MINUTES OF THE
MACOMB COUNTY ETHICS BOARD
Tuesday, April 23, 2018

A meeting of the Macomb County Ethics Board was held Tuesday, April 23, 2018, at 8:45 a.m., in the Board of Commissioners Meeting Room, on the 9th Floor of the Administration Building, 1 South Main Street, Mount Clemens, Michigan.

CALL TO ORDER
Chair Amboyer called the meeting to order at 8:47 a.m.

ROLL CALL
The following Members were present:

Dr. Donald Amboyer, Paddy Laske, Dorie Vazquez-Nolan, Brian Gabriel and Darnell Blackburn

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

ADOPTION OF AGENDA
Chair Amboyer requested the Agenda be amended to include Expense Reimbursement under Item 7 - Other Business.

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

APPROVE MEETING MINUTES OF MARCH 20, 2018

MOTION
A motion was made by Dorie Vazquez-Nolan, supported by Paddy Laske, to approve the minutes of March 20, 2018. The Motion Carried.

PUBLIC PARTICIPATION
Keith Rebar spoke regarding two Ethics Complaints he plans to file. Board Members provided instructions for obtaining Complaint and Advisory Opinion forms which are
available on the Ethics Board Website. He was also directed to review the Ethics Ordinance.

Frank Cusumano spoke regarding his Complaint (CO 1-2018).

ETHICS ADMINISTRATIVE HEARING COMPLAINT 01-2018

Chair Amboyer reviewed the Ethics Complaint C0 1-2018 Chronology of Events. Complainant Frank Cusumano was present. Respondent Jacqueline Ryan was not present. The Board decided to proceed with a hearing, without Ms. Ryan since she did previously provide a signed response to the Complaint (CO1-2018).

The Complainant, Frank Cusumano, stated in summary that the complaint was reviewed at a previous meeting. He played the audio recording of Jackie Ryan chastising Mr. Cusumano for the Board. Mr. Cusumano then discussed the Charter and respect for the law and believes the Ethics Ordinance does apply to Jacqueline Ryan. Chair Amboyer asked Mr. Cusumano if he contacted law enforcement. He stated he did file a complaint, but the Prosecutor’s Office did not authorize any charges.

Chair Amboyer read aloud Jacqueline Ryan’s written and signed response to the Complaint. Dorie Vazquez-Nolan questioned Ms. Ryan’s claims that she was not an employee. Karen Bathanti, Human Resources Director responded that Ms. Ryan was an employee, receiving a paycheck and benefits. John Schapka, Corporation Counsel stated that the County’s Human Resource Policy has an exemption for elected and appointed officials, but Elected and Appointed Officials are subject to the County’s Ethics Ordinance. Such Human Resources Policy is subservient to the Ethics Policy and is not an applicable defense to the Complaint brought forth by Jackie Ryan.

MOTION
A motion was made by Dorie Vazquez-Nolan, supported by Darnell Blackburn, to dismiss Items #7, Item #9 and Item #11. The Motion Carried

MOTION
A motion was made by Dorie Vazquez-Nolan supported by Paddy Laske to discuss #8 Violation 2.4A and #10 Violation 2.1C. The Motion Carried

The Board discussed both violations.

MOTION
A motion was made by Dorie Vazquez-Nolan, supported by Darnell Blackburn, to find Jacqueline Ryan is in violation of the Ethics Ordinance – Section 2.4A representing her personal opinion as that of the County, a County Agency or another public servant with her comments that “my staff is mad and irate, we’re all angry, we are mad, beyond mad.”
A Roll Call Vote was taken as follows: Chair Amboyer – No, Paddy Laske – Yes, Brian Gabriel – No, Darnell Blackburn – Yes and Dorie Vazquez-Nolan – Yes. **The Motion Passed 3-2.**

**MOTION**
A motion was made by Brian Gabriel, supported by Paddy Laske, to find Jacqueline Ryan in violation of Ethics Ordinance – Section 2.1C Failure to treat all persons they encounter with courtesy and respect.

A Roll Call Vote was taken as follows: Chair Amboyer – Yes, Dorie Vazquez-Nolan – Yes, Paddy Laske – Yes, Brian Gabriel – Yes, Darnell Blackburn – Yes

**The Motion Passed 5-0**

Chair Amboyer asked if any fine would be appropriate as a civil infraction up to $500.

**MOTION**
A motion was made by Dorie Vazquez-Nolan, supported by Darnell Blackburn, to fine Jacqueline Ryan $100 per violation for a total of $200 to be paid on or before August 1, 2018. A certified letter will be sent to Ms. Ryan.

A Roll Call Vote was taken as follows: Chair Amboyer – Yes, Dorie Vazquez-Nolan – Yes, Paddy Laske – Yes, Brian Gabriel – No and Darnell Blackburn – Yes

**The Motion Passed 4-1**

**CORRESPONDENCE, ADVISORY OPINION AND COMPLAINT SUBMISSION(S)**

Chair Amboyer attended a Macomb Township meeting where they are developing an Ethics Ordinance. Canton Township has also developed an Ethics Ordinance and Chair Amboyer requested a copy. Correspondence was received about a complaint regarding a person appointed to the Older Citizens Committee. However, the person was not an employee of Macomb County. Correspondence was received from Mr. Rebar, regarding concerns of the criminal justice system. No Advisory Opinions or Complaints since the last meeting have been received.

**OTHER BUSINESS**

Expenses in the amount $87.82 for certified mail and printer ink were submitted for reimbursement by Chair Amboyer. Receipts and certified mail copies were provided.

**MOTION**
A motion was made by Paddy Laske, supported by Darnell Blackburn, to reimburse Don Amboyer for expenses in the amount of $87.82. **The Motion Carried.**
Meeting dates and times were discussed. Meetings will be located in the Administrative Building, 9th Floor at 8:30 a.m.

**NEXT REGULARLY SCHEDULED MEETING: MAY15, 2018 - 8:30 A.M.**

**ADJOURNMENT**

**MOTION**
A motion was made by Dorie Vazquez-Nolan, supported by Paddy Laske, to adjourn the meeting at 9:59 a.m. **The Motion Carried.**

Approved:

[Signature]
Donald J. Ambower, Ph.D., Chairperson

[Signature]
Brian Gabriel, Secretary