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MUNICIPAL GOVERNANCE - MICHIGAN

Hackel v. Macomb County Board of Commissioners

Supreme Court of Michigan - June 16, 2025 - N.W.3d - 2025 WL 1689298

County commission, in response to county executive's complaint against it for declaratory relief concerning certain matters, filed a counterclaim for declaratory relief and a writ of mandamus ordering executive to comply with Michigan's Uniform Budgeting and Accounting Act (UBAA), county charter, and particular ordinance by granting commission or its designee real-time, read-only access to the county's financial-management software to the commission's director of legislative affairs.

After dismissal of executive's initial complaint, the parties filed cross-motions for partial summary disposition of commission's counterclaim. The Circuit Court denied commission's motion, granted executive's motion, determined that the ordinance at issue unlawfully infringed on executive's authority under the charter, and dismissed all remaining claims in the counterclaim by stipulation of the parties. Commission appealed by right. The Court of Appeals affirmed. Commission sought leave to appeal.

The Supreme Court held that county ordinance requiring that executive give commission or commission's agent real-time, read-only access to county's financial-management software was a valid exercise of commission's legislative powers under county charter.

County ordinance requiring that county executive give county commission or commission's agent real-time, read-only access to county's financial-management software was a valid exercise of commission's legislative powers under county charter; charter stated that executive's management and supervisory authority could be limited as otherwise provided by charter or law, ordinance imposed a degree of restriction upon executive's control over county's information-technology and finance departments, and there was no suggestion that ordinance was otherwise in conflict with or preempted by another charter provision or state law.

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