

# BOARD OF COMMISSIONERS

9/2/2008

304 E. Grand River Avenue, Howell, MI

7:30 PM

## AGENDA

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRESPONDENCE**
5. **CALL TO THE PUBLIC**
6. **APPROVAL OF MINUTES**
  - A. Minutes of meeting dated August 18, 2008
7. **TABLED ITEMS FROM PREVIOUS MEETINGS**

None
8. **APPROVAL OF AGENDA**
9. **REPORTS**
10. **RESOLUTIONS FOR CONSIDERATION**

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**2008-09-251** RESOLUTION TO AUTHORIZE APPOINTMENT TO THE LIVINGSTON COUNTY JURY BOARD - Board of Commissioners

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**2008-09-252** RESOLUTION AMENDING RESOLUTION NO. 2007-04-117 TO AUTHORIZE THE COUNTY OF LIVINGSTON TO PROVIDE FUNDING FOR OPERATION OF A STREAM GAGING STATION ON THE HURON RIVER IN HAMBURG TOWNSHIP - Drain Commissioner / Infrastructure & Development Committee / Finance Committee

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**2008-09-253** RESOLUTION TO AUTHORIZE THE ADVANCE OF CAPITAL REPLACEMENT FUND MONIES TO THE LIVINGSTON REGIONAL SANITARY CONSTRUCTION FUND TO COVER OUTSTANDING PROJECT EXPENSES– Drain Commissioner / Board of Public Works / Infrastructure & Development Committee / Finance Committee

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**2008-09-254** RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE 53RD DISTRICT COURT FOR INDIGENT DEFENDANTS FOR SUBSTANCE ABUSE INPATIENT AND OUTPATIENT REHABILITATIVE PROGRAMS, COUNSELING, DRUG AND ALCOHOL TESTING AND TETHERING - District Court / Public Safety Committee / Finance Committee

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**2008-09-255** RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF PROPOSAL BY THE NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES TO THE LIVINGSTON COUNTY JUVENILE COURT TO BECOME A

“MODEL COURT” - Juvenile Court / Public Safety Committee / Finance  
Committee

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**2008-09-256** RESOLUTION AUTHORIZING THE SHARING OF COST FOR THE  
MUTUAL ENTRANCE FROM GRAND RIVER INTO THE LIVINGSTON  
COUNTY EAST COMPLEX - Administration / Finance Committee

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**2008-09-257** RESOLUTION AUTHORIZING PARTICIPATION IN THE ON-CALL  
DISASTER NETWORK SUBCONTRACT AGREEMENT - Emergency Medical  
Services

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- 11. MOTION TO ACCEPT FINANCE COMMITTEE RECOMMENDATION  
FOR APPROVAL OF CLAIMS DATED AUGUST 28, 2008**
- 12. CALL TO THE PUBLIC**
- 13. ADJOURNMENT**

**NOTE:** The Call to the Public appears twice on the Agenda:  
once at the beginning and once at the end. Anyone wishing to address the Board may do so at these times.

RESOLUTION

NO: 2008-09-251

LIVINGSTON COUNTY

DATE: September 2, 2008

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 RESOLUTION TO AUTHORIZE APPOINTMENT TO THE LIVINGSTON COUNTY JURY BOARD - Board of Commissioners

**WHEREAS,** a representative's seat on the Livingston County Jury Board has been vacated; and

**WHEREAS,** the following appointments has been recommended:

**JURY BOARD**

Barbara Cox..... term expires 4/30/11

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the appointment and expiration date referenced above.

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MOVED:  
 SECONDED:  
 CARRIED:

**RESOLUTION**

**NO: 2008-09-252**

**LIVINGSTON COUNTY**

**DATE: September 2, 2008**

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**RESOLUTION AMENDING RESOLUTION NO. 2007-04-117 TO AUTHORIZE THE COUNTY OF LIVINGSTON TO PROVIDE FUNDING FOR OPERATION OF A STREAM GAGING STATION ON THE HURON RIVER IN HAMBURG TOWNSHIP – Drain Commissioner / Infrastructure & Development Committee / Finance Committee**

**WHEREAS,** The Drain Commissioner has previously provided emergency response support to residents of Hamburg Township during flooding events; and

**WHEREAS,** The Drain Commissioner’s activities have been performed on behalf of the County in the interest of protecting the public health, safety, and welfare of county residents; and

**WHEREAS,** as a part of providing emergency response support various agencies have utilized an existing gaging station on the Huron River in Hamburg Township to forecast the need for emergency response activity; and

**WHEREAS,** the County through resolution 2007-04-117, on April 26, 2007, has previously approved participation of up to \$2,967 per year in the annual funding for the gaging station; and

**WHEREAS,** the local share of the funding for the gaging station has been determined by the United States Geological Survey to be \$9600 for the calendar year September 1, 2008 to August 31, 2009; and

**WHEREAS,** the Townships of Green Oak and Hamburg have together committed two-thirds of the funding necessary to keep the gaging station operational for the 2008-2009 year; and

**WHEREAS,** the County of Livingston desires to enter into a partnership with the Townships of Hamburg and Green Oak to keep the gaging station operational and thus maintain improved accuracy for flood forecasting for future flood events.

**THEREFORE BE IT RESOLVED** the Livingston County Board of Commissioners authorizes the transfer of an amount not to exceed \$3,200 per year from the general fund as needed on an annual basis to the Township of Hamburg to maintain and operate the stream gaging station at the Huron River on Winans Lake Road in Hamburg Township.

**BE IT FURTHER RESOLVED** that the Board Chair be authorized to sign any agreements or documents as needed for this project upon review of Civil Counsel.

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO: 2008-09-253**

**LIVINGSTON COUNTY**

**DATE: September 2, 2008**

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**RESOLUTION TO AUTHORIZE THE ADVANCE OF CAPITAL REPLACEMENT FUND MONIES TO THE LIVINGSTON REGIONAL SANITARY CONSTRUCTION FUND TO COVER OUTSTANDING PROJECT EXPENSES – Drain Commissioner / Board of Public Works / Infrastructure & Development Committee / Finance Committee**

**WHEREAS,** the County of Livingston (the "County"), by resolution of its Board of Commissioners, has established a Department of Public Works for the administration of the powers conferred upon the County by Act 185 of the Michigan Public Acts of 1957, as amended ("Act 185"), which Department is administered by the Board of Public Works, under the general control of the Board of Commissioners; and

**WHEREAS,** the County of Livingston County, acting through its Department of Public Works has undertaken the construction of a sanitary sewer collection system for Hartland Township, at the behest of the Hartland Township Board; and

**WHEREAS,** project costs will exceed initial estimates by more than \$650,000; and

**WHEREAS,** Hartland Township has filed a claim in circuit court asserting its right in denying payment of project costs; and

**WHEREAS,** the Board of Public Works is obligated to pay project costs associated with its contractual obligations to contractors, attorneys, and engineers; and

**WHEREAS,** The Board of Public Works requests a loan from the General Fund in the amount of \$480,000 to cover immediate project expenses.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the advance of \$480,000 from the Capital Replacement Fund (403) to the Livingston Regional Sanitary Sewer Construction Fund-Hartland Township (868), with repayment at an interest rate equal to that presently on the bonds.

**BE IT FURTHER RESOLVED** that every effort shall be made to seek reimbursement of the County directly by Hartland Township, or through remedies made available by the intergovernmental contract and Act 185.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-09-254

LIVINGSTON COUNTY

DATE: September 2, 2008

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE 53<sup>RD</sup> DISTRICT COURT FOR INDIGENT DEFENDANTS FOR SUBSTANCE ABUSE INPATIENT AND OUTPATIENT REHABILITATIVE PROGRAMS, COUNSELING, DRUG AND ALCOHOL TESTING AND TETHERING - District Court / Public Safety Committee / Finance Committee**

**WHEREAS,** the Livingston County Board of Commissioners previously awarded \$50,000 for indigent defendants for treatment, testing and tethering; and

**WHEREAS,** the 53<sup>rd</sup> District Court, working with Community Corrections, has used \$44,143 of the \$50,000 and provided 128 defendants with services that afforded these defendants the opportunity to avoid jail via treatment, testing and tethering; and

**WHEREAS,** 96 of the 128 defendants have been successful in completing their probation and the funding has significantly contributed to the success of the defendants; and

**WHEREAS,** additional funding of \$25,000 is necessary to continue diverting indigent defendants from jail through treatment, testing and tethering; and

**WHEREAS,** this Resolution has been recommended for approval by the Public Safety Committee.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the additional funding of \$25,000 for the 53<sup>rd</sup> District Court for indigent defendants substance abuse treatment, testing and tethering for the 2008 budget year.

**BE IT FURTHER RESOLVED** that the Livingston County Board of Commissioners hereby approves a budget amendment to recognize the \$25,000 increase for the indigent defendant rehabilitation programs. Transfer \$25,000 from General Fund Contingency to General Fund Appropriations - Comprehensive Community Corrections (this will have a new zero impact on the General Fund). Amend Fund 275 - Comprehensive Community Corrections as follows:

<u>2008 Budget</u>	<u>Proposed Amendment</u>	<u>Amended Budget</u>
\$288,582	\$25,000	\$313,582

The Budgetary Status Reports showing the line-item changes for this budget amendment will be attached as part of the resolution.

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MOVED:  
SECONDED:  
CARRIED:

**RESOLUTION**

**NO: 2008-09-255**

**LIVINGSTON COUNTY**

**DATE: September 2, 2008**

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**RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF PROPOSAL BY THE NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES TO THE LIVINGSTON COUNTY JUVENILE COURT TO BECOME A “MODEL COURT” - Juvenile Court / Public Safety Committee / Finance Committee**

**WHEREAS,** the Livingston County Juvenile Court has applied to become a Model Court through the National Council of Juvenile and Family Court Judges; and

**WHEREAS,** the Livingston County Juvenile Court has been selected to become a Model Court by the National Council of Juvenile and Family Court Judges; and

**WHEREAS,** the Livingston County Juvenile Court would like to accept the offer of the National Council of Juvenile and Family Court Judges; and

**WHEREAS,** the National Council of Juvenile and Family Court Judges has federal money to cover the cost of this project; the Livingston County Juvenile Court will not be committing any monies to this project; and

**WHEREAS,** the Livingston County Juvenile Court will commit to working with the National Council of Juvenile and Family Court Judges to adopt their Resource Guidelines to improve court practice in child abuse and neglect cases; and

**WHEREAS,** the National Council of Juvenile and Family Court Judges will not expect a contract for this proposal but only a commitment from the Livingston County Juvenile Court to train with NCJFCJ staff and adopt their guidelines. The Livingston County Juvenile Court will only commit personnel to the training by NCJFCJ; and

**WHEREAS,** the Livingston County Juvenile Court has the support of community stakeholders for this proposal.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the acceptance of proposal by the National Council of Juvenile and Family Court Judges, to the Livingston County Juvenile Court to become a Model Court.

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MOVED:  
SECONDED:  
CARRIED

RESOLUTION

NO: 2008-09-256

LIVINGSTON COUNTY

DATE: September 2, 2008

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**RESOLUTION AUTHORIZING THE SHARING OF COST FOR THE MUTUAL ENTRANCE FROM GRAND RIVER INTO THE LIVINGSTON COUNTY EAST COMPLEX - Administration / Finance Committee**

**WHEREAS,** Resolution 2006-06-205 authorized the financial participation in the relocation of the Grand River driveway into the East Complex; and

**WHEREAS,** it has been determined that the responsibilities for the ongoing maintenance of the common driveway, lighting and other issues such as snow removal require an additional agreement between the parties; and

**WHEREAS,** Aldi, Inc., the commercial development to the west of the common driveway is responsible for the construction of the driveway, snow removal, on-going maintenance and replacement up to an annual cost of \$1,000 beyond which the costs will be shared with the County; and

**WHEREAS,** Livingston County currently maintains several light fixtures along the path of the current driveway as well as the lighting of a ground sign identifying the East Complex, the County will continue to pay these costs; and

**WHEREAS,** the County will also be responsible for 25% of the annual maintenance cost of the Grand River traffic signal to an upper limit of \$1,000 beyond which cost will be shared with Aldi, Inc.; and

**WHEREAS,** the County will need to provide an easement to Aldi, Inc. over that portion of the shared driveway on the County property.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the maintenance agreement and easement with the commercial development subject to the review and approval of the agreement by the County Attorney.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of County Commissioners is hereby authorized to sign the maintenance and easement agreements.

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MOVED:

SECONDED:

CARRIED:



RESOLUTION

NO: 2008-09-257

LIVINGSTON COUNTY

DATE: September 2, 2008

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**RESOLUTION AUTHORIZING AN AGREEMENT WITH AMERICAN MEDICAL RESPONSE (AMR) A SUBCONTRACTOR WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO PROVIDE ALS AMBULANCE TRANSPORT SERVICES - EMS**

**WHEREAS,** Livingston County EMS desires to participate in the on-call disaster network with the Federal Emergency Management Agency (FEMA) thru a contract with American Medical Response, Inc (AMR); and

**WHEREAS,** Livingston County EMS will be reimbursed at \$150.00 per hour per vehicle for all hours deployed; and

**WHEREAS,** the agreement shall be effective September 3, 2008 and will expire on September 3, 2013; and,

**WHEREAS,** Livingston County EMS will only be required to participate if local resources are available and it will not place a burden on EMS response to the citizens of Livingston County; and

**WHEREAS,** AMR, Inc of Greenwood Village, Colorado was awarded the contract thru FEMA to facilitate Ambulance response in the event of a declared Federal Disaster. at the rate of \$150.00 per hour per vehicle deployed for the period of September 3 2008 through September 3, 2008.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes entering into an agreement with AMR for ALS Ambulance Transport at the rate of \$150.00 per hour per vehicle deployed for the period of September 3, 2008 through September 3, 2013.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners be authorized to sign the above-referenced agreement upon review by Civil Counsel.

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MOVED:

SECONDED:

CARRIED: