HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE

THURSDAY, APRIL 22, 2010

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Approval of Minutes dated March 18, 2010 (previously distributed)
5. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)

6. Solicit Donations for Senior Dances at Metro Beach
7. Continue Agreement with Turning Point, Inc. for SANE Program (mailed)
8. Prosecutor's Environmental Unit Report for March (mailed)
9. Report from Water Quality Board (mailed)
10. S.W.I.M. Team Report for February (mailed)
11. Authorize Health Department to Apply for a Michigan Department of Natural Resources and Environment Grant to Continue Operation of Lake Huron to Lake Erie Corridor Real-Time Drinking Water Monitoring Network (mailed)
12. Authorize Health Department to Provide a Bid on a Consumer Product Safety Division Contract to Perform Pool Inspections (mailed)
13. Approve Health Department's 2010-11 Flu Program Plan (mailed)
14. Information from Health Department on Plan to Implement Relevant Portions of Public Act 188 of 2009, the "Dr. Ron Davis Smoke-Free Air Law" (mailed)

15. New Business
16. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)
17. Adjournment

MEMBERS: Camphous-Peterson-Chair, J. Flynn-Vice-Chair, Brown, Rocca, Rengert, Vosburg, Brdak, Torrice, Kepler and Gleighem (ex-officio)
RESOLUTION TO: Continue Agreement in the Amount of $30,000 with Turning Point, Inc. for the Sexual Assault Nurse Examiner (SANE) Program, and refer to the Budget Committee

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chairperson, Health & Environmental Services Committee

A representative from Turning Point's SANE Program will make a brief presentation on the accomplishments of the Program during the past year of County support, and on the Program's goals, objectives, and budget for the upcoming year.
SANE Programs
- Created by the nursing profession
- Provide comprehensive medical care
- Attend to patients' emotional needs
- Collect forensic evidence
- Provide training and consultation
- Provide expert witness testimony

What services does the FNEP offer to the community?
- Medical forensic exams to patients within 96 hours of assault
- Suspect exams at police agencies
- Trace evidence collection from the body at homicide scenes
- Post-mortem exams
- Expert witness testimony
- Education

FNEP exams in 2009
- 162 Adult exams
- 29 Pediatric exams
- 38 Suspect exams
- 14 Post-mortem exams
- 4 Expert witness testimony
- 19 Community Presentations
- 2250 Community Members Educated
Accomplishments last 10 years
- Over 2,350 Medical forensic exams performed
- Over 250 Pediatric patients served
- Over 500 Suspect exams done
- Became a nationally/internationally recognized program
- Partnership with MSU
- Partnership with Henry Ford Macomb

Research Projects
- Three-year study funded by the National Institute of Justice (NIJ)
- To examine the impact of Sexual Assault Nurse Examiner (SANE) Programs on sexual assault prosecution
- Most in-depth study done to date to evaluate SANE programs
- Showed a 20% increase in prosecution rates for Macomb County

Research Project: Adolescents
- National Juvenile Justice Center reported that adolescents 12-17 years old are the largest group of sexual assault victims
- In the National Survey of Adolescents, 13% of teen victims report to the police
- Guilty Plea or trial conviction rate is 42%

Patient Experiences with FNEP
- If I cried, they wouldn't make me stop. They didn't have attitudes. They were really sweet and like made sure I was okay. I needed anything they were there to get it. Or, if I needed to talk, if I had questions, anything they were there... she was just really there for me.

- 15-year-old sexually assaulted by an acquaintance

Patient Experiences with FNEP
- During the exam, she'd tell me exactly what she was doing and if I'd feel discomfort or anything in that sort. She was also talking to me like what I'm going to do after high school and what I want to be and stuff. She was talking to me and was like a normal person other than just a patient.

- 17-year-old assaulted by an ex-boyfriend

SANE Revenues $129,600
- Grants
  - Macomb County $50,000
  - Grants $10,000
- Service Fees $50,000
- Fundraising $39,600
- Conference Revenue
- Donations
Revenues

SANE Expenses $129,600
- Salary- $65,000
- NURSES- $50,000
- Communications- $9,000
- Administrative- $2,600
- Program Activities- $5,000

SANE Request
- Short Fall of $39,600 to raise through fundraising efforts and conference revenues
- Request for continuation of $30,000
  * Helps to leverage federal funding for crisis line

Thank You for your Support!!
Macomb County Board of Commissioners  
1 South Main St. 9th floor  
Mt. Clemens, MI 48043

Dear Commissioners,

As former Detective and now current Chief of Police with the City of New Baltimore’s Police Department, program committee member of Carehouse, member of the Macomb County Domestic Violence Task Force and an undercover investigator with the Michigan State Police Department’s Internet Crimes Against Children’s Regional Task force I am writing this communication to attest to the exemplary services provided by the Turning Pointe S.A.N.E program in the area of sexual assault investigations. I have actively been using this program as an investigator since its inception and can testify that each year this program has become much more refined and user friendly. 

The trained professionals who specialize in servicing these areas are truly dedicated individuals who help supply the prosecutor’s office with the necessary evidence collection and expert testimony that is presented in the judicial proceeding that hold sexually based offenders accountable for their actions.

The victim advocacy representatives are also an integral part of the healing process of each special victim who is examined by one of the nurses. The crime of sexual assault is horrendous. Without this program many victims and their families would be subjected to an emergency room where the medical staff personnel are not educated on the importance of the evidentiary protocols which can lead to the identification and subsequent conviction of a CSC Crime.

The ability for the SANE nurses to accommodate a victim at any time, from any location, also becomes a positive highlight of the program. Sexual assaults can take place at any time of the day or night in virtually any location. The SANE nurses are also able to conduct suspect examinations, via search warrant, in a secured detention facility. This avoids having to transport a suspect in a sexual assault investigation who may create a disturbance in a general emergency room setting. The SANE’s outreach educational programs to other health care professionals has also proven to be invaluable.

Please contact my office in the event that you need any further information.

Respectfully Submitted,

Timothy P. Wiley  
M.P.A., Chief of Police  
New Baltimore Police Department
March 18, 2010

To whom it may concern:

I would like to express how grateful I am that we have the opportunity to spend time with the fine people associated with the Turning Point organization. Being an Emergency Medicine physician I can appreciate the great importance of being competent at the sexual assault exam. I am also familiar with the degree of compassion that must go along with the care of these victims. The SANE nurses are so highly trained and competent at these skills. Their program is an asset to our Emergency Medicine residency program as we send all 20 of our residents to learn everything they will about the sexual assault exam from the SANE nurses. I have heard nothing but fantastic comments from my residents with regards to this program and would like to extend my unending support, gratitude and appreciation. Please contact me with any questions. Thank you.

Jennifer Stevenson DO
Program Director, EM Residency
Department of Emergency Medicine
Henry Ford Hospital Macomb
Clinton Township, MI
April 20, 2010

Macomb County Board of Commissioners
One South Main Street
Ninth Floor
Mt. Clemens, MI 48043

Re: Turning Point Forensic Nurse Examiner Program

Turning Point's F.N.E. Program has become an invaluable resource to the law enforcement community throughout Macomb County. Their assistance in the investigation of criminal assaults has led to better results in evidence collection, preservation, and medical documentation, which in turn leads to better chances of successful prosecution of the offenders in these cases. The F.N.E. staff brings their knowledge and expertise to the table to aid both law enforcement and victims in the prosecution of these crimes. There is a tremendous difference between the pre and post-F.N.E. days; confirmed by a National Institute of Justice study. It is hard to imagine ever going back to a time without their services, training, and input in our investigations.

Turning Point's F.N.E. Program has worked hand in hand with the Sterling Heights Police Department on some very difficult cases ranging in severity from homicides and sexual assaults to cases of domestic violence. Without the assistance of the F.N.E. Program important trace evidence could be overlooked and lost forever. Their expertise also comes into play in properly documenting injuries found on victims of violent crimes, and presentation of that evidence in court. Further, the program has provided valuable training to law enforcement officers throughout Macomb County.

Once again I am writing this letter to express the gratitude and feelings of great satisfaction of the Sterling Heights Police Department with the Turning Point Forensic Nurse Examiner Program. I would hope for your continued support of this program, as it is an asset to the community, particularly the victims of criminal assaults and the police agencies who investigate these terrible crimes.

Respectfully,

Detective/Lieutenant Robert Henigan
Criminal Investigations Division
Sterling Heights Police Department
40333 Dodge Park Road
Sterling Heights, MI 48313
April 18, 2010

Macomb County Board of Commissioners
One South Main Street, 9th Floor
Mt. Clemens, Michigan 48043

RE: Forensic Nurse Examiner Program

Dear County Commissioners,

As the Chief Medical Examiner of Macomb County, I am pleased to once again write a letter asking for your continued support of Turning Point’s Forensic Nurse Examiner Program (FNEP). I continue to call on the FNEP to assist me in many cases that are suspicious in nature. They continue to provide their expertise during the examination of such cases and are a valuable asset to this office and Macomb County.

Over the years the FNEP has earned the respect of the Medical Examiner’s office, as well as the Michigan State Police Forensic Science Division and local law enforcement agencies. It is this respect and commitment which lead me to utilize the forensic nurse examiners during homicide and suspicious deaths in order to collect sexual assault specimens and trace evidence from the body.

I continue to rely on the skills and knowledge of the FNEP to assist me in many cases. Furthermore, their work is often instrumental in apprehending suspects and prosecuting defendants. This dedicated group of nurses is available to assist the Medical Examiner death investigators and myself on a 24 hour, 7 day a week basis.

Thank you for the opportunity to express my appreciation for the valued services this program provides this office and Macomb County. I would like to thank the Commissioners for your past support and hope you will continue support this valuable program.

Should you have any questions, please do not hesitate to contact me.

Sincerely yours,

Daniel J. Spitz, M.D.
Chief Medical Examiner
Macomb Community College

Macomb County Board of Commissioners
One South Main Street
9th Floor
Mount Clemens, MI 48034

30 Mar 10

This letter is in regards to Gail Lippert, RN, SANE-A, Director of the Forensic Nurse Examiner Program. Ms. Lippert has been presenting an educational/training session for Macomb Community College Nursing Students. Ms. Lippert and other nurses from the Sexual Assault Nurse Examiner Program have been sharing their extensive experience as a Forensic Nurse at Macomb Community College for several years. They have taught over 540 nursing students about the role of the nurse in sexual assault, child abuse, and domestic violence cases. Ms. Lippert and Ms. Diegal continue to be excellent role models for the nursing profession. The presentations are highly informative and they continue to demonstrate a wealth of knowledge and expertise in all these areas. The nursing students are able to identify how they would directly apply the training to every aspect of nursing and improve patient care.

Below are some of the student’s comments:

“The presentation by the forensic nurse to our nursing class was very helpful. It is a sad truth that at some point we will be faced with violence and abuse in our personal or professional life. This has made me more aware of what to expect so that I can be more compassionate, while maintaining the evidence to avoid victimizing the person further. I believe that this will help me in my nursing practice.”

“I thought this lab day was a wonderful learning experience, and an excellent way to introduce to nursing students the subject of sexual abuse and victim assault. It gave me great insight as to what it means to be a Sexual Abuse Nurse Examiner. I am thankful that I had the opportunity given to me by Macomb Community College Nursing Program, and I know the knowledge I gained from it will be brought forth and executed in my career as a nurse.”

“Just a short note to let you know that I thoroughly appreciated the presentation given by Ms. Lippert, regarding domestic violence, rape in the community, and the women’s shelter, Turning Point, as an intervention.

Yes, some of the images were very graphic, and some of the dialogue somewhat explicit, however, the reality is that these atrocities happen every two minutes in our country. It seems to me, better to see some reality-based graphic material and hear some sexually explicit language, then to continue to be ignorant of what happens every day in our world. As nurses we must be prepared to meet and treat people from all
walks of life. It may not always be easy, but if we handle each situation with compassion and professionalism, perhaps we will make some positive impact on the people we interact with on a daily basis.

Personally, I applaud Ms. Lippert for her compassion and dedication in challenging the status quo, and for persevering as a pioneer in this much needed field of nursing.

Thank you for giving us students another opportunity to learn about a subject that we wish didn’t exist, but know all too well that it impacts all of our lives at some level almost everyday, either because of something we read about or because of it happening to someone we know, or, worse yet, to someone we love.

"I just wanted to say thank you for the opportunity to be involved with the forensic lab. It was very interesting and informative. The experience will help me in my practice as an RN. Without this lab, I don’t think I would have realized the importance of protecting evidence and the impact it can have on someone’s life. It really opened my eyes and gave me some insight and perspective into forensics. It will make a difference in the way I document in the future. Proper documentation will help solve cases, protect and give justice to innocent victims."

"First and foremost I would like to thank you for arranging the SANE nurse to come in and present to the class. I think it was a valuable experience, and I learned much about the field of forensic nursing. The presentation concerning the material was very informative and listening to the nurse’s experience on the subject added a depth and realism that would have been lacking in other methods of teaching. I believe I walked away from the presentation with a firm grasp on what forensic nursing is, why it is important, and how it impacts the community."

The Macomb Community College Nursing students and faculty want to express our continued appreciation to Ms. Lippert and Ms. Diegal for this wonderful learning opportunity and feel extremely fortunate to have this resource in Macomb County. We continue to look forward to future presentations!

Sincerely,

Susan Tschirhart
Marilyn Siekierzynski
Nursing Faculty
Macomb Community College
44575 Garfield Road
Clinton Township, MI 48038
(586) 286-2032
(586) 344-7746
March 12, 2010

Macomb County Board of Commissioners
One South Main Street 9th Floor
Mount Clemens, MI 48043

Dear Commissioners,

I am writing to strongly urge you to continue supporting the Forensic Nurse Examiner Program (FNEP). This program and the dedicated staff have demonstrated over the past several years to be an invaluable asset to the Macomb County Sheriff’s Office and to the community we serve. As the Lieutenant of the Macomb County Sheriff Department Detective Bureau, I have supervised numerous cases involving criminal sexual conduct allegations. Before the program was implemented, many cases were lost in court due to a lack of evidence or evidence collected improperly in an emergency room setting. Since the program’s inception, I have seen a significant increase in the quality of evidence that is collected by the trained Forensic Nurses. Because of the efforts put forth by the FNEP, we are able to obtain the collection of evidence on adult and child victims, suspect exams and homicide cases. The FNEP was a valuable asset in both the 2007 high profile homicide cases of Grant and Kukla. The trained nurses collected trace evidence from the victim’s bodies, as well as the suspect exam in the Kukla case. The nurse’s expertise was also utilized in the 2009 homicide case of Dorothy Cezik. A guilty verdict was also attained in this case.

I continue to be impressed by the quality of evidence collected by FNEP, and it has been proven that there has been a 20% increase in guilty pleas and convictions throughout Macomb County since the program began. Officers investigating CSC cases are relieved to be able to access the FNE program day or night knowing the nurse will conduct the exam immediately and thoroughly. The nurses are also forthcoming with information they obtain during the course of the exam which can expedite the investigation. The evidence collected as well as the documentation of the exam are available immediately following the exam, which has reduced man hours and hassles of needing search warrants to obtain that information as was the case prior to FNEP.

In addition, because of the quality of care provided to the victims by the Forensics Nurses, the victims are more confident in the entire judicial system. Victims are more willing to cooperate and follow through with their complaints then in the past.
I appreciate this opportunity to express my thoughts regarding the valuable service this program offers the Macomb County Sheriff's Department and the community as well. Again, I urge for its continued support by the Board of Commissioners.

Sincerely,

D/Lt. Elizabeth Darga
Macomb County Sheriff's Office
March 24, 2010

Macomb County Board of Commissioners
One South Main Street 9th Floor
Mount Clemens, MI 48043

Dear Commissioners,

I am writing to thank you for your ongoing support of the Forensic Nurse Examiner Program (FNEP). It is my hope that you will continue to support the efforts of this outstanding program.

Over the past several years, this program and its dedicated staff have proved themselves to be an important asset to Macomb County and its citizens.

As an emergency department nurse for over ten years, I am grateful for the valuable services that the Forensic Nurse Examiner Program provides. I have taken care of patients who have been sexually violated and understand the need for these vital services and emotional support that the Forensic Nurse Examiner Program provides. By having a nurse who has been meticulously trained in the SANE (Sexual Assault Nurse Examiner) Program and specializes in sexual assault cases in the emergency department, the victims can be reassured that they are getting a thorough and timely examination by a specially trained compassionate professional. In the emergency department, it is not uncommon for a victim of sexual assault to wait hours before being seen by a nurse or doctor who does not usually perform sexual assault exams.

Sexual Assault crimes are one of the most under-reported crimes in the United States as many victims feel re-victimized when reporting their assault. The Forensic Nurse Examiner Program changes those feelings by creating a response that restores the dignity of sexual assault survivors by providing immediate crisis intervention and forensic evidence collection using the most advanced equipment and skills available.

I appreciate the opportunity to express my thoughts regarding the valuable service this program offers Macomb County and the community. Again, I urge for the Board of Commissioners to continue its support for this vital program.

Sincerely,

[Signature]

State Representative Lesia Liss, R.N.
House District 28
Warren / Center Line
Our Mission
To provide programs and resources that enable victims/survivors of domestic violence, sexual assault, and homelessness to regain control of their lives.

Our Philosophy
Turning Point Inc.'s philosophy is to work toward ending the use of violence as a means of oppressing and controlling others, and endorses the concept of helping people assume power over their lives. Turning Point serves the community by educating about the dynamics of domestic violence, sexual assault and homelessness, and as a voice advocating for the people we serve.

Turning Point is dedicated to the development and promotion of model programs that address the root causes of violence, and to the enhancement of the quality of life for present and future generations. Turning Point holds the belief that all people have a right to a violence-free life.

Clothesline Project
The Clothesline Project is a visual display that bears witness to the survivors and victims of domestic violence. Since 1990, hundreds of Clothesline Projects have emerged nationwide and abroad to educate, document and raise society's awareness about these crimes of violence. The shirts depicted on the cover and the following pages were created by Turning Point clients.

Dear Friends,

Turning Point continues to make significant inroads toward our mission of helping victims/survivors of domestic violence, sexual assault, and homelessness to regain control of their lives. While there are fewer philanthropic dollars to invest in nonprofit organizations, the demand for our advocacy and counseling services steadily increases. Through the generosity of all of our donors, we were able to continue to enhance our services to the community. Here are a few examples of how donations to Turning Point are used to make a difference to our clients:

- counseling and advocacy services to 5,168 individuals
- counseling to 1,744 survivors of sexual assault
- 230 forensic exams to victims of sexual assault
- emergency shelter for 490
- education presentations to 9,993 students
- answered 13,186 crisis calls

The following pages of this report will illustrate the adversity that the organization has faced this year, discuss the changes that we have experienced, and highlight some of the key successes of the year.

It is important to mention that a key reason we were able to provide the above noted services was our dedicated and wonderful volunteers who provided over 7,500 hours of services to the organization. Our volunteers keep Second Hand Rose up and running, answer crisis calls, provide victim advocacy services through our First Response program, maintain and repair Turning Point properties, and plan/ implement several fundraising events.

Thank you to all of our generous donors, selfless volunteers, dedicated board of directors, and our committed and talented staff. Because of you, we have had another successful year despite the economic downturn. You have helped Turning Point restore the dignity and hope for survivors. With your continued assistance, we continue to work toward a community where one day our services are no longer needed.

Thank you for helping to be a major difference in many people's lives!

Suzanne Coats
President & CEO
Turning Point is here to help when times are tough. In 2008, our services helped 5,168 victims of sexual assault and domestic violence pick up the pieces. Through the following services, victims found safety, support and resources:

**Emergency Shelter and Crisis Services**

- In 2008, Turning Point provided emergency shelter services to 490 people.
- During a 30 – 40 day stay Turning Point staff help survivors develop safety plans, seek employment, look for housing, and develop the resources they need to begin again.

"I always had someone to talk to and they made me feel like family."

"I am starting to gain some independence and strength."

"Turning Point gave my son a better start."

"I have received more respect than I ever have in my life."

**Our Outcomes**

Turning Point evaluates all its programs and services. On exit evaluations, shelter residents consistently report that they have found a place where they are listened to and now have the resources and support that will profoundly change their situation.

The Shelter receives significant support from individuals and businesses in our community. From food donations to stock our pantry, diapers, formula and items for infants in our shelter, to furniture, bedding and more. This past holiday season, dozens of businesses held collection drives for items from our agency "Wish List," generating a stockpile of necessary items for shelter use throughout the year.

**Crisis Line**

In 2008, Turning Point received 13,186 crisis calls related to domestic violence, homelessness, sexual assault, and other critical situations. The crisis line is available 24 hours a day, seven days a week and offers immediate crisis intervention, information, and referrals to survivors of domestic violence and sexual assault. The Language Line, funded in part by a grant from The Chrysler Foundation, provides interpreter services so the language that a caller speaks is not a barrier to receiving the services that the client needs.
Youth and Family Services

Children's services are offered to provide support and education for the youth in Turning Point's shelter and through its outreach services. The program reduces the children's trauma, increases their safety, and helps them regain their power. The MGM Voice Foundation provided significant support to our Youth and Family program.

Children entering the shelter are provided with crisis intervention, safety planning, and tutorial assistance with school work, recreation opportunities and support groups. The program also provides child care for moms attending appointments. Children also have access to a computer lab for homework and fun games. A total of 940 children were served at Turning Point last year. Over 205 children stayed at Turning Point’s shelter in 2008 and were provided the following services:

- 1,955 hours of child/parent counseling
- 1,816 hours of recreation activities: 106 field trips for families
- 5,300 hours of child care
- 2,813 units of transportation
- 232 hours of different group meetings
- 102 hours of participation in mom chat groups

Support Services

Support Services provides individual and group counseling to adult, adolescent and child survivors of domestic and sexual violence. Counseling services are evaluated by how survivors have increased their feelings of control over their emotions and their life. Nearly 100% of domestic violence and sexual abuse survivors report feeling that they are more in control of their life since beginning counseling, that they have a better understanding of the natural reactions to their situations, and that they would recommend our services if someone were considering calling Turning Point.

"I have learned to take control of my own life and have become a stronger person.

"I get much more out of this group than I ever thought possible.

"It’s a resource of valuable knowledge, information and inspiration.”
Turning Point works to provide a safety net for domestic and sexual violence survivors. We are a strong force for change through our education and advocacy efforts. Turning Point has built a multi-faceted approach to ending the cycle of violence in families; creating the community change necessary to support victims and to promote the outcome of justice.

**Legal Advocacy**

Legal advocacy services are provided to help navigate the legal challenges that survivors often face. Our legal advocate provides court accompaniment, legal information and crisis support to our clients. A total of 886 survivors were served, and approximately 659 crisis calls were handled in 2008. Turning Point has sustained a solid partnership with Lakeshore Legal Aid for attorney consultation and representation for survivors.

**Personal Protection Order Office**

Our personal protection order office helps survivors with every aspect of obtaining personal protection orders (PPO's) to help protect them from their abusers. In 2008, over 2,300 survivors were served by this department in such areas as filing PPO's, filing motions on behalf of the clients, and providing additional information, referrals, and crisis support.

**Forensic Nurse Examiner Program**

Turning Point's Forensic Nurse Examiner Program (FNEP) provides survivors of sexual assault with physical and emotional care, 24/7/365. Located in space donated by Mount Clemens Regional Health Center, the program provides a specially trained nurse and crisis advocate to respond to and treat adult and child victims of sexual assault. Last year, FNEP nurses performed 230 forensic exams, testified in criminal trials, and educated law enforcement and health care professionals on their role in the coordinated community response to sexual assault. FNEP will celebrate its 10th anniversary of providing a vital service to the community in the fall of 2008.

"When I walked in the door it was the first time I felt safe. It was the first time I felt like I wasn't being violated more. I was kind of struck because I wasn't scared." - FNEP Client
Community Education

Educating the community about the issues surrounding domestic violence and sexual assault is an important part of Turning Point’s work.

Over 1,100 individuals attended community presentations throughout the year with staff from law enforcement agencies, churches, local universities, circuit court probation, and other social service agencies in attendance. Some of the conferences and presentations made by Turning Point were:

- “Sexual Assault Nurse Examiners Training”
- “CSI for Health Care Providers”
- “Responding to and Managing the Child Sexual Assault/Abuse Patient”
- “Community Approaches to Helping Child/Teen Witnesses to Domestic Violence”

Turning Point spotlights October as Domestic Violence Awareness Month with activities designed to bring awareness on the impact that these crimes have on individuals and our community, such as “Remember My Name,” the Clothesline Project and purple ribbon campaign. April is National Sexual Assault Awareness Month, highlighted with a green ribbon campaign and “Take Back the Night,” a rally to raise community awareness and provide support to survivors and their families.

Systems Change

The mission of the Macomb County Domestic Violence Council is to develop and sustain a coordinated, broad based community response to domestic violence. The Council has representatives from law enforcement, social services, health care, courts, prosecution and other community activists. This past year, council members have been working to implement the Fatality Review Report recommendations for homicide prevention in domestic violence. The council, which is led by Turning Point’s Director of Community Development, provides a yearly community conference and monthly education opportunities. The goal is to use all available community resources to eliminate domestic violence and to support a comprehensive network of services for victims.
A Brighter Day... Working toward a day when domestic and sexual violence are no longer prevalent.

In 2008, Turning Point was chosen a “Champion in Action” by Charter One Bank for our work in violence prevention. The “Champion in Action” program is a unique initiative designed to reward one deserving non-profit organization per quarter that champion change in our communities. We are grateful to Charter One Bank for this honor that included a $25,000 contribution, promotional announcements on WXYZ TV and volunteer support for the year.

Prevention Education

Turning Point provided valuable prevention education to almost 10,000 students this year through 556 presentations.

The goal of this massive outreach is to raise awareness of the youth audience about the dynamics of sexual assault and dating violence, the resources available to them and how to respond to these issues. Through the generosity of the Allstate Foundation, the Prevention Education Department has been able to expand the program deeper into Macomb County middle and high schools, increasing the number of presentations by 20% since the previous fiscal year.

Research

Turning Point is proud to be partnering with Michigan State University (MSU) on an initiative to bring together researchers and direct service workers to collaborate on strengthening services for abuse victims. This 5 year grant funded by the National Institute of Mental Health (NIMH), is the first opportunity of its kind in the nation. Several studies are currently underway.

Our collaboration with Michigan State University produced a national study funded by the National Institute of Justice (NIJ) on the impact nurse examiner programs have had on prosecution rates for sexual assault. Researchers found that prosecution rates in Macomb County have increased significantly after Turning Point’s Forensic Nurse Examiners Program was implemented. The study will be published by NIJ next year.
Volunteers

Throughout the year, volunteers played a critical role in our agency. Our community events were successful due to their support in providing awareness about our agency and mission, providing information, offering support to survivors in our community, as well as helping build our community response to domestic and sexual violence.

We are very grateful to the over 200 Turning Point volunteers who donated nearly

14,000 hours

of service to the organization this year, a value of $136,000. The impact these volunteers have in our community is immeasurable.

Second Hand Rose Resale Shop

Established in 1982, Second Hand Rose accepts items donated by the community and then re-sells them to the public, with all proceeds supporting the work of Turning Point. Women and children in the shelter and those leaving the shelter, are given vouchers to shop for the items they need.

Second Hand Rose provided $37,146 in merchandise over the year to survivors of domestic violence and to the homeless of our community. Volunteers played a critical role, logging 7,533 hours of service in the store. In 2008, Second Hand Rose received the 1st Place Award for the “Best Thrift Store” in the Macomb Daily’s Best of the Best Readers Choice Awards.
Friends Who Make Our Work Possible

Financial donations for the period of October 1, 2007 - September 30, 2008
Through the generosity of our community, Turning Point is able to offer its services to survivors and the community free of charge.

Organizations

$10,000 and more

Allstate Foundation
Charter One Foundation
KT Family Foundation
Macomb County
McGregor Fund
Michigan State University
Rollin M. Gerstacker Foundation
The Trustmark Foundation
Verizon Foundation
Wexzere Family Foundation
Zonta International - Club of Macomb

$5,000 - $9,999

Aline Underhill Orten Foundation, Inc.
The Chrysler Foundation
Compuware
EB Foundation
The Elizabeth, Allan, & Warren Sheldon Foundation
IF Electric Supply Corp
MGM MIRAGE Voice Foundation
Michigan Democratic State Central Committee
TCF Bank
Thompson Foundation

$2,500 - $4,999

Charity Motors, Inc.
Combined Episcopal Services Appeal
Community Choice Michigan
Macomb County Medical Society Foundation
Mount Clemens Regional Medical Center
Northpointe Community Church of Christ
Oakland University
St. George's Episcopal Church Warren
St. John Macomb Hospital
UAW Region 1 Cag
The Village Woman's Club Foundation
Warren Bank

$1,000 - $2,499

Association of Legal Administrators
Bemont Hospital
Bethel Lutheran Church
Blossom B Knitting Guild
Capital Sales Company
Chrysler Financial
Church World Service
City of Mount Clemens DDA
Dorsey Schools
DuPont Automotive Systems
Fidelity Bank

Fidelity Charitable Gift Fund
Fisher & Company
Ford Motor Company
General Dynamics Land Systems
General Electric
Honda Motor USA, Inc.
Henry Ford Macomb Hospitals
Jefferson Street Pub
JP Morgan Chase Foundation
L & T Products
Lakeshore Stokers, Inc.
Macomb County Rotary Foundation
Macomb Homeless Coalition
Maser Enterprises
Meran Chevrolet
Mt. Clemens Rotary Foundation
New Life Ambassadors for Christ Christian Church
Regina High School
Roxelle Employee Casual Day Fund
Splitting DeDecker Associates, Inc.
St. John Health System
St. Mary Queen of Creation
St. Michael Parish
St. Peter Catholic Church
Superior Essex, Inc.
Target
Tautman
United States Steel Corporation
Utica-Shelby Ins. Royalty Club
V-Day Macomb
Washington Division of URS Corporation
Without Wheelin Foundation
Women of St. Malachi
Women's Council of Realtors - Lake Pointe Chapter

$500 - $999

4690 World LLC
A&T
Bearing Burnes Auto Club Inc.
BJ Construction Services, Inc.
Blue Care Network of Michigan
Christ United Methodist Church
Comerica Bank
Community Central Bank
Custom Business Solutions
DTE Energy Foundation
Enerch Property Management
Four County Community Foundation
Grosse Pointe Memorial Church Presbyterian Women
GTJ Consulting, LLC
Harvey Rice Foundation
Humana
Huntington National Bank
Immanuel United Methodist Church
International Radiant

Jeannie Marshall Foods UK Ltd. and USA, Inc.
Kiewit Club of Mt. Clemens
Lakeview Public Schools
Land Cruiser Food and Nutrition
Leather Works
Macomb County Assn. Order of the Eastern Star
Messianic Elementary School
Michael A. Schultz & Associates
Motor City Stamping, Inc.
Mt. Clemens Masonic HI-12 Club
Peace Lutheran School
Pradko, Gallagher, & Slanec, P.C.
Presbyterian Church of Utica
Shores Technologies
Soroptimist International of Greater Macomb
St. Andrew Catholic Church
St. Paul's United Methodist Church
Ti Automotive Systems LLC
Twin's Lutheran Church School
USA Credit Union
Victors, Krause & Company, LLP
Wal-Mart Foundation

Thank you to Victims of Crime Act (VOWCA), Domestic Violence Prevention & Treatment Board (DVPTB), McGregor Fund, Macomb County Commissioners, Federal Emergency Management Act (FEMA), United Way and the local cities who support us through their Community Development Block Grants (CDBG): Warren, Sterling Heights, Clinton Township, Chesterfield Township, Romeo, and St. Clair Shores. A special thank you to all of our donors and supporters of Second Hand Rose.
Individuals

$1,000 and more

James L. Amone
Stephanie Bergeron
Laura Brocker-McGeorge
Laura Cardamone
Emily and Margaret Cardamone
Suzanne M. Charrier
Sandi Chastain
Sharon Carrimaro
Suzanne Coats
Kevin R. Cunningham
Charles and Nancy Destoff
Rod Driscoll
Carol Fagan
Barry French
Margaret A. Gamber
Anthony Gris
Frederick J. Goodell, Jr.
Roman and Dolores Halanski
Lawrence R. Russell
Catherine Feldman
Martha I. Higgins, MD
Julie A. Hoops
Dorothy A. Johnson
Lambros Kapodistrias
Lynn Kelso
David Malyszewicz
Michael and Jacqueline Malik
Joan Marie Mitchell
Neil Murphy
Frederick Nederland
Ken and Cindy Nicholson
Mary L. Oto
Margo Parker
Linda Pawlak
Donald Pekacs, Jr.
Dale Perrault
Michele Prevanzino
Nancy Robinson
Alan Rogalski
Daniel and Josephine Rousseau
Bill and Sally Shelden
Michael Stearn
Rene G. Thomas
Helene Tymam
Donald J. VanDeSteen
Ciro and Michela Vitale
Vincent Viviano
Carmen Wang
Richard Weaver
Tracy A. Yokich
At. David Zorn

$250-$499

Mark Abraham
Grace Bayer
Elaine Bazydlo
Johanna Bendkowski
Ralph and Mary Bond
David and Judy Bonier
John Borg
Sara Boucicault
Stacy Burden
Glen H. Cash
Darlene Chiapetta
Michael C. Cipplen
Barbara R. Clay
Mark and Terri Cleland
Linda A. Crum
Carolyn S. Cummins
Keith Devereaux
Nancy A. Dichtol
Vanessa R. Dibert
Michelle Dufour
Mary Ellison

$500 - $999

Mohammed Abdalboh
Janie Ashcroft-Winn
Sharon Ashley
Adam J. Bellone
Donald P. Boschi
David and Sylvia Bowman
Larry E. Bridg
Tracey Burton
Judith M. Chavis
Marcelline L. Cheng
Evelyn Chereson
Valerie Cook
Willie E. Crowley
Gary D'Alesandro
Anne DeSantis
Phil and Martha DeVirgilio
John R. Dimich, DO
Harris Driver
Adrienne Casperoni
Nancy M. Crebe
Gayle Green
Deborah Guadron
William A. Tuski
Karl Kato
Irene Keppler
Marionne Klemme
Robert and Patricia Kude
Irene Kochan
Frances Krauss
Bill and Tom Lee
Mike and Chris Lecroix
Victor T. Lorenzo
Jaime Lowensh-Bondy
Mark F. Mack
J.S. Madellon
Tom Marvon
Deborah McPeck
Theresa Minnick
Pamela M. Morley
David A. Nakat
James Pelkey
Debra Randall
Michelle L. Stuhldreter
Anthony Torre
Pet More
Anne L. Uhl
Rebecca J. Vanderheeght
Don Vermeulen
Ted Wayby
Joe and Linda Watkins
Diane Whitmer
Patricia Zarkowski

Affilate supports our Prevention Education Program

Jennifer Emerick
Marc Emmendorfer
Jim and Lori Eaton
Dennis and Denise Felker
Robert Filip
Judy Foran
Jim Fueller
Sandra Fraser
Tina Fuller
Deborah Garrett
Marti N. Gaston-Watle
Ammarie Gattari
Bonnie K. Gavinski
Sara Gfeller
Joseph Giannone
Linda M. Gontzinger
Lee Gotho
Patrick I. Grassle
Kimberly J. Green
Mark R. Greenwald
James E. Grieshaber
Scott A. Hamilton
Wendy L. Harkey
Rickey K. Harman
Rita L. Harvey-Goolsby
Jane E. Hecht
Margaret M. Hirsch
Joseph and Marian Impastato
Jefferey A. Jarema
Janet A. Jennings
Barry L. Kerska
Brent Klos
Linda Kluza
Candis Koch
Toni A. Kovale
Johann J. Kuchlbauer
Nancy Lafery
Beth D. Lapeere
Lawrence L. Lampe
Kim Lauer
Martha Macaulay
Stephen C. MacDonald
Joseph Maddole
Amir R. Malhotra
Michael and Brenda Mayer
Nola McDonald
Cathy McDowel
Laurence G. McKinney
William Messner
Laura Ann Migliore
Fred and Jennifer Miller
Patricia Modaffari
Marie D. Moore
Charter One's "Champion in Action" program provided us with temporary staff support through their Community Sabbatical Program.
STATEMENT OF ACTIVITIES

Year ended - September 30, 2008

REVENUE AND SUPPORT

<table>
<thead>
<tr>
<th></th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governmental agency contracts</td>
<td>$1,145,063</td>
<td>$0</td>
<td>$1,145,063</td>
</tr>
<tr>
<td>Investment return - net</td>
<td>(995)</td>
<td>0</td>
<td>(995)</td>
</tr>
<tr>
<td>Total Revenue</td>
<td>$1,144,068</td>
<td>0</td>
<td>$1,144,068</td>
</tr>
<tr>
<td>Support:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions</td>
<td>492,868</td>
<td>93,895</td>
<td>586,763</td>
</tr>
<tr>
<td>Second hand store sales</td>
<td>333,909</td>
<td>0</td>
<td>333,909</td>
</tr>
<tr>
<td>United Way</td>
<td>35,853</td>
<td>62,500</td>
<td>98,353</td>
</tr>
<tr>
<td>Special events</td>
<td>98,750</td>
<td>0</td>
<td>98,750</td>
</tr>
<tr>
<td>In-Kind Contributions, Second Hand Rose</td>
<td>459,849</td>
<td>0</td>
<td>459,849</td>
</tr>
<tr>
<td>Total Support</td>
<td>1,421,229</td>
<td>156,395</td>
<td>1,577,624</td>
</tr>
<tr>
<td>Net assets released from restrictions</td>
<td>151,741</td>
<td>(151,741)</td>
<td>0</td>
</tr>
<tr>
<td>Total revenue and support</td>
<td>2,717,038</td>
<td>4,654</td>
<td>2,721,692</td>
</tr>
</tbody>
</table>

FUNCTIONAL EXPENSES

Program services
- Community Development: 310,539
- SANE: 196,308
- Survivor support: 358,782
- Second hand store costs: 753,423
- Shelter: 482,288
- Total program services: 2,301,350
- Management and general: 317,254
- Special events: 18,635
- Total Functional Expenses: 2,637,260

CHANGE IN NET ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net assets, Beginning of year</td>
<td>564,073</td>
<td>564,073</td>
</tr>
<tr>
<td>NET ASSETS, End of year</td>
<td>$663,871</td>
<td>$121,896</td>
</tr>
</tbody>
</table>

FINANCIAL POSITION

<table>
<thead>
<tr>
<th></th>
<th>September 30, 2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSETS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CURRENT ASSETS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td>$62,849</td>
<td>45,361</td>
</tr>
<tr>
<td>Marketable Securities</td>
<td>0</td>
<td>64,334</td>
</tr>
<tr>
<td>Grants Receivable</td>
<td>123,429</td>
<td>155,508</td>
</tr>
<tr>
<td>Pledges Receivable</td>
<td>62,500</td>
<td>61,010</td>
</tr>
<tr>
<td>Contributed Inventory</td>
<td>55,662</td>
<td>57,278</td>
</tr>
<tr>
<td>Prepaid Expenses</td>
<td>8,335</td>
<td>8,716</td>
</tr>
<tr>
<td>TOTAL CURRENT ASSETS</td>
<td>312,758</td>
<td>355,227</td>
</tr>
<tr>
<td>FIXED ASSETS</td>
<td>935,214</td>
<td>606,968</td>
</tr>
<tr>
<td>TOTAL ASSETS</td>
<td>1,247,979</td>
<td>1,000,195</td>
</tr>
</tbody>
</table>

LIABILITIES AND NET ASSETS

|                      |                    |     |
| CURRENT LIABILITIES  |                    |     |
| Current portion of long-term debt | 118,507 | 12,894 |
| Line of Credit       | 0                  | 30,000 |
| Accounts Payable     | 45,826             | 34,137 |
| Accrued Expenses     | 71,026             | 70,567 |
| Deferred Revenue     | 38,334             | 55,480 |
| TOTAL CURRENT LIABILITIES | 268,683 | 203,028 |
| LONG-TERM DEBT       | 193,419            | 96,702 |
| Total Liabilities & Long Term Debt | 462,112 | 299,720 |
| NET ASSETS           |                    |     |
| Unrestricted         | 663,871            | 584,073 |
| Temporarily Restricted| 121,996            | 117,342 |
| TOTAL NET ASSETS     | 785,867            | 701,415 |
| TOTAL LIABILITIES & NET ASSETS | 1,247,979 | 1,000,195 |
A Letter from our Treasurer,

Turning Point continues to be a financially responsible and viable organization. In 2008, the organization's bottom line (total net assets) increased from $701,415 in 2007 to $785,867 in the fiscal year ending 2008. This increase is due primarily to an increase in property and equipment.

Turning Point's board of directors and budget & finance committee are responsible for approving the agency's budgets and monitoring agency revenue (including all community donations) and expenses. These two governance bodies review the finances of the organization on a monthly basis year-round to ensure that Turning Point continues to be a financially healthy organization.

In 2008, 87 percent of every dollar was spent directly on program related expenses. The 13% balance was allocated to management and general and fundraising expenses. These numbers demonstrate that Turning Point is careful to monitor general expenses closely and spend the vast majority of its revenue on direct programming.

I am very pleased to report that 2008 was another financially successful year for Turning Point. The support of all of our donors and volunteers continues to be the driving force that allows the organization to provide important services that aid victims/survivors of domestic and sexual violence. Thank you for continuing to advance Turning Point's mission in such a meaningful way.

Sincerely,

Sharon Ciaramitaro
Treasurer
RECYCLABLE PAPER
RESOLUTION TO receive and file the Status Report on the Prosecutor's Environmental Unit for March 2010, as submitted by Luanne Laemmerman

INTRODUCED BY: Dana Camphous-Peterson, Chairman, Health and Environmental Services Committee
CIVIL CASES (in process):

See table attached.

CRIMINAL CASES (in process):


People v Anton – MDEQ-Office of Criminal Investigation (OCI) referral. Two Counts Wetlands violation. Warrant Authorized 10/7/09. Pretrial on 11/12/09. Adjourned for discovery to 12/8/09. Adj for new attorney; final PT 1/19/10, 4IA1; Hearing on Dcf’s Motion to Dismiss 3/30/10; Def Motion Denied. Final PT 4/26/10.

People v Joseph Israel – MDEQ-Office of Criminal Investigation (OCI) referral. One Count Wetlands violations. Warrant Authorized 11/13/09. 42-1, Pretrial 1/19/10; PT adjourned to 3/16/10. Def plead guilty to wetlands violation; $1250 fine to state within 6 months.

People v Israel Brothers, Inc. – MDEQ-Office of Criminal Investigation (OCI) referral. One Count Wetlands violations. Warrant Authorized 11/13/09. 42-1, Pretrial 1/19/10; PT adjourned to 3/16/10. Case dismissed per plea agreement.


MEETINGS ATTENDED ON BEHALF OF COUNTY:

4/1/10 – Water Quality Board Subcommittee Mtg
4/9/10 – MDEQ Enforcement Meeting
4/9/10 – Water Quality Board
4/24/10 – Macomb-St. Clair Intercounty Watershed Mgmt Advisory Grp
4/25/10 – Mtg at MCHD re: St. Clair Shores PCB

Monthly Narrative: Increased coverage at District Court/general criminal and probate docket, including motion preparation and hearings. Continued coverage of DNR cases. Prepared for upcoming criminal case court dates. Updated open SWIM case status. Attended several meetings on behalf of County (see above). Attorney General contract awaiting final approval from Administration.

Future Plan: Prepare, revise and promote model environmental ordinances for adoption by cities/townships to promote Low Impact Development techniques. Continue enforcement of outstanding SWIM team cases and criminal cases in process. Continue participation in Macomb Green Page implementation and development. Attend refresher training on Environmental Litigation – scholarship awarded. Presenter at upcoming Environmental Awareness Training for Local Law Enforcement.
<table>
<thead>
<tr>
<th>Date Referred to Prosecutor</th>
<th>Civil Division/Street</th>
<th>Violation</th>
<th>Referral Source</th>
<th>Issue/Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/28/05 Clinton Twp/ Cass Avenue</td>
<td>Section 3.1 &amp; 3.4 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>Sanitary waste plumbed to storm drain discovered 1/03 through dye test. Complaint filed 12/05. Order of Consent Judgment issued 12/19/05. No compliance with Order. Letter to owner on 10/30/07 to pursue proper connection in order to avoid enforcement of Consent Order. Second letter to owner on 11/26 to contact Clinton Twp Water &amp; Sewer Dept by 12/7 to avoid enforcement. Owner contacted Clinton Twp as directed. MCPO contacted by owner's attorney. Owner and/or attorney unresponsive. Owner working with MCPO and Clinton Twp personnel regarding sewer connection. No progress by owner after several months. Letter to owner on 4/3/09 to decide remedy by 4/17/09 or MCPO will start legal action. Owner to pursue Special Assessment District with connection to sanitary sewer within 7 months; easements and SAD paperwork completed. Email to Owner to obtain petition signatures 10/28/09. Petition completed and returned to Twp; Twp waiting on permits and finishing up the contract documents.</td>
<td></td>
</tr>
<tr>
<td>12/26/05 Fraser/ 14 Mile Rd</td>
<td>Section 3.1 &amp; 3.4 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>Failing septic system. Complaint filed 9/1/06. Order to show cause 9/25/06 — no show. Bench warrant 9/06. Case dismissed by A. Jacklyn 6/13/07 - defendant allegedly complied with sewer connection/started work. MCHD confirmed that connection not made as of 10/24/07. House sold on 12/19/06 - no POS conducted because purchased through foreclosure. 30-day letter sent to new owner on 12/26/07; no compliance, formal citation sent by MCHD on 3/5/08. Enforcement letter sent 4/25/08, correction by 6/15/08; owner currently getting repair estimates; owner trying to get permission to tie into neighboring sanitary lines. MCPO in contact with City of Fraser for options. 8/26/09 — letter sent to owner from MCPO — correct violation by 8/15/09. Permit acquired 7/17/09. Owner failed to comply with repair date — MCPO to escalate enforcement again.</td>
<td></td>
</tr>
<tr>
<td>2/15/06 Clinton Twp/ Elmway Rd</td>
<td>Section 3.1 &amp; 3.4 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>Illicit connection. Property transferred to new owner who paid sewer tap and frontage fees. Enforcement letters sent to property owner. Connection to sanitary sewer allegedly begun as of 7/20/07 according to A. Jacklyn. Certificate of occupancy to be withheld until home is connected to sanitary sewer. No action until owner applies for Cert. of Occupancy from Building Dept. 6/1/09—Posted by MCHD - no unauthorized occupation of premises; Trot &amp; Twp informed of posting 8/12/09.</td>
<td></td>
</tr>
<tr>
<td>8/14/07 Omo Road/Lenox</td>
<td>Section 3.1 &amp; 3.4 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>Failing septic; wastewater is discharging to the roadside ditch. Owner has not responded to letters regarding alternate septic installation locations. Enforcement letter sent 8/23/07. MCHD confirmed that home owned by the bank; no active discharge; MCHD sent notification letter to bank of standing violation on 12/21/07. MCPO investigating procedures to notify buyers of standing violation. No action until house is transferred to new owner. House purchased by new owner; correction of violation pending; House posted by MCHD as no unauthorized occupation; permit renewed; 9/4/09 Twp notified of posting; Trot &amp; Twp informed of posting 8/12/09.</td>
<td></td>
</tr>
<tr>
<td>12/16/08 24 Mile Rd/Shelby Twp</td>
<td>Section 3.1, 3.4 &amp; 5.1 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>3/07-4/07 — complaint and investigation revealed discharge of sewage to ground. 4/5/07 — 30-day letter from MCHD requiring connection to sanitary sewer. 5/07-10/07 — owner in process of connection, but did not complete. 8/14/08 — Citation issued by MCHD for failure to comply. 11/20/09 — agreement between owner and MCPO to pump systems 3x/wk and secure means of funding by 3/4/09. Owner retained counsel and is pursuing Special Assessment District (SAD) to pay for correction. Owner to pump tanks 3x/wk and reduce water use in the meantime in exchange for delaying enforcement. Owners have implemented steps to reduce water usage and pursue SAD. 4/27/09 — Petition for sanitary and storm sewer improvements executed. Petitions accepted and Resolution adopted for SAD 8/09. Connection to sanitary sewer complete 3/2010. Still awaiting final confirmation from MCHD.</td>
<td></td>
</tr>
<tr>
<td>1/2/09 Winkler/ Harrison Twp</td>
<td>Section 3.1, 3.3 &amp; 3.4 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>9/08 — complaint and investigation revealed discharge of sewage to ground. 9/22/08 — 30-day letter from MCHD. 10/30/08 — Citation issued by MCHD for failure to comply. 11/08-12/08 — owner applied and was issued a permit, but failed to repair. MCPO to issue 10-day letter to pursue correction. Enforcement letter sent; owner in contact</td>
<td></td>
</tr>
<tr>
<td>Date Referred to Prosecutor</td>
<td>Civil Division/ Street</td>
<td>Violation</td>
<td>Referral Source</td>
<td>Issue/Status</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------------------------</td>
<td>-----------</td>
<td>----------------</td>
<td>--------------</td>
</tr>
<tr>
<td>3/25/09 Toepfer/ Warren</td>
<td>Section 3.1 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>12/08 - complaint received; raw sewage and toilet paper on ground; 10-day violation letter sent 1/2/09; Citation sent 2/9/09; water shut off by City of Warren; Warren Bldg Dept to post; site visit on 3/23/09 indicated house occupied with no posting; house for sale as of 4/10/09; house vacant since 4/1/09; Realtor contacted regarding violation. No action until house is transferred to new owner. 6/12/09 - Posted by MCHD as no unauthorized occupation of premises. City of Warren notified of posting by MCHD 8/4/09; Trot &amp; Trot informed of violation 8/12/09.</td>
<td></td>
</tr>
<tr>
<td>4/1/09 Gratiot/ Lenox</td>
<td>Section 4.1 Public Health Code</td>
<td>MCHD/ Water Quality</td>
<td>12/08 - complaint regarding damage to well casing; well determined to be improperly abandoned by unregistered well driller; well owner repaired and properly abandoned well; 3/9/09 unregistered well driller notified of violation and fines. Driller to pay $675 fine to MCHD by 5/15/09 and cease all well drilling activity until registration obtained. No compliance – escalate enforcement. Driller to pay modified balance in full by 4/30/10.</td>
<td></td>
</tr>
<tr>
<td>4/8/09 Lockwood/ Washington Twp</td>
<td>Section 3.1, 3.4 &amp; 5.1 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>11/20/08 - complaint of failing septic; 12/1/08 site visit confirmed; 1/7/09 30-day violation letter sent – no response; 2/26/08 Citation sent – no response; 4/14/08 TCW owner; owner to apply for permit by 4/17/09. Permit obtained by owner. Installation to commence when weather permits. Owner has not complied with Citation. Letter to owner on 10/25/09 regarding escalated enforcement. 1/4/10 - followup letter to owner to meet with MCHD and MCPO. 1/27/10 - Mtg with owner/agreement to correct by 6/30/10. 3/17/10 – reminder letter sent to owner.</td>
<td></td>
</tr>
<tr>
<td>3/29/10 Jean Ann/ Washington Twp</td>
<td>Section 3.1, 3.4 &amp; 5.1 Sewage Code</td>
<td>MCHD SWIM Team</td>
<td>6/09 - Complaint and verification of failing septic at rental property; 6/22/09 30-day violation letter sent; 8/3/09 - Citation sent; 1/22/10 – new 30-day letter sent to new address; 2/2/10 owner stated renters would be out by end Feb 2010; 3/16/10 – house still occupied.</td>
<td></td>
</tr>
</tbody>
</table>

Key: bold text indicates latest activity.
RECYCLABLE
PAPER
The Macomb County Water Quality Board met on April 13, 2010. The two agenda items were regarding the Drinking Water Monitoring Project and the Designation of Lake St. Clair as an Area of Concern.

Funding for the Drinking Water Project will soon end. Mr. Martz reported that he is contacting the head of Homeland Security in the Department of Natural Resources and the Environment relative to additional funding. In the past, such funds allowed the expansion of the system. The Health Department has submitted grant proposals to the EPA for Great Lakes Restoration Funding and to the DNRE for Clean Michigan Funding. After discussion, the Board asked Mr. Martz to attempt to contact Detroit officials on this matter.

The Board had a lengthy discussion relative to the designation of Lake St. Clair as an Area of Concern. Such designation is necessary to obtain Legacy Act funding which could be used to remediate the PCB problem in St. Clair Shores. A possibility is to designate only the western shore and to do this by extending the boundaries of the Clinton River area of concern. The Board will continue work on this matter at the next meeting.

The Board also discussed the need for elected officials and more public members to participate in the Lake St. Clair/St. Clair River Protection and Restoration Partnership which is the local liaison group for implementation of the Lake St. Clair Management Plan under the Water Resources Development Act being carried out through the Army Corps of Engineers.
RECYCLABLE PAPER
RESOLUTION NO. ____________ MEETING DATE: ____________
AGENDA ITEM: ____________

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file the Surface Water Improvement and Monitoring (SWIM) Team report for February 2010.

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chairperson, Health and Environmental Services Committee ____________

The February 2010 Surface Water Improvement and Monitoring (SWIM) Team report summarizes surface water monitoring, bathing beach monitoring, investigatory and educational activities of the SWIM Team for the month of February 2010.

COMMITTEE/MEETING DATE

Health and Environmental Services – April 22, 2010
MACOMB COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES DIVISION
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM
MONTHLY REPORT FOR FEBRUARY 2010

**Mission:** Monitoring, educational, investigatory and enforcement activities toward achieving the goal of all Macomb County surface waters being in compliance with full body contact standards.

**Surface Water Monitoring:** 33 sampling locations were monitored this month for E. coli indicator bacteria. The monitoring for February indicates that 82% of the sampling locations show improvement over the historical February data. See the attached data summary.

**Bathing Beach Monitoring:** Monitoring for the 2010 bathing season will resume in April.

**SWIM Team Investigations:**

<table>
<thead>
<tr>
<th></th>
<th>February 2010</th>
<th>Year-To-Date Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigations Initiated</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Cases Referred to Prosecutors Office</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Investigations Resolved</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

**SWIM Team**

- Open Cases 2010: 0
- Open Cases from 2009: 21
- Open Cases from 2008: 5
- Open Cases from 2007: 3
- Open Cases from 2006: 2
- Open Cases from 2005: 2
- Open Cases from 2004: 2
- Open Cases from 2003: 2

*Investigations are initiated by citizen complaint, municipal referral or as an outcome of water quality monitoring results.

**Education and Public Information:**

Sixteen Water Quality and Household Hazardous Waste Presentations were given to 427 students at the following locations:

<table>
<thead>
<tr>
<th>Grade</th>
<th>School</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>4th</td>
<td>Woodland Elementary School</td>
<td>Eastpointe</td>
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<tr>
<td>3rd</td>
<td>Alumni Elementary School</td>
<td>Roseville</td>
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<td>3rd</td>
<td>Connor Creek Academy East</td>
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</tr>
<tr>
<td>8th</td>
<td>Jefferson Middle School</td>
<td>St. Clair Shores</td>
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<tr>
<td>3rd/4th</td>
<td>MacDonald Elementary School</td>
<td>Casco</td>
</tr>
<tr>
<td>2nd &amp; 3rd</td>
<td>Crescentwood Elementary School</td>
<td>Eastpointe</td>
</tr>
<tr>
<td>4th/5th</td>
<td>MacDonald Elementary School</td>
<td>Casco</td>
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</table>
MACOMB COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES DIVISION
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM
MONTHLY REPORT FOR FEBRUARY 2010

SWIM TEAM INVESTIGATIONS

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Feb-10 Investigations Initiated</th>
<th>Feb-10 Year To Date</th>
</tr>
</thead>
<tbody>
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<td>Armada Township</td>
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<td>Bruce</td>
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<td>Center Line</td>
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<td>Chesterfield</td>
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<td>Clinton</td>
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<tr>
<td>Fraser</td>
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<td>Harrison</td>
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<tr>
<td>Lenox</td>
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<td>Richmond Township</td>
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<td>Richmond City</td>
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<td>St. Clair Shores</td>
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<td>Shelby</td>
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**Total #** | 2 | 6
### 5 HIGHEST E. COLI SURFACE WATER SAMPLING SITES
(February, 2010)

<table>
<thead>
<tr>
<th>Sample #</th>
<th>Location</th>
<th>E. coli/100 mL (Geo Mean)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sterling Relief Drain - behind Freedom Hill Park</td>
<td>4,704</td>
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<tr>
<td>2</td>
<td>Lorraine Drain at Bear Creek</td>
<td>2,748</td>
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<tr>
<td>3</td>
<td>Sweeney Drain at 15 Mile Road</td>
<td>1,780</td>
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<tr>
<td>4</td>
<td>Red Run at Utica Road</td>
<td>1,704</td>
</tr>
<tr>
<td>5</td>
<td>Bear Creek at Mound Road</td>
<td>869</td>
</tr>
</tbody>
</table>
Total all locations
Macomb County Health Department
Environmental Health Services Division
Monthly Watershed E. coli Results
02/01/2010 - 02/28/2010

Clinton River Main Branch Watershed - East

<table>
<thead>
<tr>
<th>Sample Site</th>
<th>Low</th>
<th>High</th>
<th>Geo Mean</th>
<th>Historic Monthly Mean</th>
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</thead>
<tbody>
<tr>
<td>65</td>
<td>10</td>
<td>318</td>
<td>65</td>
<td>341</td>
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<tr>
<td>67.7</td>
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<td>1780</td>
<td>1780</td>
<td>581</td>
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<td>68</td>
<td>10</td>
<td>373</td>
<td>10</td>
<td>557</td>
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<td>69</td>
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<tr>
<td>612</td>
<td>10</td>
<td>1395</td>
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<td>411</td>
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</table>

Clinton River Main Branch Watershed - West

<table>
<thead>
<tr>
<th>Sample Site</th>
<th>Low</th>
<th>High</th>
<th>Geo Mean</th>
<th>Historic Monthly Mean</th>
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<tbody>
<tr>
<td>91</td>
<td>20</td>
<td>161</td>
<td>64</td>
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<td>92</td>
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<td>54</td>
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<td>75</td>
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<td>62</td>
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<td>328</td>
<td>91</td>
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<td>75</td>
<td>131</td>
<td>1870</td>
<td>371</td>
<td>613</td>
</tr>
</tbody>
</table>
Macomb County Health Department
Environmental Health Services Division
Monthly Watershed E. coli Results
02/01/2010 - 02/28/2010

Clinton River Middle Branch Watershed

Sample Site | Low | High | Geo Mean | Historic Monthly Mean
--- | --- | --- | --- | ---
33.5 | 122 | 122 | 122 | 281
33 | 10 | 135 | 34 | 375

Clinton River North Branch Watershed - East

Sample Site | Low | High | Geo Mean | Historic Monthly Mean
--- | --- | --- | --- | ---
51 | 144 | 612 | 285 | 459
50 | 52 | 52 | 52 | 243
Macomb County Health Department
Environmental Health Services Division
Monthly Watershed E. coli Results
02/01/2010 - 02/28/2010
Clinton River North Branch Watershed - West

Sample Site | Low | High | Geo Mean | Historic Monthly Mean
---|---|---|---|---
93 | 10 | 855 | 125 | 74
52.2 | 10 | 241 | 26 | 102
52 | 10 | 358 | 59 | 288
26 | 218 | 218 | 218 | 174

Other: Salt River, Milk River, Crapeau Creek

Sample Site | Low | High | Geo Mean | Historic Monthly Mean
---|---|---|---|---
48.7 | 189 | 330 | 252 | 329
46 | 22 | 1034 | 341 | 393
### Red Run Drain/Bear Creek Watershed

<table>
<thead>
<tr>
<th>Sample Site</th>
<th>Low</th>
<th>High</th>
<th>Geo Mean</th>
<th>Historic Monthly Mean</th>
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<tr>
<td>57</td>
<td>110</td>
<td>591</td>
<td>303</td>
<td>415</td>
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<td>61</td>
<td>404</td>
<td>3255</td>
<td>889</td>
<td>1268</td>
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<tr>
<td>62</td>
<td>333</td>
<td>698</td>
<td>468</td>
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<td>65</td>
<td>94</td>
<td>7890</td>
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<td>72</td>
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<td>71</td>
<td>98</td>
<td>181</td>
<td>133</td>
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<td>55</td>
<td>548</td>
<td>18882</td>
<td>1704</td>
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### Surface Water Sampling Sites

<table>
<thead>
<tr>
<th>Sample #</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Clinton River Main Branch Watershed - EAST</strong></td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Clinton River at Moravian Road Bridge</td>
</tr>
<tr>
<td>67.71</td>
<td>Sweeney Drain at 15 Mile Road</td>
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<tr>
<td>67</td>
<td>Harrington Drain at Harrington Road</td>
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<tr>
<td>96</td>
<td>Clinton River Spillway at Shadyside Park Bridge</td>
</tr>
<tr>
<td>83</td>
<td>Clinton River at Mt. Clemens YMCA Dock</td>
</tr>
<tr>
<td>40</td>
<td>Clinton River at I-94</td>
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<tr>
<td>95</td>
<td>Clinton River at Albatross Docks</td>
</tr>
<tr>
<td>41</td>
<td>Clinton River at DNR Site</td>
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<tr>
<td>43</td>
<td>Clinton River Spillway at the Weir</td>
</tr>
<tr>
<td>61.2</td>
<td>Clinton-Harrison Relief Drain at Shook Road</td>
</tr>
<tr>
<td>42</td>
<td>Clinton River Spillway at Jefferson Avenue</td>
</tr>
<tr>
<td><strong>Clinton River Main Branch Watershed - WEST</strong></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>Stony Creek at Inwood Road</td>
</tr>
<tr>
<td>92</td>
<td>Stony Creek West Branch at Stony Creek Road</td>
</tr>
<tr>
<td>53</td>
<td>Clinton River at Dequindre Road</td>
</tr>
<tr>
<td>54</td>
<td>Clinton River at Auburn Road</td>
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<td>62</td>
<td>Clinton River at Kleino Road</td>
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<tr>
<td>75</td>
<td>Clinton River at Garfield Road</td>
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<td>69</td>
<td>Canal Drain at Clinton River Road</td>
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<tr>
<td><strong>Clinton River Middle Branch Watershed</strong></td>
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</tr>
<tr>
<td>33.5</td>
<td>Middle Branch Clinton River at Schoenherr Road</td>
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<tr>
<td>77</td>
<td>Healy Brook Drain at Romeo Plank Road</td>
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<tr>
<td>33</td>
<td>Middle Branch Clinton River at 25 Mile Road</td>
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<tr>
<td>60</td>
<td>Middle Branch Clinton River at 21 Mile Road</td>
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<tr>
<td>63</td>
<td>Middle Branch Clinton River at Heydenreich Road</td>
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<td><strong>Clinton River North Branch Watershed - EAST</strong></td>
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<tr>
<td>51</td>
<td>East Branch Coon Creek at North Avenue</td>
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<tr>
<td>34</td>
<td>Highbank Drain at 32 Mile Road</td>
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<td>50</td>
<td>East Branch Coon Creek at 30 Mile Road</td>
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<td>31</td>
<td>East Branch Coon Creek at 26 Mile Road</td>
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<td>48</td>
<td>Deer Creek at North Avenue</td>
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<td>76</td>
<td>McBride Drain at Card Road</td>
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<td>36</td>
<td>North Branch Clinton River at 21 Mile Road</td>
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<td>44</td>
<td>North Branch Clinton River at Little Street</td>
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<td>28</td>
<td>East Branch Coon Creek at Boardman Road</td>
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<td><strong>Clinton River North Branch Watershed - WEST</strong></td>
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<tr>
<td>93</td>
<td>East Pond Creek at 33 Mile Road</td>
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<td>52</td>
<td>East Pond Creek at Powell Street</td>
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<td>29</td>
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<td>North Branch Clinton River at 29 Mile Road</td>
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<tr>
<td>30</td>
<td>North Branch Clinton River at 26 Mile Road</td>
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MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
SURFACE WATER SAMPLING SITES

<table>
<thead>
<tr>
<th>Sample #</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td><strong>Other: Salt River, Milk River, Crapeau Creek</strong></td>
<td></td>
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<tr>
<td>37</td>
<td>Salt River at 29 Mile Road</td>
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<td>47</td>
<td>Salt River at Washington Street</td>
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<td>Salt River at Jefferson Avenue</td>
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<td>58</td>
<td>Milk River at Alger Street</td>
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<tr>
<td>59</td>
<td>Milk River at Clairwood Street</td>
</tr>
<tr>
<td>46.2</td>
<td>County Line Road Drainage Ditch at Hobarth Road</td>
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<td>46.3</td>
<td>Crapeau Creek at County Line Road</td>
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<td>46.6</td>
<td>Vanderberne Drain at Fox Point Street</td>
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<td>46.7</td>
<td>Crapeau Creek at Ashley Street</td>
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<td>39.1</td>
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<td>River Voss at Jefferson Avenue</td>
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<td><strong>Red Run Drain/Bear Creek Watershed</strong></td>
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<tr>
<td>57</td>
<td>Red Run Drain at Dequindre Road</td>
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<tr>
<td>35</td>
<td>Red Run Drain at Van Dyke Avenue</td>
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<tr>
<td>81</td>
<td>Bear Creek at Mound Road</td>
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<td>82</td>
<td>Bear Creek at Old 13 Mile Road</td>
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<tr>
<td>85</td>
<td>Lorraine Drain at Bear Creek</td>
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<td>84</td>
<td>Beaver Creek at Mound Road</td>
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<td>Red Run Drain at 14 Mile Road</td>
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<td>56.5</td>
<td>Schoenherr Relief Drain at Red Run Drain</td>
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<td>72</td>
<td>Sterling Relief Drain behind Freedom Hill Park</td>
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<tr>
<td>71.8</td>
<td>Plumbrock Drain at Ryan Road</td>
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<tr>
<td>71</td>
<td>Plumbrock Drain at Schoenherr Road</td>
</tr>
<tr>
<td>55</td>
<td>Red Run Drain at Utica Road</td>
</tr>
</tbody>
</table>
RECYCLABLE PAPER
RESOLUTION TO: Authorize the Health Department to apply for an M.D.N.R.E. grant in the amount of $120,000 to continue operation of the Lake Huron to Lake Erie Corridor Real-Time Drinking Water Monitoring Network.

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chairperson, Health and Environmental Services Committee

Authorize the Health Department to apply for funding in the amount of $120,000 from the Michigan Department of Natural Resources and Environment for a Clean Michigan Initiative grant that would provide for continued operation of the Lake Huron to Lake Erie Corridor Real-time Drinking Water Monitoring Network.

A 25% match is required that will be covered by the Drinking Water Protection Project and no additional staff will be required.

COMMITTEE/MEETING DATE

Health and Environmental Services – April 22, 2010
RECYCLABLE PAPER
RESOLUTION NO. ___________ MEETING DATE: ___________
AGENDA ITEM: ___________

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorize the Health Department to provide a bid of $46,725 on a
Consumer Product Safety Division contract to perform pool inspections in Macomb County
in accordance with the Virginia Graeme Baker Pool and Spa Safety Act Public Law No. 110-
140.

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chairperson, Health and
Environmental Services Committee

Authorize the Health Department to provide a bid of $46,725 on a federal government
Consumer Product Safety Division contract to perform pool drain inspections in accordance with the Virginia Graeme Baker Pool and Spa Safety Act Public Law. This law is aimed at making public pools and spas safer, securing the environment around them and educating consumers and industry on pool safety. This contract will provide funding specifically to the Health Department to conduct drain inspections of pools and spas in Macomb County. This inspection program is in addition to the State of Michigan pool and spa inspection program that is currently performed.

No match is required and no additional staff will be necessary.

COMMITTEE/MEETING DATE
Health and Environmental Services – April 22, 2010
RECYCLABLE PAPER
RESOLUTION NO. __________ MEETING DATE: ________________
AGENDA ITEM: ________________

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Approve the Health Department's 2010-11 Flu Program Plan

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chairperson, Health & Environmental Services Committee

With the Board's approval, the following plan is recommended for 2010-11:

- Take delivery in September, 2010 on 1,000 doses of flu vaccine for children 6-35 months of age and 15,000 doses of flu vaccine for older children and adults.
- Begin providing flu shots to County residents on the earliest feasible date in September or October, 2010;
- Provide flu shots at outreach clinics as requested by Commissioners, and in other locations (senior centers, community centers, etc.) as requested and as supplies permit.

Health & Environmental Services --- April 22, 2010

______________________________
MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file information from the Health Department on their plan to implement relevant portions of Public Act 188 of 2009, the "Dr. Ron Davis Smoke-Free Air Law," starting May 1, 2010.

INTRODUCED BY: Commissioner Dana Camphous-Peterson

Smoking is prohibited by Public Act 188 of 2009 in essentially all workplaces in Michigan, beginning Saturday, May 1, 2010.

Macomb County Health Department will be required to enforce the portion of the law which applies to food service establishments, including all restaurants and bars. The requirements of the law will be folded into our existing food service inspection program. Educational efforts are underway with restaurant owners and others to assure a smooth transition to a new and healthier era in Macomb County.
Michigan Smoke Free Law
Frequently Asked Questions
General Information

Beginning May 1, 2010, smoking is prohibited in most public places in Michigan. The law will cover any workplace and any food service establishment. This law covers public places, including, but not limited to, restaurants, bars, shopping malls, bowling alleys, concert halls, arenas, museums, mechanic shops, health facilities, nursing homes, education facilities, and child care centers.

Why was the law passed?

The Michigan legislature passed the Dr. Ron Davis Smoke-Free Air Law on December 10, 2009 to preserve and improve the health, comfort, and environment of the people of the state by limiting exposure to secondhand smoke. Governor Granholm signed the bill into law on December 18, 2009.

When does the law go into effect?

May 1, 2010

Will the local regulation/ordinance in my county/city/township still apply?

The Dr. Ron Davis Smoke Free Air Act will not serve as the only smoke free law in the state, but it does set forth the minimum requirements for indoor workplaces and public places where smoking is regulated and these minimum standards apply state-wide. The statewide law does the following: (1) establishes where people can smoke and where they can't if your local community is not currently covered by any city or county local law; and (2) ensures that any provisions that are weaker in your local law (compared to the state law) are now made AT LEAST AS STRONG as the statewide law.

Where are people not allowed to smoke?

Under the new law, smoking is prohibited in public places and food service establishments. A public place means an (i) enclosed indoor area owned or operated by a state or local governmental agency and used by the general public; (ii) an enclosed indoor area used by the general public and is an educational facility, a home for the aged, nursing home, hospice, or hospital long-term care unit, auditorium, arena, theater, museum, concert hall, or any other facility during the period of its use for a performance or exhibit of the arts; (iii) unless otherwise exempted, a place of employment. Place of employment means an enclosed indoor area that contains one or more work area for one or more persons employed by a public or private employer.

How are multi-unit apartment buildings and condominium buildings affected by the smoke-free law?
All indoor common areas of apartment and condominium buildings must be smoke-free as of May 1, 2010. Living units of apartment and condominium buildings are not covered by the law. However, owners of apartment and condominium buildings are free to adopt smoke-free policies for their buildings which make the entire building smoke-free, including all living units.
Workplaces

How is a place of employment defined?

A place of employment means an enclosed indoor area that contains one or more work areas for one or more persons employed by a public or private employer. Work area means a site within a place of employment at which one or more employees perform services for an employer.

Is my home office exempt from the ban?

Yes. You may smoke in a structure used primarily as the residence of the owner or lessee that is also used as an office for the owner/lessee and for no other employees is exempt from the ban.

Can I smoke in my private office in a commercial work establishment?

No.

What do business operators need to do to comply with this law?

Business operators shall prohibit smoking in areas where it is not permitted. Compliance is determined by the following:

- Clearly and conspicuously post "no smoking" signs or the international "no smoking" symbol at each entrance and in other areas where smoking is prohibited under this act. These other areas may include outdoor areas such as patios or rooftops where patrons are intended to receive service or consume food, beverages, or both.

- Removing ashtrays and other smoking paraphernalia from anywhere where smoking is prohibited. "Smoking paraphernalia" means any equipment apparatus, or furnishing that is used in or necessary for the activity of smoking.

- Informing individuals smoking in violation of this act that they are in violation of state law and are subject to penalties.

- Refusing service to an individual smoking in violation of this act.

- Asking an individual smoking in violation of this act to refrain from smoking and, if the individual continues to smoke in violation of this act, ask him or her to leave.

Where are employees or patrons permitted to smoke?

Smoking may be allowed in outdoor areas.
How should I respond if someone is smoking in my establishment?

You should politely ask the individual to stop smoking and inform them that they are in violation of the Smoke Free Law and they are subject to penalties. If the individual continues to smoke, you should refuse service to that individual and ask him or her to leave. It is recommended that you communicate this incident with your staff and log it into any tracking mechanism your establishment may have to document your actions.

How far do people have to be from a building or entrance to smoke?

The law is silent on distance requirements. However, please be advised there may be local regulations or ordinances that dictate distance requirements.

Where does signage need to be placed?

"No Smoking" signs or the international "no smoking" symbol must be clearly and conspicuously posted at all entrances to public places, food service establishments, and casinos subject to the smoke free law.

Am I required to provide my employees with a smoking break?

No. State law is silent on the issue of mandatory smoking breaks for employees.

Are hotel/motel guest rooms included in the smoke free law?

Yes. Guest rooms must be smoke free as of May 1, 2010.
Bars, Restaurants, and Other Food Service Establishments

What is a food service establishment?

A food service establishment is defined in section 1107(n) of the food law of 2000, 200 PA 92, MCL 289.1107 as: a fixed or mobile restaurant, a coffee shop, a cafeteria, short order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, nightclub, drive-in, industrial feeding establishment, private organization serving the public, rental hall, catering kitchen, delicatessen, theater, commissary, food concessions, or similar place in which food or drink is prepared for direct consumption through service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public.

Where is smoking prohibited in a restaurant?

Smoking is not allowed in any indoor area as well as outdoor areas such as patios or rooftops where patrons are intended to receive service or consume food, beverages, or both.

Where are restaurant guests or employees permitted to smoke?

Smoking may be allowed in outdoor areas where food, beverages, or both are not intended to be served or consumed.

My establishment only has a liquor license, does the smoke free law still apply to me?

Yes, your establishment is still considered a food service establishment under the Food Law Act No. 92 of 2000 as amended.

What do food service establishment operators need to do to comply with this law?

Food service establishment operators shall prohibit smoking in areas where it is not permitted. Compliance is determined by the following:

- Clearly and conspicuously post "no smoking" signs or the international “no smoking” symbol at each entrance and in other areas where smoking is prohibited under this act. These other areas may include outdoor areas such as patios or rooftops where patrons are intended to receive service or consume food, beverages, or both.

- Removing ashtrays and other smoking paraphernalia from anywhere where smoking is prohibited. "Smoking paraphernalia" means any equipment, apparatus, or furnishing that is used in or necessary for the activity of smoking.
• Informing individuals smoking in violation of this act that they are in violation of state law and are subject to penalties.

• Refusing service to an individual smoking in violation of this act.

• Asking an individual smoking in violation of this act to refrain from smoking and, if the individual continues to smoke in violation of this act, ask him or her to leave.

How should I respond if someone is smoking in my establishment?
You should politely ask the individual to stop smoking and inform them that they are in violation of the Smoke Free Law and they are subject to penalties. If the individual continues to smoke, you should refuse service to that individual and ask him or her to leave. It is recommended that you communicate this incident with your staff and log it into any tracking mechanism your establishment may have to document your actions.

How does the local regulation/ordinance affect smoking in my establishment?
Currently, local smoking ordinances and regulations do not apply to food service establishments.

How far do people have to be from my bar/restaurant to smoke?
There is no specific distance requirement that people are required to be from a food service establishment to be able to smoke. However it is recommended that smoking not be allowed at entrances or other areas that may allow smoke to infiltrate the establishment. There may be local regulations that require a particular distance smokers can be from businesses that are not licensed as food service establishments.

Where does signage need to be placed?
"No Smoking" signs or the international "no smoking" symbol must be clearly and conspicuously posted at all entrances (front, side and/or rear). Additionally, signs must be posted at other areas where smoking is prohibited which may include patios, rooftops, outdoor tables and other areas where foods and/or beverages are intended to be served and/or consumed. For mobile food units and special transitory food units, this is typically at the entrance and/or food preparation areas of the unit. Due to the varied nature of temporary food establishments, the local health departments will work with the individual vendors and festival coordinators to determine non smoking areas.

Who will provide the signage?
It is the responsibility of the food establishment to comply with the provisions of this law.
Exemptions

Are there any places that are not required to comply with the smoke free law?

Yes. Cigar bars, tobacco specialty retail stores, and the gaming floors of casinos may be granted exemptions from the smoke free law.

How can my bar become a cigar bar?

Cigar bars must file an affidavit for an exemption with the Michigan Department of Community Health on or before June 1, 2010 and must renew that exemption by January 31 of each subsequent year. The cigar bar must also meet the following requirements:

- **Gross Revenue:** The cigar bar must demonstrate that it generated 10% or more of its total gross annual income from the on-site sale of cigars and the rental of on-site humidors.

- **Physically Separated:** The cigar bar must be located on premises that are physically separated from any areas of the same or adjacent establishment in which smoking is prohibited. Physically separated means an area that is enclosed on all sides by any combination of solid walls, windows, or doors that extend from floor to ceiling. Smoke may not infiltrate into those nonsmoking areas.

- **Humidor:** The cigar bar must have an installed, on-site humidor. A humidor means an enclosure or fixture that is stationary and used for the humidification of cigars that is on the premises of the establishment.

- **No Minors:** The establishment must not allow individuals under the age of eighteen to enter during the time the cigar bar is open for business.

- **Retail:** The cigar bar must allow only the smoking of cigars on the premises that retail for over $1.00 per cigar.

- **Cigars Only:** The cigar bar must prohibit the smoking of all other tobacco products.

How can I become a Tobacco Specialty Retail Store?

Tobacco specialty retail stores must file an affidavit for an exemption with the Michigan Department of Community Health on or before June 1, 2010 and must renew that exemption by January 31 of each subsequent year. The tobacco specialty retail store must also meet the following requirements:
- **Gross Revenue:** The tobacco specialty retail store must generate 75% or more of its total gross annual income from the on-site sale of tobacco products and smoking paraphernalia.

- **Physically Separated:** The tobacco specialty retail store must be located on premises that are physically separated from any areas of the same or adjacent establishment in which smoking is prohibited. Physically separated means an area that is enclosed on all sides by any combination of solid walls, windows, or doors that extend from floor to ceiling. Smoke may not infiltrate into those nonsmoking areas.

- **No Minors:** The establishment must not allow individuals under the age of eighteen to enter during the time the tobacco specialty retail store is open for business.

**What happens if I sell my cigar bar or tobacco specialty retail store?**

Both you and the purchaser of the establishment must notify the Department of Community Health of the sale in order to update the exemption information on file. The establishment will retain its exemption for the remainder of the calendar year, but the new owner/operator must file an affidavit with the Department after January 1 but before January 31 of each subsequent year.

**What happens if I relocate my cigar bar or tobacco specialty retail store?**

You must notify the Department of Community Health of the relocation in order to update the exemption information on file.

**What are the requirements for casinos?**

The gaming areas of Detroit's three casinos are exempted from the smoke free law. Every bar, restaurant, conference room, and lobby space outside of the gaming floor will be required to be smoke free. However, state law does not govern Native American land, so smoking may be allowed at tribal casinos.

**How does the smoke free law apply to bingo halls and private clubs?**

Bingo halls are not exempt from the smoke free law. Any establishment that serves food or beverages — which requires a license from the state — cannot allow smoking, even if it only serves once a week or once a year. If clubs don't serve food or beverages, but employ at least one person, they must be smoke free.

**Is my hookah bar exempt?**

A hookah bar may qualify as a tobacco specialty retail store. A hookah bar may not have a food service license, a liquor license, or both.
Can I serve food in a tobacco specialty retail store?

A tobacco specialty retail store may sell packaged, non-potentially hazardous foods, bottled beverages, or both, in incidental amounts, such as less than five percent of gross sales. If the facility has more than 5% of their sales from packaged foods and beverages, then the facility might require a food establishment license from the Michigan Department of Agriculture and may no longer be eligible to allow smoking. Additionally, if food preparation, food service, or other related activities that would require a food service license are found at the establishment, then the facility would lose its exemption and would no longer be eligible to allow smoking.

Can customers bring food into a tobacco specialty retail store?

The owner of a tobacco specialty retail store may allow customers to bring in food for his or her personal consumption. A customer may also have food delivered to the tobacco specialty retail store for his or her personal consumption.

Can foods be catered to a tobacco specialty retail store?

No. Catering operations are an extension of a food service license and there is no smoking allowed at a food service establishment.

Where can I find the affidavits to apply for an exemption from the smoke free law?

The affidavits can be found at www.michigan.gov/smokefreelaw

What if I don’t have a Tobacco Tax License, can my tobacco specialty retail store or cigar bar apply for an exemption?

Yes. You must provide the Michigan Department of Community Health with valid proof that demonstrates you have paid all of the necessary state excise taxes on tobacco products.
Enforcement

How will the law be enforced?
If you observe or note a possible violation, please notify the owner or manager of the establishment. They are responsible for compliance and are required to direct a person who is smoking to extinguish the lighted tobacco product.

How can I file a complaint if someone is smoking in a restaurant or bar?
Information on how to file complaints will be available prior to the implementation date of May 1, 2010.

How can I file a complaint if someone is smoking in a workplace?
Information on how to file complaints will be available prior to the implementation date of May 1, 2010.

What are the specific penalties for violating the smoke free law?
Information regarding the specific penalties for violations of the law will be posted at a later date.