

**MINUTES OF THE
MACOMB COUNTY ETHICS BOARD**

Wednesday, November 16, 2016

A meeting of the Macomb County Ethics Board was held Wednesday, November 16, 2016, at 8:45 a.m., in the Conference Room, on the Second Floor of the Talmer Building, 120 North Main Street, Mount Clemens, Michigan.

CALL TO ORDER

Vice - Chair McGrail called the meeting to order at 8:52 a.m.

ROLL CALL

The following Members were present:

James McGrail, Paddy Laske, Dorie Vazquez-Nolan and Brian Gabriel

Don Amboyer – Absent and Excused

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

ADOPTION OF AGENDA

MOTION

A motion was made by Paddy Laske, supported by Brian Gabriel, to adopt the Agenda as presented. **The Motion Carried.**

APPROVAL OF OCTOBER 19, 2016 MEETING MINUTES

MOTION

A motion was made by Dorie Vazquez-Nolan, supported by Paddy Laske, to approve the Minutes of October 19, 2016. **The Motion Carried.**

PUBLIC PARTICIPATION

Timothy Barkovic spoke regarding his Complaint #C06-2016.

CORRESPONDENCE

All correspondence that was received will be discussed in Case Review.

CORPORATION COUNSEL CORRESPONDENCE OF OCTOBER 12, 2016

A letter was received from Corporation Counsel in the afternoon of October 12, 2016. Corporation Counsel recommends to follow the old ordinance for the complaints filed prior to the new ordinance. The Board agreed with their recommendation.

RULES OF PROCEDURE, FORMS, AND WEBSITE UPDATES

MOTION

A motion was made by Brian Gabriel, supported by Dorie Vazquez-Nolan, to table this agenda item until the next meeting. **The Motion Carried.**

OTHER BUSINESS

None

CASE REVIEW A01-2016; C03-2016, C05-2016, C06-2016, C08-2016

MOTION

A motion was made by Dorie Vazquez-Nolan, supported by Paddy Laske, to enter into Executive Session for the purpose of discussing Complaint #'s AO1-2016, C03-2016, C05-2016 and C06-2016.

A roll call vote was taken as follows:

Voting yes were Gabriel, Laske, McGrail and Vazquez-Nolan. **The Motion Carried.**

In accordance with the motion, the Board entered into Executive Session at 9:20 a.m., with it concluding at 9:35 a.m.

AO1-2016 – This Advisory Opinion was previously discussed and will now be closed.

C03-2016 –

MOTION

A motion was made by Jim McGrail, supported by Brian Gabriel, to dismiss this case as facts do not rise to a level of a violation of the Ethics Ordinance. **The Motion Carried.**

C05-2016 -

This case involved a personal disclosure form not being filed by a public servant. There was a statement in the public servants response - blaming the administrative assistant as to why it was not filed in a timely manner. Jim McGrail wants to publicly state that it is the public official's affirmative duties and responsibility. However, the individual did file the personal disclosure form as soon as they found out it wasn't submitted.

MOTION

A motion was made by Jim McGrail, supported by Brian Gabriel, to dismiss this case.
The Motion Carried.

C06-2016

Timothy Barkovic discussed his complaint in the Public Participation portion. He previously provided a letter to the Board. Jim McGrail spoke regarding the Respondents response and stated that every public servant has statutory duties that does not alleviate them from following the Ethics Ordinance. However, the Ethics Ordinance does not have jurisdiction over state laws.

MOTION

A motion was made by Jim McGrail, supported by Dorie Vazquez-Nolan, to dismiss this complaint as not being a violation of the Ethics Ordinance. **The Motion Carried.**

Dorie Vazquez-Nolan requested recusal from this case and was excused.

C08-2016

Commissioner Anthony Marrocco submitted a letter requesting the Board to reconsider the violation ruling since the County does not own the property and a Drainage District owns. Jim McGrail said the property is entirely funded by the county, used by the county and under state law, is a component unit of the county.

MOTION

A motion was made by Jim McGrail, supported by Paddy Laske, to dismiss any request to reconsider the findings from last meeting and reaffirm that it violated the Ordinance.
The Motion Carried.

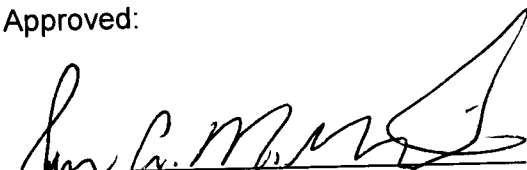
NEXT REGULARLY SCHEDULED MEETING: DECEMBER 21, 2016 - 8:45 A.M.

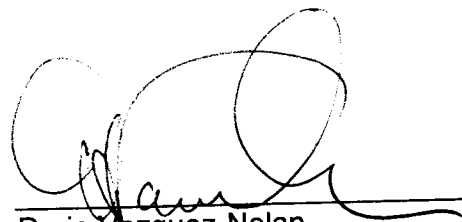
ADJOURNMENT

MOTION

A motion was made by Jim McGrail, supported by Dorie Vazquez-Nolan, to adjourn the meeting at 10:05 a.m. **The Motion Carried.**

Approved:


Jim McGrail, Vice - Chair


Dorie Vazquez-Nolan,
Secretary