

**OFFICIAL MINUTES OF THE  
MACOMB COUNTY CHARTER COMMISSION  
REGULAR MEETING  
June 17, 2009 at 7 p.m.  
held at Macomb County Administration Building  
One South Main Street, 9<sup>th</sup> Floor, Mount Clemens, MI 48043**

The Macomb County Charter Commission met at 7:00 p.m. on Monday, June 17, 2009 on the 9<sup>th</sup> floor of the County Administration Building, in the Commissioners' Board Room, Mount Clemens. Chair Femminineo called the meeting to order at 7:13 p.m. Recessed called to 7:45 p.m. by Chair Femminineo. A roll call was taken for attendance as follows:

<b>NAME</b>	<b>DISTRICT</b>	<b>PRESENT</b>	<b>NOT PRESENT</b>
Matthew J. Wroblewski	1	X	
David A. Willis	2	X	
James F. Kelly	3	X	
Louis J. Burdi	4	X	
Robert W. Slavko	5	X	
John Olekszyk	6	X	
Elisabeth Sierawski	7	X	
Donna S. Cangemi	8	X	
Michael G. Gielniak	9	X	
Rick Flynn	10	X	
Dominic J. La Rosa	11	X	
Vince Viviano	12	X	
Gary S. Anthony	13	X	
James Haggerty	14	X	
Harry Awdey	15	X	
Tom Rombach	16	X	
Jacob Michael Femminineo Jr.	17	X	
Carrie Lynn Fuca	18	X	
Bob Smith Jr.	19	X	
Marilyn Lane	20	X	
Nick Ciaramitaro	21	X	
Judy Hartwell	22	X	
James Maceroni	23	X	
Cynthia Konal	24	X	
Charles Medley	25	X	
Monika Kreft Leasure	26		X

Monika Kreft Leasure is absent and excused.

Also present: Ralph "Skip" Maccarone, Executive Director  
 Don DeNault, Attorney at Law  
 John Nitz, Attorney at Law  
 David Massaron, Attorney at Law  
 Mike McGee Attorney at Law  
 George Ward, Attorney at Law

**CONSENT AGENDA**

**a) Budget Report**

**MOTION**

A motion was made by Charter Commissioner Lane to approve the Budget Report, supported by Charter Commissioner Hartwell. **THE MOTION CARRIED.**

**AGENDA**

**MOTION**

A motion was made by Charter Commissioner Awdey to adopt the agenda as amended to include items 11.1 and 11.2, supported by Charter Commissioner Slavko. **THE MOTION CARRIED.**

**MINUTES**

**MOTION**

A motion was made by Charter Commissioner LaRosa to approve the minutes from June 15, 2009 as amended, supported by Charter Commissioner Medley. **THE MOTION CARRIED.**

**PUBLIC PARTICIPATION**

Connie Miller, 26940 Ponchartrain, Harrison Township  
Jerry Sieja, 12927 Docks in, Sterling Heights

**RECOMMENDATION OF EXECUTIVE DIRECTOR FOR CONTINUED SERVICES OF ADMINISTRATIVE ASSISTANT**

**MOTION**

A motion was made by Charter Commissioner LaRosa that effective Monday, June 22, 2009, the Charter Commission's Administrative Assistant's employment with the Charter Commission shall continue on an as-needed basis determined by the Commission Chair, or their designee, at the same rate of pay of \$20 per hour for actual hours worked. Unless extended by further action of the Charter Commission, this employment shall terminate at the close of business on Friday, August 14, 2009, supported by Charter Commissioner Medley.

**FRIENDLY AMENDMENT**

Charter Commissioner Awdey offered a friendly amendment to include consulting with Treasurer Willis as to budget issues. Charter Commissioners LaRosa and Medley accepted the friendly amendment.

**THE MOTION CARRIED WITH THE FRIENDLY AMENDMENT.**

**OFFER FOR CONTINUED SERVICES OF EXECUTIVE DIRECTOR**

**MOTION**

A motion was made by Charter Commissioner Flynn that effective Monday, June 22, 2009, the Charter Commission's Executive Director's contract for services to the Charter Commission shall continue at the rate of \$50 per hour, for actual hours worked, capped at \$1,000 per week. Unless

extended by further action of the Charter Commission, this contract shall expire at the close of business on Friday, August 14, 2009, supported by Charter Commissioner Anthony.

#### **FRIENDLY AMENDMENT**

Charter Commissioner LaRosa offered a friendly amendment to include consulting with Treasurer Willis as to budget issues. Charter Commissioners Flynn and Anthony accepted the friendly amendment.

#### **THE MOTION CARRIED WITH THE FRIENDLY AMENDMENT.**

### **LEGAL TEAM TEXT RECOMMENDATIONS FOR RECENTLY APPROVED OR PENDING AMENDMENTS**

#### **MOTION**

A motion was made by Charter Commissioner Cangemi to remove the sentence: *“One additional non voting member shall be elected by retired County employees in the manner provided by the rules and regulations adopted by the Retirement Commission,”* supported by Charter Commissioner Sierawski.

#### **SUBSTITUTE MOTION**

A substitute motion was made by Charter Commissioner Cangemi to replace the removed sentence with: *“One additional non-voting member shall be elected by retired County employees,”* supported by Charter Commissioner Awdey.

#### **FRIENDLY AMENDMENT**

Charter Commissioner Kelly offered a friendly amendment to add back in the line and add: *“to be”* before *“adopted by the Retirement Commission.”* Charter Commissioners Cangemi and Awdey accepted the friendly amendment.

#### **THE SUBSTITUTE MOTION CARRIED WITH THE FRIENDLY AMENDMENT.**

### **CONTINUED DISCUSSION OF SECTION 9.1 TEXT DELETION REGARDING RETIREMENT SYSTEM**

#### **MOTION**

A motion was made by Charter Commissioner Gielniak to remove the wording *“provided that an amendment shall not decrease any benefit that has been earned or vested”* at the end of Section 9.1, supported by Charter Commissioner Kelly. **THE MOTION CARRIED.**

#### **MOTION TO CALL THE QUESTION**

A motion was made by Charter Commissioner Viviano to call the question, supported by Charter Commissioner Lane. **THE MOTION TO CALL THE QUESTION CARRIED.**

#### **MOTION**

A motion was made by Charter Commissioner Rombach and supported by Charter Commissioner LaRosa to add to the end of 11.5.2: *“with its core functions remaining intact.”*  
**THE MOTION CARRIED.**

#### **MOTION**

A motion was made by Charter Commissioner Flynn to amend section 3.15 to add: *“at a public*

*meeting*” between “*shall*” and “*appoint*”, supported by Charter Commissioner Smith. **THE MOTION CARRIED.**

**APPROVAL OF MACOMB COUNTY CHARTER FOR DELIVERY TO THE GOVERNOR AS PROVIDED BY LAW**

**MOTION**

A motion was made by Charter Commissioner Chair Femminineo by acclamation to suspend rules for adoption of the following resolution:

*RESOLVED, that the Macomb County Charter Commission approves the Home Rule Charter of Macomb County, Michigan, submitted to it by the Charter Commission’s Legal Team on June 17, 2009, including the amendments adopted at the regular meeting of the Charter Commission on June 17, 2009.*

*BE IT FURTHER RESOLVED. That the approved Home Rule Charter be submitted to the Governor of the State of Michigan for approval pursuant to statute.*

A roll call vote was taken:  
All voted Yes.

**THE MOTION CARRIED.**

**NEW BUSINESS**

Charter Commissioner Slavko presented a gift to Charter Commissioner Awdey.  
Charter Commissioner Awdey thanked Charter Commissioner Slavko and the Commission.  
Charter Commissioner Burdi questioned the next meeting.  
Chair Femminineo indicated the Governor would have 30 days to approve or deny the Charter, the Charter will have 10 days to discuss and a meeting will be called at that time.  
Charter Commissioner Konal requested e-mailing unavailable dates for that meeting.  
Charter Commissioner Ciaramitaro thanked the group.  
Charter Commissioner Fuca thanked Chair Femminineo.  
Charter Commissioner Viviano mentioned the amount of hours spent by Edie and Skip.

**PUBLIC PARTICIPATION**

Jerry Sieja, 12927 Docks in, Sterling Heights

**EXECUTIVE DIRECTOR’S REPORT**

The executive director congratulated the Commission on their hard work.  
Mr. McGee spoke regarding the timing:  
The Governor’s office is closed on Friday so Charter will be delivered on Monday or Tuesday.  
The Governor has 30 days and the Attorney General can make comments.  
They will report to the Commission once comments are received.

**ROLL CALL**

<b>NAME</b>	<b>DISTRICT</b>	<b>PRESENT</b>	<b>NOT PRESENT</b>
Matthew J. Wroblewski	1	X	
David A. Willis	2	X	
James F. Kelly	3	X	
Louis J. Burdi	4	X	
Robert W. Slavko	5	X	
John Olekszyk	6	X	
Elisabeth Sierawski	7	X	
Donna S. Cangemi	8	X	
Michael G. Gielniak	9	X	
Rick Flynn	10	X	
Dominic J. La Rosa	11	X	
Vince Viviano	12	X	
Gary S. Anthony	13	X	
James Haggerty	14	X	
Harry Awdey	15	X	
Tom Rombach	16	X	
Jacob Michael Femminineo Jr.	17	X	
Carrie Lynn Fuca	18	X	
Bob Smith Jr.	19	X	
Marilyn Lane	20	X	
Nick Ciaramitaro	21	X	
Judy Hartwell	22	X	
James Maceroni	23	X	
Cynthia Konal	24	X	
Charles Medley	25	X	
Monika Kreft Leasure	26		X

**ADJOURNMENT**

**MOTION**

A motion was made by Charter Commissioner Viviano to adjourn the meeting, supported by Charter Commissioner Haggerty. **THE MOTION CARRIED.**

Chair Femminineo adjourned the meeting at 8:59 p.m., until the call of the Chair.

---

Jacob Michael Femminineo, Jr., Chair

---

Todd Schmitz, Chief Deputy Clerk