township in the County and they shall be posted in conspicuous places in each polling place in the County.

Section 5. Election Results.

A. A Charter Amendment or Ordinance Initiative approved by the electors shall take effect 45 days after certification of the election at which it was approved.

B. The results of an Ordinance Referendum shall take effect immediately upon the certification of the election at which it was decided.

Section 6. Effective Date. This ordinance shall take effect immediately upon its publication.

Date: _____, 2014

David Flynn, Commission Chair

Carmella Sabaugh, County Clerk

Adopted: _____, 2014
Delivered to Executive: _____, 2014
Notice Published: _____, 2014

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:		Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
4/10/2013 15:22:34	Sample answer 1; includes file name, date, assigned to, county department involved.	Sample answer 2; includes file name, date filed, date assigned, law firm appointed, county dept. involved	Sample answer 3; includes file name, date resolved, resolution if financial, if outside counsel - total attorney fees paid	Sample answer 4; includes file name, update	Sample answer 5; includes any pertinent information on potential litigation	Name, date		
2/25/2014 16:12:36	<p>Sharrow, Samantha v Deputy Palazzolo, et al, 1/2/14, John Schapka, Sheriff Department</p> <p>Bischoff, Michael v Gallo, LeDuc, et al, 1/10/14, John Schapka, Sheriff Department</p> <p>Gordon, Kavin v Prosecutors Office, 1/16/14, John Schapka, Prosecutor</p> <p>Banks, Myron v Wickersham, 1/24/14, John Schapka, Sheriff Department</p> <p>Klein, Nancy v County, Otis Elevator Co, 1/24/14, John Schapka, Facilities & Operations</p> <p>Branch, Jean v Roads, et al, 2/6/14, John Schapka, Department of Roads</p>	Wise, Zita v County, et al, 2/19/14, McConaghy & Nyovich, Mental Health	Gordon, Kavin v Prosecutors Office, 2/6/14, Dismissed, John Schapka	N/A		Monika Andary	monika.andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:		Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
2/26/2014 11:36:13	County v Hydroster, 1/7/14, Frank Krycia, Treasurer Department County v JEA Automotive Group LLC, 1/29/14, Frank Krycia, Treasurer Department County v Apollo Color Coating LLC, 2/18/14, Frank Krycia, Treasurer Department	N/A	Deveroux v Tucker, et al, 2/13/14, COA affirmed dismissal as to County Defendant, Krycia Tax Foreclosure Petition for 2011 and prior years, 2/7/14, Judgment entered in favor of County Treasurer, Frank Krycia	N/A		Monika Andary	monika.andary@macombgc	
2/28/2014 15:02:26	N/A	N/A	McPhail, Julie v County, 1/15/14, Dismissed, Cummings McClorey, \$28,915.39	N/A		Monika Andary	monika.andary@macombgc	
4/30/2014 11:06:01	The Lighthouse v CMH, 2/28/14, Jill Smith & Frank Krycia, Mental Health Webster, Ruby v MTB, 3/14/14, John Schapka, Martha T. Berry VFW v UAW, 4/10/14, Frank Krycia, Veterans	N/A	Banks, Myron, 3/6/14, Dismissed, John Schapka Klein, Nancy, 3/24/14, Dismissed, John Schapka Moore, Thomas, 3/27/14, Dismissed, John Schapka	Sal-Mar Royal Village v Treasurer, Michigan Supreme Court Granted Leave to Appeal.	N/A	Monika Andary, 4/30/14	monika.andary@macombgc	
5/27/2014 12:35:32	City of New Baltimore v Kurt Ciske, Frank Krycia, Treasurer	N/A	Webster, Ruby v MTB, 5/27/15, Dismissed, John Schapka	N/A	N/A	Monika Andary	monika.andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:		Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
7/14/2014 10:47:07	Smith, Clare Brandon v Gun Board, 6/20/14, F. Krycia, Clerk Fitzgerald, Francis v Dept of Roads, 6/23/14, J. Schapka, Roads Berkwitz, Michael Patrick v Gun Board, 6/30/14, F. Krycia, Clerk Bullis, Jimmie & Judith v Animal Shelter, 7/3/14, J. Smith, Animal Shel	N/A	Wuolukka, James v County, 6/16/14, \$30,000, Martin Bacon & Martin, \$64,303.54 Health v Bellagio, 6/24/14, J. Smith Bishoff v LeDuc, 7/10/14, J. Schapka VFW Post 1794 v Randazzo, 7/10/14, F. Krycia	Grabow (Prochnow) v County, Case dismissed on defense motion; Plaintiff appealed to 6th Circuit; Arguments June 25 - awaiting 6th Circuit opinion.	Hagerman, Ryan - In-Custody Death Stojcevski, David - In-Custody Death Stojcevski, Vladimir - Traumatic in-custody injury	Monika Andary, 7/14/14	monika.andary@macombgc	
8/5/2014 14:24:52	N/A	N/A	Sharrow, Samantha, 7/22/14, \$90,000-Case Evaluation	N/A		Monika Andary, 8/5/14	monika.andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:		Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
9/3/2014 10:04:21	<p>Wilson, Tanishka v Romanowski, et al, 6/6/14, J. Schapka, Sheriff/Pros</p> <p>Foster, Gail v County, et al, 7/17/14, J. Schapka, Sheriff</p> <p>Surplus Proceeds re: Lynn Huffmaster & Confer Investment Properties, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: Katherine E. Miller & Meram Bros Properties, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: Timothy & Michelle Tabaczynski & Albion Group, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: Marcia Suminski & 5611 Hartlein Group, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: Bernard Seiber & American Construction Enterprises, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: John & Carol Connelly & Albion Group, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re:</p>	N/A	<p>Wilson, Tanishka v Romanowski, 8/25/14, Dismissed, J. Schapka</p> <p>Kourlos, Christos v County, 8/25/14, Dismissed, J. Schapka</p> <p>Surplus Proceeds re: Lynn Huffmaster & Confer Investment Properties, 8/22/14, Dismissed, F. Krycia</p> <p>Surplus Proceeds re: Katherine E. Miller & Meram Bros Properties, 8/22/14, Dismissed, F. Krycia</p> <p>Surplus Proceeds re: John & Carol Connelly & Albion Group, 8/22/14, Dismissed, F. Krycia</p> <p>Surplus Proceeds re: Alan Corbishdale & Albion Group, 8/22/14, Dismissed, F. Krycia</p>	<p>Grabow (Prochnow) v County, 6th Circuit appeal was decided in the County's favor on 8/28/14</p>		Monika Andary. 9/3/14	monika. andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:		Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
9/3/2014 10:04:21	<p>Alan Corbishdale & Albion Group, 8/5/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: Thomas Bann & Potestivo & Assoc, 8/13/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: Dorothy Muczynski & Trademark Properties, 8/13/14, F. Krycia, Sheriff</p> <p>Surplus Proceeds re: M&M Property & Trademark Properties, 8/13/14, F. Krycia, Sheriff</p>	N/A	<p>Surplus Proceeds re: Katherine E. Miller & Meram Bros Properties, 8/22/14, Dismissed, F. Krycia</p> <p>Surplus Proceeds re: John & Carol Connelly & Albion Group, 8/22/14, Dismissed, F. Krycia</p> <p>Surplus Proceeds re: Alan Corbishdale & Albion Group, 8/22/14, Dismissed, F. Krycia</p>	Grabow (Prochnow) v County, 6th Circuit appeal was decided in the County's favor on 8/28/14		Monika Andary. 9/3/14	monika.andary@macombgc	
9/26/2014 15:28:36	<p>Micielli, Jamie v Sheriff, 8/15/14, B. Gazall, Sheriff Department</p> <p>Andris, Theodore v Treasurer, 9/22/14, F. Krycia, Treasurer</p>	N/A	<p>Boekema, Robert v Sheriff, 9/25/14, \$24,000, Martin Bacon & Martin, \$22,355.93</p> <p>Wise, Zita v County, 12/18/13, Dismissed, McConaghy, \$3,575</p>	Foster, Gail v Sheriff - County's Motion to Dismiss was argued and taken under advisement, Sheriff Deputy was served and joined.		Monika Andary, 9/26/14	monika.andary@macombgc	

Timestamp	New litigation filed during reporting period assigned to Corporation Counsel:	New litigation filed during reporting period assigned to outside counsel:		Noteworthy Updates on Pending Litigation:	Information on Potential Litigation	Report Submitted By:	Username	New litigation filed during reporting period assigned to Corporation Counsel:
11/3/2014 14:52:25	N/A	Kulpa, Maria, PR of Esate of Bronislaw Kulpa v County, et al, . 9/29/14, assigned 10/27/14, Cummings McClorey, Sheriff	Provenzino, James v Roads, 10/7/14, Dismissed, Schapka Branch, Jean v Roads, 10/8/14, Dismissed, Schapka Surplus Proceeds Re: Thomas Bann, 9/8/14, Dismissed, Krycia City of New Baltimore v Ciske, 8/6/14, Dismissed, Krycia	N/A	N/A	Monika Andary, 11/3/14	monika.andary@macombgc	
12/1/2014 14:42:37	Surplus Proceeds re Douglas Williams & Citi Investment Group, 11/7/14, Krycia, Sheriff Hinnenburg, Jeffrey v Nicole Miron, et al, 10/27/14, Gazall, Sheriff Passeno, Salena v Sabaugh, 11/17/14, Krycia, Clerk Reeves, Robert v Sabaugh, 11/6/14, Schapka, Clerk Surplus Proceeds re: Wilczynski, Lucille, 11/13/14, Krycia, Sheriff	N/A	Grabow/Prochnow v County, Dismissed, \$118,358.45 Moss, Edwardo, 11/13/14, \$18,750.00, \$42,334.66 Roberts, Leslie, 11/13/14, \$200,000, \$55,978.71 Sal Mar v Treasurer, 11/26/14, prevailed on Supreme Court Appeal	Webster/Burroughs, Insurance company assumed defense on 11/26/14 Sal Mar v Treasurer, prevailed on Supreme Court Appeal, Court of Appeal reversed, Trial court affirmed (County keeps \$60,000), Krycia Bischoff v County, Plaintiff has an appeal in 6th Circuit Court of Appeals Keys v County, Plaintiff has an appeal in 6th Circuit Court of Appeals		Monika Andary, 12/1/14	monika.andary@macombgc	



Mark A. Hackel
County Executive

CORPORATION COUNSEL

1 South Main St., 8th Floor
Mount Clemens, Michigan 48043
Phone: (586) 469-6346 ♦ Fax: (586) 307-8286

35

Corporation Counsel
John A. Schapka

Assistant Corporation Counsel
Frank Krycia
Jill K. Smith
Robert S. Gazall

TO: Dave Flynn, Board Chair

FROM: John Schapka, Corporation Counsel *JAS*

DATE: November 25, 2014

RE: Question from Recent Finance Committee Meeting: Lawsuit Settlement Funds

This responds to your request for information which first arose at the November 13, 2014 Finance Meeting.

Question: What is the status of the lawsuit settlement fund?

Response: At close-of-business, Friday, November 21, 2014, the fund from which civil litigation settlements, jury verdicts, and binding arbitration awards, outside counsel attorney fees, administrative claims, and insurance settlements are paid had a balance of \$289.84 remaining for calendar year 2014.

Question: What is the budgeted amount vs. actual expenditure?

Response: Amount budgeted: \$1,332,000.00
Amount expended (to date): \$1,331,710.00

Question: Have there been any trends noted? If so, what are they, and what are the causes?

Response: The most significant and notable trend emerging in 2014 was the reduction over past years in the costs incurred by routinely retaining outside counsel to represent the County and its employees in personal injury litigation: \$850,000.00 budgeted; \$583,470.55 expended. This represents a \$266,529.55 reduction over past years. Instead, to the greatest extent possible, those cases are now kept in-house and are handled by the Corporation Counsel attorneys. The savings realized by this practice is expected to become even more pronounced over the next two years as those cases still with outside counsel are resolved. No new or otherwise unexpected trends have been noted in regard to the number of settlements, or the amount of settlement pay-outs, whether on a case-by-case or aggregate basis.

JAS/mla