

**MINUTES OF THE  
COURTS AND LEGAL AFFAIRS COMMITTEE**

**TUESDAY, AUGUST 18, 2009**

At a meeting of the **Courts and Legal Affairs Committee**, held Tuesday, August 18, 2009, in the Board Room, on the 9<sup>th</sup> Floor of the Administration Building, Mount Clemens, the following members were present:

Crouchman-Chair, Carabelli, DiMaria, Doherty, Lampar, Rocca, Sauger,  
Sprys, Tocco and Gielegem (ex-officio).

There being a quorum of the committee present, Chair Crouchman called the meeting to order at 10:40 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**AGENDA**

**MOTION**

A motion was made by DiMaria, supported by Lampar, to adopt the agenda, as presented.  
**The Motion Carried.**

**MINUTES**

**MOTION**

A motion was made by Carabelli, supported by Lampar, to approve the July 14, 2009 minutes of this committee, as written. **The Motion Carried.**

**APPROVE CIRCUIT COURT PLAN FOR CRIMINAL HISTORY BACKGROUND CHECKS OF ALL EXISTING EMPLOYEES OF THE FRIEND OF THE COURT AND ACCESS & VISITATION VENDOR C.A.R.E. OF MACOMB**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY SAUGER, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE CIRCUIT COURT PLAN FOR CRIMINAL HISTORY BACKGROUND CHECKS OF ALL EXISTING EMPLOYEES OF THE FRIEND OF THE COURT AND ACCESS & VISITATION VENDOR C.A.R.E. OF MACOMB, TO BE IN COMPLIANCE WITH THE FRIEND OF THE COURT'S

COOPERATIVE REIMBURSEMENT PROGRAM CONTRACT WITH THE STATE OF MICHIGAN. THE MOTION CARRIED.

**APPROVE CIRCUIT COURT PLAN FOR CRIMINAL HISTORY BACKGROUND CHECKS OF ALL PROSPECTIVE AND NEW EMPLOYEES OF THE FRIEND OF THE COURT AND ACCESS & VISITATION VENDOR C.A.R.E. OF MACOMB**

**COMMITTEE RECOMMENDATION – MOTION**

A MOTION WAS MADE BY DiMARIA, SUPPORTED BY ROCCA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE CIRCUIT COURT PLAN FOR CRIMINAL HISTORY BACKGROUND CHECKS OF ALL PROSPECTIVE AND NEW EMPLOYEES OF THE FRIEND OF THE COURT AND ACCESS & VISITATION VENDOR C.A.R.E. OF MACOMB, TO BE IN COMPLIANCE WITH THE FRIEND OF THE COURT'S COOPERATIVE REIMBURSEMENT PROGRAM CONTRACT WITH THE STATE OF MICHIGAN. THE MOTION CARRIED.

**MONTHLY REPORTS FROM CORPORATION COUNSEL**

Mr. George Brumbaugh reported that in the last month one new lawsuit was filed involving the Public Works Department. He further reported that in July and August two lawsuits (the Burrell case and the McCarty case) were dismissed. He noted that the Dimeo case was also dismissed.

The following commissioners spoke: Lampar and Tocco.

**MOTION**

A motion was made by Doherty, supported by Sprys, to enter into Executive Session to discuss a confidential memorandum from Corporation Counsel.

A roll call vote was taken as follows:

Voting Yes were Carabelli, Crouchman, DiMaria, Doherty, Lampar, Rocca, Sauger, Sprys and Tocco. There were 9 "Yes" votes.

**The Motion Carried.**

In accordance with the motion, the committee entered into Executive Session at 10:49 a.m., with it concluding at 10:55 a.m.

**MOTION**

A motion was made by Lampar, supported by Sauger, to receive and file the monthly

reports from Corporation Counsel. **The Motion Carried.**

### **DISCUSSION REGARDING JUDGES AGREEMENT ON JAIL SENTENCING**

Chair Crouchman had copies of the jail population report from January 2008 through last month for commissioners to review. He noted that since the first of the year the number of jail beds being used has dropped; 100 or more beds short of maximum. He further noted that Judge Mark Switalski, who is Chairman of the Allocation Committee, believes there will be no problem with the judges keeping the jail population under its present capacity.

The following commissioners spoke: Sauger, Crouchman, DiMaria and Sprys.

### **ADJOURNMENT**

### **MOTION**

A motion was made by Sprys, supported by DiMaria, to adjourn the meeting at 11:04 a.m.  
**The Motion Carried.**

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Denise M. Jacks  
Committee Reporter