

LIVINGSTON COUNTY BOARD OF COMMISSIONERS'
POLICY ON SETTLEMENT OF
SEPARATION AGREEMENTS AND
LETTERS OF UNDERSTANDING

RESOLUTION #2018-08-132

LIVINGSTON COUNTY, MICHIGAN

APPROVED: 08/06/2018

The Board of Commissioners (BOC) adopts the following Policy on the settlement of separation agreements and Letters of Understanding establishing the respective authority of the full Board, the Personnel Committee and the County Administrator along with the requirements for approval and reporting of separation agreements and Letters of Understanding.

1. Settlement Authority of the County Administrator and Personnel Committee.
 - A. The County Administrator shall have authority to enter into separation agreements and Letters of Understanding when the consideration paid by the County has a value of \$10,000.00 or less;
 - B. Entering into separation agreements and Letters of Understanding when the consideration paid by the County exceeds \$10,000.00 shall require the approval by a majority of the Commissioners elected and serving on the County Board of Commissioners;
 - C. The terms and conditions of all separation agreements and Letters of Understanding, regardless of the amount of consideration, shall be in a form approved by legal counsel for the County;
 - D. The County Administrator shall provide each member of the Board of Commissioners a written report, within thirty (30) days of the final signature, of all separation agreements and Letters of Understanding (e.g. department/type/amount) authorized under this Policy during the fiscal year.
2. Separation agreement and Letter of Understanding proposals which require approval by the full Board shall require the recommendation of at least one of the following: the County Administrator, the applicable Department Director, the applicable Elected Official or legal counsel for the County.
3. As used in this Policy, "consideration" shall refer to a monetary commitment on the part of the County, whether in the form of a lump sum cash payment, or compensation for services for a specified term, or individually-negotiated payments for benefits (e.g., COBRA); it excludes payments for salary and benefits previously earned and accrued by the employee (e.g., earned leave) or continued employment on the same terms as existed prior to the agreement.



APPROVED AS TO FORM FOR
COUNTY OF LIVINGSTON:
COHL, STOKER & TOSKEY, P.C.
BY: MATTIS D. NORDEJORD - 8/21/18