

**MINUTES OF THE
MACOMB COUNTY ETHICS BOARD**

Wednesday, September 21, 2016

A meeting of the Macomb County Ethics Board was held Wednesday, September 21, 2016, at 8:45 a.m., in the Conference Room, on the 2nd Floor of the Talmer Building - Mount Clemens, Michigan.

CALL TO ORDER

Chair Amboyer called the meeting to order at 8:48 a.m.

ROLL CALL

The following Members were present:

Dr. Donald J. Amboyer, Paddy Laske, James McGrail and Dorie Vazquez-Nolan

Michelle LaBelle, Macomb County Finance – Risk & Insurance, prepared/reported the Minutes.

GUESTS

Jamie Cook, Macomb Daily
Brian Gabriel, Ethics Board Nominee

ADOPTION OF AGENDA

Chair Amboyer requested to add Enrolled Ordinance No. 2016-03 and Modifications to Website to Item #11 – Other Business.

MOTION

A motion was made by James McGrail, supported by Paddy Laske, to adopt the Agenda, as amended. **The Motion Carried.**

APPROVAL OF AUGUST 17, 2016 MEETING MINUTES

MOTION

A motion was made by Jim McGrail, supported by Paddy Laske, to approve the Minutes of August 17, 2016. **The Motion Carried.**

PUBLIC PARTICIPATION

No comments made during Public Participation.

CORRESPONDENCE

One email was received.

DISCLOSURE OF RECORDS PURSUANT TO FREEDOM OF INFORMATION ACT

The Board replied to two FOIA Requests from same requestor in a timely manner. Both requests returned as the address on the letterhead was wrong. The Board resent requested information to correct address.

BOARD MEMBER VACANCY UPDATE

Brian Gabriel, Ethics Board Nominee, appeared before the Government Operations Committee on September 6, 2016. Currently waiting for Board of Commissioner's approval for Brian Gabriel to serve on the Ethics Board.

FLYER & POSTER REVISIONS

Jim McGrail suggested that the Board table this item due to the Ordinance revision.

FY2017 PROPOSED BUDGET SUBMISSION

Chair Amboyer made a presentation on September 6, 2016, to the Macomb County Board of Commissioners Government Operations Committee regarding the 2017 Budget Request. It was reported that the Ethics Board has spent \$1,323.23 to date. Responding to four (4) Advisory Opinion Requests, six (6) Complaints, four (4) Receive and File Correspondences and nine (9) Telephone Inquiries. The County currently has approximately 2,840 Public Servants and 2,357 of them, or approximately 83%, have successfully completed the ethics online training course.

Dorie Vazquez-Nolan also attending the Budget meeting. The Board of Commissioners asked numerous questions such as what the \$50,000 is needed for Professional Services. Chair Amboyer responded in the event outside legal counsel is needed. Jim McGrail also stated this money may be used to investigate since all Ethics Board Members are unpaid volunteers. The Ethics Board strives to maintain confidentiality so not to damage personally, professionally or politically was mentioned during questioning and answering at the September 6, 2016, Government Operations Meeting.

RESOLUTION 2016-03 (ENROLLED Ordinance No. 2016-03)

The Board reviewed the timeline of the Ordinance Revision. They had no information prior to this Ordinance Revision. There lengthy questions and concerns raised regarding the new Ordinance and how it is to be administered by the volunteer board with very limited resources.

MOTION

A motion was made by Dorie Vazquez-Nolan, supported by Paddy Laske, to seek advice from Corporation Counsel regarding Enrolled Ordinance No. 2016-03. Which Ordinance and Rules and Procedure should be followed now for pending Advisory Opinions and Complaints? Are all confidentiality provisions are now removed? The Ethics Board had four (4) Pending Complaints at the time of the adoption of Enrolled Ordinance No. 2016-03. Those Complaints were submitted on forms which referenced the old Ordinance which instructed the filer to reference the old ordinance for information when filing their complaint.

The current Rules of Procedure have sections which are in conflict with the new Ethics Ordinance relating to definition of terms, standards of conduct, all business conducted in open forum, etc. The Ethics Board, therefore, seeks a written opinion from Corporation Counsel as to how to proceed with the complaints that were submitted prior to and subsequent to the adoption of the new ordinance above. **The Motion Carried.**

OTHER BUSINESS

Updates to the Website were discussed to reflect Enrolled Ordinance No. 2016-03.

MOTION

A motion was made by Jim McGrail, supported by Paddy Laske, to modify the website and remove old Ordinance with the new Ordinance, remove the Rules of Procedure, the Advisory Opinion Form and Complaint Form. **The Motion Carried.**

MOTION

A motion was made by Jim McGrail, supported by Dorie Vazquez-Nolan, to contact Human Resources and suspend training until further notice and remove the link on the Ethics website for training. **The Motion Carried.**

CASE REVIEW

A letter will be sent fro Jim McGrail to Advisory Opinion Requestor Public Servant and Subject regarding AO1-2016.

MOTION

A motion was made by Jim McGrail, supported by Paddy Laske table the Pending Complaints until the Board gets advice from Corporation Counsel. **The Motion Carried.**

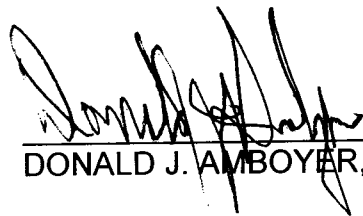
NEXT REGULARLY SCHEDULED MEETING: October 21, 2016 - 8:45 A.M.

ADJOURNMENT

MOTION

A motion was made by Jim McGrail, supported by Dorie Vazquez-Nolan, to adjourn the meeting at 10:33 a.m. The Motion Carried.

Approved:



DONALD J. AMBOYER, Ph.D., Chair



JAMES McGRAIL, Secretary