

MACOMB TOWNSHIP ETHICS BOARD
Minutes – April 8, 2021
Held Virtually by Zoom
5:30 PM

PRESENT: Tom Champion, Chairman, in Macomb Township, Macomb County, MI
Tony DeVillano, Co-Chair, in Macomb Township, Macomb County, MI
Ron Papa, Secretary, in Macomb Township, Macomb County, MI

ALSO PRESENT: Terri Kowal, Township Liaison, in Macomb Township, MI
Beth Wheeler, Asst. Township Liaison, in Macomb Township, MI

1. CALL TO ORDER

The meeting was called to order by Chairman Champion at 5:30 pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

The roll was called by Secretary Papa. All members were in attendance.

4. APPROVAL OF AGENDA

Motion by Papa, Seconded by DeVillano to approve the agenda as submitted.

Roll Call:

Ayes: DeVillano, Papa, Champion

Motion Carried.

The date was corrected on the agenda.

5. APPROVAL OF MINUTES: Meeting of 3-25-2021

Motion by DeVillano, Seconded by Papa to approve the minutes as submitted.

Roll Call:

Ayes: DeVillano, Papa, Champion

Motion Carried.

6. NEW BUSINESS

A. Guest Speaker

Guest speaker Jim Gelios introduced himself and explained he wants to help the Ethics Board in any possible way. Gelios stressed how important the need for an Ethics Board is in Macomb Township after the last few years of problems. He agreed with the Ethics Board that the complaints could be handled like a Civil

Infraction with a fine schedule. He also stated the complaints should be notarized to make sure the complaint is serious.

Kowal asked who issues the civil infractions?

Gelios explained that Legal Counsel and the Building Department (Code Enforcement Officers) can write/issue tickets.

Champion explained if the violation is serious it should go to the Board, but if it is minor he believes we should issue fines. Gelios agreed, but said we don't have a fine mechanism in the ordinance.

Kowal explained the unions will not agree to the fines, unless it is written in the contracts and she feels there is a very slim chance of that occurring. And, every ethics complaint made, if valid, needs to go to the Board of Trustees per the ordinance. DeVillano stated we can just make the recommendation.

Papa brought up confidentiality and asked at what point does it become public?

Gelios explained confidentiality begins when it becomes an official record. Possibly consider using complaint numbers instead of names.

Kowal explained that we must keep all complaints even if it is not considered legit. All complaints will be included on the annual report to the Board.

Papa asked Gelios why the previous Ethics Board dissolved. Gelios explained he was part of an Advisory Committee to just put the ordinance together and not part of the Ethics Board itself. He doesn't know why they dissolved.

B. Complaint Form

Chairman Champion stated he preferred the Macomb County Form. Kowal asked him to clarify what wording is different than the Macomb County version, that he would like to see changed. This draft is based on the County's form. DeVillano stated he created a form as well. He has a section listed so the person making the complaint must base it on part of the ordinance.

Discussion followed and all agreed the shorter version is better.

Motion by Papa to approve the Ethics Complaint Form that has less wording.

Seconded by DeVillano.

Roll Call:

Ayes: DeVillano, Champion, Papa

Motion Carried.

Kowal stated she will get the form to the Board of Trustees.

C. Disclosure Form

Discussion started about the 5 and 10% of company listed. Kowal suggested to use the word “any” ownership instead of an exact percentage. All agreed to drop the percentage. Kowal asked to have the phone number and email added near the name at the top. Kowal will create draft of the Disclosure with the edits discussed at the meeting. The Ethics Board Procedures was handed out to the Board. Kowal asked everyone to review the document and contact her with suggestions and thoughts.

7. OLD BUSINESS

A. Penalties and Fines

Penalties and fines were discussed in length earlier in the meeting.

B. Unions

Papa stated the Ethics Board should be brought up in negotiations with the Township. Must be some recognition of the Ethics Board. Kowal stated the Township is currently in negotiations and she will speak with the HR Director and the Supervisor. Papa stated that we discussed adding a statement about future CBAs in Section 2-150 – Primacy of collective bargaining agreements “It is the advisement of the Ethics Board that future collective bargaining agreements negotiated by the township should include references to abidance of the Ethics Ordinance.”

8. * PUBLIC COMMENTS

No one was logged on from the public.

9. BOARD COMMENTS

The Board thanked Jim Gelios for speaking and providing the Ethics Board with helpful information and advice.

The next Ethics Board Meeting will be April 29, 2021.

10. MACOMB TOWNSHIP LIAISON UPDATE

Kowal thanked Jim Gelios for all his previous hard work and for sharing his knowledge and history with the Ethics Board this evening. Kowal confirmed the next Ethics Board Meeting will be April 29, 2021 at 5:30 pm.

Gelios stated he was happy to help and that the Ethics Board is doing a great job. He added that down the road we should incorporate ethics training into our plan.

11. ADJOURNMENT

Chairman Champion called for a motion for adjournment.

Motion by DelVillano, seconded by Papa.

Motion carried unanimously.

The meeting adjourned at 7:03 pm.

Ron Papa, Secretary

Date