



BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
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macombcountymi.gov/boardofcommissioners

COURTS AND LEGAL AFFAIRS COMMITTEE

TUESDAY, JULY 14, 2009

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Approval of Minutes Dated 06-09-09 (previously distributed)
5. Public Participation
6. Monthly Reports from Corporation Counsel (mailed)
7. New Business
8. Public Participation
9. Adjournment

MEMBERS: Crouchman-Chair, Sprys-Vice Chair, DiMaria, Sauger, Rocca, Doherty, Tocco, Carabelli, Lampar and Gielegem (ex-officio)

MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzyj - District 1
Marvin E. Sauger - District 2
Phillip A. DiMaria - District 3
Toni Mocerri - District 4
Susan L. Doherty - District 5

Sue Rocca - District 7
David Flynn - District 8
Robert Mijac - District 9
Ken Lampar - District 10
Ed Szczeplanski - District 11

James L. Carabelli - District 12
Don Brown - District 13
Brian Brdak - District 14
Keith Rengert - District 15
Carey Torrice - District 16

Paul Gielegem
District 19
Chairman

Ed Bruley - District 17
Dana Camphous-Peterson - District 18
Irene M. Kepler - District 21
Frank Accavitti Jr. - District 22

Kathy Tocco
District 20
Vice Chair

Joan Flynn
District 6
Sergeant-At-Arms

William A. Crouchman - District 23
Michael A. Boyle - District 24
Kathy D. Vosburg - District 25
Jeffery S. Sprys - District 26

RESOLUTION NO.

FULL BOARD MEETING DATE: 7/23/09

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: RECEIVE AND FILE MONTHLY REPORTS FROM CORPORATION COUNSEL

INTRODUCED BY: WILLIAM CROUCHMAN, CHAIRPERSON, COURTS & LEGAL AFFAIRS COMMITTEE

COMMITTEE/MEETING DATE

Courts & Legal Affairs – 7/14/09

**FREEDOM OF
INFORMATION ACT REQUESTS**

<u>Date</u>	<u>Department</u>	<u>Requesting Party</u>	<u>Material Requested</u>	<u>Attorney</u>
5/13/09	Corp Counsel	Ron Masters	Administration Building Parking Lease	Krycia
5/15/09	Health	Eric Hageman	Records regarding e-coli	Smith
6/2/09	Sheriff/Civil	Mark Bredow	Information regarding a Special Deputy	Meyerand
6/4/09	Sheriff	Christine Ferretti	Medical Examiner's Report	Brumbaugh
6/9/09	Risk Mgmt	James Harrington, IV	Information regarding Rio Vista Pier	Brumbaugh
6/10/09	Sheriff/Civil	Mark L. Dailey	Sale of 22616 Petersburg Ave Eastpointe, MI	Meyerand
6/12/09	Treasurer	Mark A. Murdock	Copies of tax liens	Krycia
6/15/09	Purchasing	James Radyko	Request for Bid 8-08	Brumbaugh
6/17/09	Sheriff	Christine Ferretti	Autopsy Report from Medical Examiner	Brumbaugh
6/18/09	Sheriff	Brian Louwers	Autopsy Report from Medical Examiner	Brumbaugh
6/23/09	Finance	Jeffrey London Parr Recovery, Inc.	Inspect outstanding and stale dated checks	Krycia

REIMBURSEMENT FILES
2009 to Present

<u>Name</u>	<u>Year</u>	<u>Reason for Debt</u>	<u>Amount</u>	<u>Status</u>
Abu-Awad, Lucas	20009	Prisoner Reimb. (55 Defendants)	\$136,140.00	Suit filed
Adams, Carolyn	2009	Prisoner Reimb (59 Defendants)	\$138,750.00	Judgment
Adams, Rodney	2009	Prisoner Reimb. (46 Defendants)	\$96,330.00	Judgment
Adamson, Kristin	2009	Prisoner Reimb. (57 Defendants)	\$116,538.00	Judgment
Adkins, Cheryl	2009	Prisoner Reimb. (41 Defendants)	\$73990.00	Judgment
Albert, Rene	2009	Prisoner Reimb. (61 Defendants)	\$139,790.00	Judgment
Amato, James	2009	Prisoner Reimb. (49 Defendants)	\$89910.00	Judgment
Armstrong, Recina	2009	Prisoner Reimb. (45 Defendants)	\$128,970.00	Judgment
Czyrka, Deborah Estate	2009	County Hospitalization	\$7,093.60	Claim filed
Judson, Christopher	2009	Prisoner Reimb. (59 Defendants)	\$102,195.50	Suit filed
Kargol, Micky	2009	Prisoner Reimb. (53 Defendants)	\$108,810.00	Judgment
Klein, James	2009	Prisoner Reimb (63 Defendants)	\$135,270.00	Judgment
Latella, John	2009	County hospitalization (MTB Reimb.)	\$7,817.62	Filed opened
Maus, Esther	2009	County hospitalization (MTB Reimb.)	\$858.67	Filed opened

Moore, Bill	2009	Prisoner Reimb. (52 Defendants)	\$124,950.00	Judgment
Morency, Brian	2009	JJC detainee	\$ 4811.25	File opened
Tomczak, Norbert Estate	2009	BCBS card usage	1241.53	Claim paid
White, Alisa Estate	2009	JJC detainee	\$9,080.00	Claim filed

OPEN FILES IN LITIGATION

CASE NAME	COURT	DATE FILED	LAW FIRM
Barnes, Sandra v County	USDC	08/18/08	Hardy
Bellmore, John v County, et al	USDC	05/20/09	Cummings McClorey
Bishop, Russell v Sheriff's Dept, et al	USDC	10/05/07	Plunkett
Bruder, Maryann v Smith & County	USDC	11/29/05	Kitch
Burrell, Danyelle v County	Macomb Circuit	08/20/08	Plunkett
Cleary, Mark v County of Macomb, et al	6th Ct of Appeals	04/09/09	Plunkett
Cristini, Michael v Cty of Macomb (Moldowan)	USDC	03/15/07	Plunkett
Dimeo, Raymond	USDC	01/16/08	Plunkett
El, Marion Denilo	USDC	12/03/08	Plunkett
EllisDon MI v Macomb County, etal	Macomb Circuit	08/23/06	Kitch
Fisher, Marc v County	USDC	09/08/08	Plunkett
Gudger, Sidney John v Mac/St Clair & Jordon	USDC	04/23/08	Kitch
Hatchett, Nathaniel v County of Macomb	USDC	05/01/08	Plunkett/Johnson
Hillside v County / Parks	USDC	03/31/06	Kitch
KRS-A.E. Equities v Commissioners	Macomb Circuit	02/12/07	Kitch
LeBeau, James	USDC	06/08/07	Plunkett
McCarty, Estate of v Philip Abdo, County	USDC	12/21/07	Plunkett
Michaels, Ronald v Mark Hackel, Sheriff	USDC	11/07/08	Brumbaugh
Moldowan, Jeffrey v Prosecutor, et al (Cristini)	USDC	01/28/05	Plunkett
Pfister, Richard Donald, Estate of v Sheriff	USDC	03/02/09	Garan Lucow
Sam, Jeannie v St of MI, David Joseph, et al	USDC	11/14/08	B.J. Belcoure - Circuit Court
Sona Construction v KRS, Macomb County, et	Macomb Circuit	11/02/07	Kitch
Uhrynowski v County of Macomb, et al	USDC	12/22/096	Plunkett
Van Heck, Roger v County of Macomb, et al	USDC	09/10/08	Plunkett
Walker, Christopher & Michelle v County, et al	USDC	11/17/08	Plunkett
Whitehead, Robert v County of Macomb, et al	USDC	04/17/08	Hardy
Willneff, Mark v Macomb Sheriff Dept, et al	USDC	06/06/08	Plunkett
Wilson, Danny A. v County of Macomb, et al	USDC	03/19/08	Plunkett
Woo, Walter v Macomb Sheriff Dept	Macomb Circuit	02/20/09	Martin Bacon

**CONTRACTS REVIEWED BY CORPORATION COUNSEL
6/1/09 to 7/1/09**

COMMUNITY CORRECTIONS

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/12/09	County Agreement to sign a MOU with Other Macomb County Agencies for FY 2009 Federal JAG	J. Smith	

COMMUNITY SERVICES

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/4/09	Senior Nutrition Amended Contract With Area Agency on Aging 1-B	G. Brumbaugh	
6/4/09	Agreement/Contract with THAW Heat & Warmth Fund	J. Smith	
6/16/09	CDBG-Sub-Recipient Agreement w/the City of St. Hgts Continuum of Care Services Community Block Grant	G. Brumbaugh	
6/16/09	Head Start Expansion Grant Application	G. Brumbaugh	
6/25/09	Early Head Start Grant Application	G. Brumbaugh	
6/25/09	Individual Development Account Program	G. Brumbaugh	

COOPERATIVE EXTENSION

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/2/09	Community Coordinated Child Care (4C) Professional Dvlp Services	J. Smith	

EMERGENCY MANAGEMENT

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/12/09	Macomb County Public Safety Communications System Membership Agreement St. Clair Shores Public Wks	G. Brumbaugh	
6/12/09	Macomb County Public Safety Communications System Membership Agreement	G. Brumbaugh	
6/18/09	FY 2009 Emergency Management Performance Grant Agreement	G. Brumbaugh	

HEALTH

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/17/09	Addendum to Affiliation Agreement btn Eastern MI University & MCHD	J. Smith	
5/26/09	Review of contract language for eight Contracts for Disproportionate Minority Contact Grant	G. Brumbaugh	

INFORMATION TECHNOLOGY

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/12/09	Central Solutions – Wireless in the County Court House	J. Smith	

JUVENILE JUSTICE CENTER

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/9/09	Second Chance Act Youth Offender Reentry Initiative		

MENTAL HEALTH BOARD - CONTRACT APPROVAL IS THE RESPONSIBILITY OF MENTAL HEALTH BOARD

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/4/09	Lease Renewal 23760 Lambrecht, Eastpointe, MI	J. Smith	
6/4/09	Lease Renewal 50494 Ruedisale, New Baltimore, MI	J. Smith	

PLANNING

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/1/09	CDBG-R (Supplemental Allocation of \$449,751 in CDBG-R Funding)	J. Smith	
6/2/09	Contract for Springhill Housing Corp	J. Smith	
6/2/09	Contract for Springhill Housing Corp (Amendment to Original Agree of 2/08)	J. Smith	
6/2/09	Neighborhood Stabilization Program	J. Smith	
6/4/09	Macomb Urban County HOME Program	J. Smith	
6/9/09	Macomb Urban County CDBG Program CDBG Sub-Recipient Agreement Community – Armada	J. Smith	

6/10/09	Macomb Urban County CDBG Program CDBG Local PS Sub-Recipient Agree	J. Smith
6/17/09	Neighborhood Stabilization Program HB Counseling Services –Lighthouse Community Development	J. Smith
6/18/09	Macomb Urban County CDBG Program CDBG Sub-Recipient Agreements County Projects	J. Smith

RISK MANAGEMENT & SAFETY

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/29/09	Marsh Client Service Agreement Amendment E	G. Brumbaugh	
7/1/09	Accident Fund TPA Contract Extension July 1, 2009 to July 1, 2010	G. Brumbaugh	

SHERIFF

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/9/09	Amendment to Health Services Agree	F. Krycia	
6/25/09	Amendment to Food Services Agree	G. Brumbaugh	

WORKFORCE DEVELOPMENT BOARD - CONTRACT APPROVAL IS THE RESPONSIBILITY OF THE PRIVATE INDUSTRY COUNCIL.

<u>Date</u>	<u>Contract</u>	<u>Reviewed By</u>	<u>Approved By</u>
6/10/09	Warren Woods Public Schools Site Improvement, Landscaping & Cleanup Contract No. 08-33-34	G. Brumbaugh	
6/10/09	Chippewa Valley Schools Summer Youth Employ Program Contract No. 08-50-19	G. Brumbaugh	
6/10/09	Warren Consolidated Schools Biotechnology Horticulture Contract No. 08-32-31	G. Brumbaugh	
6/10/09	Warren Woods Public Schools Radio & Television Production Contract No. 08-33-35	G. Brumbaugh	
6/10/09	Warren Consolidated Schools Summer Works Contract No. 08-32-32	G. Brumbaugh	

6/10/09	Centerline Public Schools Around the World in 6 Weeks Contract No. 08-25-02	G. Brumbaugh
6/10/09	Warren Woods Public Schools Future Solutions Summer Program Contract No. 08-33-37	G. Brumbaugh
6/10/09	Warren Woods Public Schools Tech Assistance Contract No. 08-33-38	G. Brumbaugh
6/10/09	Centerline Public Schools Teaching, Training & Technical Contract No. 08-25-01	G. Brumbaugh
6/10/09	Warren Woods Public Schools Career and Technology Education Contract No. 08-33-36	G. Brumbaugh
6/10/09	SCS Adult & Community Education Environmental Awareness Program Contract No. 08-19-202	G. Brumbaugh
6/10/09	Leaps and Bounds Family Services Summer Youth Employment Contract No. 08-169-08	G. Brumbaugh
6/10/09	L'Anse Creuse Public Schools Summer Youth Initiative Contract No. 08-39-98	G. Brumbaugh
6/10/09	L'Anse Creuse Public Schools MI Works Summer Program Contract No. 08-39-97	G. Brumbaugh
6/10/09	Armada Area Schools Summer Employment Project Contract No. 08-57-15	G. Brumbaugh
6/10/09	SCS Adult & Community Education SPIKE Contract No. 08-19-203	G. Brumbaugh
6/10/09	Mt. Clemens Community Schools MC L.I.F.E. Contract No. 08-21-84	G. Brumbaugh
6/10/09	Save Our Neighborhoods & Streets Summer Workforce Program Contract No. 08-198-01	G. Brumbaugh

6/12/09	Van Dyke Public Schools Pathway to Kindergarten Contract No. 08-22-53	G. Brumbaugh
6/12/09	Macomb Community College Basic Skills Upgrading Services Contract No. 08-05-145	G. Brumbaugh
6/12/09	Macomb Community College Administrative Asst Vocational Training Contract No. 08-05-144	G. Brumbaugh
6/12/09	Macomb Community College English-As-A-Second Language Services Contract No. 08-05-143	G. Brumbaugh
6/12/09	Van Dyke Public Schools Playground Safety & Beautification Contract No. 08-22-54	G. Brumbaugh
6/12/09	Algonac Community Schools Safety & Beautification Initiative Contract No. 08-35-29	G. Brumbaugh
6/12/09	Capac Community Schools Summer Youth Employment Contract No. 08-100-11	G. Brumbaugh
6/12/09	Port Huron Area School District Summer Youth Lawn & Maintenance Prog Contract No. 08-28-58	G. Brumbaugh
6/12/09	Van Dyke Public Schools Fast Summer Reading Contract No. 08-22-52	G. Brumbaugh
6/25/09	Blue Water Center for Independent Living Community Accessibility Assessment Contract No. 08-172-07	G. Brumbaugh
6/25/09	Winning Futures Job Shadow Plus Contract No. 08-197-01	G. Brumbaugh
6/25/09	Fraser Public Schools Pride Building & Campus Beautification Contract No. 08-51-05	G. Brumbaugh
6/25/09	Fraser Public Schools Elementary Education Support Contract No. 08-51-06	G. Brumbaugh

6/25/09	St. Clair County Community College SC4 County Wide Recycling Project Contract No. 08-20-110	G. Brumbaugh
6/25/09	St. Clair County Community College SC4 Summer Youth Employment Program Contract No. 08-20-109	G. Brumbaugh
6/25/09	Yale Public Schools Summer Youth Employment Program Contract No. 08-68-23	G. Brumbaugh

<u>LAWSUITS - 2009</u>						
<u>DATE REC'D</u>	<u>CASE #</u>	<u>CASE NAME</u>	<u>SUBJECT</u>	<u>STATUS</u>	<u>DEPT.</u>	<u>ASSIGNED TO</u>
1/6/2009	08-5602-CH	Kenmore Contracting v Commissioners, et al	Foreclosure on mechanic's lien on prop (taxes owed on prop)	Open	Treasurer	Frank Krycia
1/12/2009	08-5673-CZ	Brodie Corporation v Acquired Manufacturing	Tax lien foreclosure	Open	Treasurer	Frank Krycia
1/13/2009	08-5385-NZ	Burnett, Everett v Eric J. Smith, et al	Prosecutor failed to protect Pltf's rights as an inmate	Open	Prosecutor	George Brumbaugh
2/26/2009	2:08-cv-15011	EI, Marlon v Sheriff's Department, et al	Alleged excessive force/assault by officers	Open	Sheriff	Plunkett Cooney
2/10/2009	09-0540-PD	Walter, Matthew v Sheriff's Department	Seizure of property (guns)	Open	Sheriff	Frank Krycia
2/20/2009	09-769-NI	Woo, Walter v Sheriff's Department	Traffic accident involving a Sheriff's vehicle	Open	Sheriff	Martin Bacon
3/9/2009	2:09-cv-10981	Pfister, Richard, Estate of v Sheriff's Dept	Inmate death (heart attack)	Open	Sheriff	Garan Lucow
3/11/2009	09-1035-CH	Independent Bank v Hayes Prop Inc, et al	Construction lien (delinquent taxes)	Closed	Treasurer	Frank Krycia
3/31/2009	09-343-AA	Michael Herman v County Veterans Svcs	Appeal of denied veterans assistance	Open	Veterans	Frank Krycia
3/31/2009	09-354-AA	Alice Hockley v County Veterans Relief Fund	Appeal of denied veterans assistance	Open	Veterans	Frank Krycia
5/5/2009	08-1713	Derrick Luster v Nagel, Sheriffs, et al	Appeal of 06-cv-12273 (reopening case)	Re-opened	Sheriff	James Meyerand
5/27/2009	09-2067-CK	V&G Excavating v Brandenburg, et al	Construction lien (delinquent taxes)	Open	Treasurer	Frank Krycia
5/29/2009	2:09-cv-11622	Bellmore, John v Macomb County, et al	Failure to provide adequate medical care	Open	Sheriff	Cummings McClorey