

# BOARD OF COMMISSIONERS ANNUAL MEETING

10/6/2008

304 E. Grand River Ave., Howell, MI

6:30 PM

## AGENDA

- 1. CALL ANNUAL MEETING TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CORRESPONDENCE**
  - A. Bay County - Right-To-Work legislation
  - B. Huron County - Combined Sewage Overflows
  - C. Lenawee County - Safe Drinking Water
  - D. Mecosta County - Corrections Officers Compulsory Arbitration Act
- 5. CALL TO THE PUBLIC**
- 6. APPROVAL OF MINUTES**

Minutes of meeting dated September 15, 2008
- 7. TABLED ITEMS FROM PREVIOUS MEETINGS**

None
- 8. APPROVAL OF AGENDA**
  - A. Consent Agenda - Resolutions 2008-10-272 thru 276
  - B. Regular Agenda - Resolutions 2008-10-277 thru 282
- 9. REPORTS**
- 10. CONSENT AGENDA ITEMS**

\*\*\*ROLL CALL\*\*\*  
Resolutions 2008-10-272 thru 276
- 11. RESOLUTIONS FOR CONSIDERATION**

Resolutions 2008-10-277 thru 282

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**2008-10-272** RESOLUTION TO AUTHORIZE USE OF COUNTY GROUNDS REQUESTED BY HOWELL MAIN STREET PROGRAM / DOWNTOWN DEVELOPMENT AUTHORITY FOR "LEGEND OF SLEEPY HOWELL" EVENT ON 10/25/08 WITH RAIN DATE OF 10/26/08 - Board of Commissioners

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**2008-10-273** RESOLUTION TO AUTHORIZE USE OF COUNTY GROUNDS REQUESTED BY THE HOWELL AREA CHAMBER OF COMMERCE FOR FANTASY OF LIGHTS 2008 - Board of Commissioners

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**2008-10-274** RESOLUTION TO AUTHORIZE REQUEST OF USE OF COUNTY

GROUNDS BY HOWELL MAIN STREET AND DOWNTOWN  
DEVELOPMENT AUTHORITY FOR THE PURPOSE OF HOLDING  
"MERRY TUBA CHRISTMAS" CONCERT ON DECEMBER 20, 2008 - Board  
of Commissioners

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- 2008-10-275** RESOLUTION TO APPROVE APPOINTMENTS TO THE LIVINGSTON COUNTY HUMAN SERVICES COLLABORATIVE BODY - Board of Commissioners
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- 2008-10-276** RESOLUTION TO APPROVE APPOINTMENTS TO LIVINGSTON COUNTY BOARDS AND COMMISSIONS - Board of Commissioners
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- 2008-10-277** RESOLUTION REDUCING THE NUMBER OF APPOINTED INDIVIDUALS SERVING ON THE LIVINGSTON COUNTY DEPARTMENT OF PUBLIC WORKS FROM NINE MEMBERS TO SEVEN MEMBERS - Drain Commissioner / Finance Committee
- 
- 2008-10-278** RESOLUTION APPROVING THE TENTATIVE AGREEMENT BETWEEN LIVINGSTON COUNTY BOARD OF COMMISSIONERS AND THE MICHIGAN ASSOCIATION OF PUBLIC EMPLOYEES REPRESENTING 911 DISPATCHERS - Personnel Committee / Finance Committee
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- 2008-10-279** RESOLUTION AUTHORIZING THE REMOVAL AND REPLACEMENT OF THE GRAND RIVER EVERGREEN TREE BY THE HOWELL AREA CHAMBER OF COMMERCE - Administration
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- 2008-10-280** RESOLUTION AUTHORIZING THE SHERIFF DEPARTMENT AND THE COUNTY OF LIVINGSTON TO APPLY FOR AND ENTER INTO CONTRACT WITH THE STATE OF MICHIGAN, OFFICE OF HIGHWAY SAFETY PLANNING FOR THE FISCAL YEAR 2008 "DRIVE MICHIGAN SAFELY TASK FORCE" HIGHWAY SAFETY GRANT - Sheriff Department / Finance Committee
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- 2008-10-281** RESOLUTION TO AMEND RESOLUTION #2008-02-039 AUTHORIZING INCREASE OF BLANKET PURCHASE ORDER TO RKA PETROLEUM OF ROMULUS, MICHIGAN FOR DIESEL FUEL FOR BALANCE OF FISCAL YEAR 2008 AND BUDGET AMENDMENT - L.E.T.S. / Finance committee
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- 2008-10-282** RESOLUTION TO PURCHASE ALARIS MEDSYSTEM III INFUSION PUMPS - EMS / Finance Committee
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- 12. CLOSED SESSION**  
Pending Drain Litigation  
(No attachment)
- 13. MOTION TO ACCEPT FINANCE COMMITTEE RECOMMENDATION FOR APPROVAL OF CLAIMS DATED SEPT. 24, 2008**
- 14. CALL TO THE PUBLIC**

**15. RECESS ANNUAL MEETING**

**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: 2008-10-272**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION TO AUTHORIZE USE OF COUNTY GROUNDS REQUESTED BY  
HOWELL MAIN STREET PROGRAM / DOWNTOWN DEVELOPMENT AUTHORITY FOR  
“LEGEND OF SLEEPY HOWELL” EVENT ON 10/25/08 WITH RAIN DATE OF 10/26/08 -  
Board of Commissioners**

**WHEREAS,** the Howell Main Street Program and Downtown Development Authority have requested use of Livingston County grounds, specifically the Courthouse lawn and amphitheater, on October 25, 2008, with Rain Date of October 26, 2008, from 11:00 am – 11:00 pm for their “Legend of Sleepy Howell” event.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the request by the Howell Main Street Program and Downtown Development Authority to use County grounds, specifically the courthouse lawn and amphitheater, on October 25, 2008, with Rain Date of October 26, 2008, from 11:00 am – 11:00 pm, for their “Legend of Sleepy Howell” event which includes several Halloween events including a pet costume contest in the amphitheater area.

**BE IT FURTHER RESOLVED** that requested use of county grounds will be in accordance with current county policy.

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MOVED:  
SECONDED:  
CARRIED:

**RESOLUTION**

**NO: 2008-10-273**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION TO AUTHORIZE USE OF COUNTY GROUNDS REQUESTED BY THE  
HOWELL AREA CHAMBER OF COMMERCE FOR FANTASY OF LIGHTS 2008 -  
Board of Commissioners**

**WHEREAS,** the Howell Chamber of Commerce has requested use of Livingston County grounds on Friday, November 28, 2008, for its annual Fantasy of Lights activities for the 2008 season.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the request for use of County grounds by the Howell Area Chamber of Commerce for the Fantasy of Lights activities on November 28, 2008, 8:00 a.m. - 9:00 p.m. Specific areas of use include:

- \* Amphitheater & Courthouse lawn for tree lighting ceremony and pre-parade activities;
- \* Administration Building parking lot for handicap parking and viewing of the parade;
- \* Use of two small parking lots north of the courthouse building for event activities;
- \* Use of North Street Garage to park school buses to re-load marching band participants after the parade.

**BE IT FURTHER RESOLVED** that requested use of county grounds will be in accordance with current county policy.

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MOVED:  
SECONDED:  
CARRIED:

**RESOLUTION**

**NO: 2008-10-274**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION TO AUTHORIZE REQUEST OF USE OF COUNTY GROUNDS BY HOWELL MAIN STREET AND DOWNTOWN DEVELOPMENT AUTHORITY FOR THE PURPOSE OF HOLDING “MERRY TUBA CHRISTMAS” CONCERT ON DECEMBER 20, 2008 - Board of Commissioners**

**WHEREAS,** the Howell Main Street and Downtown Development Authority have requested use of Livingston County grounds, specifically the Courthouse Lawn and Amphitheater, on December 20, 2008, from 11:00 am to 8:00 pm for their “Merry Tuba Christmas” event.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the request by the Howell Main Street and Downtown Development Authority to use County grounds, specifically the Historical Courthouse lawn and amphitheater, on December 20, 2008, from 11:00 am to 8:00 pm for their “Merry Tuba Christmas” event.

**BE IT FURTHER RESOLVED** that requested use of county grounds will be in accordance with current county policy.

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO:**

**2008-10-275**

**LIVINGSTON COUNTY**

**DATE:**

**October 6, 2008**

**RESOLUTION TO APPROVE APPOINTMENTS TO THE LIVINGSTON COUNTY HUMAN SERVICES COLLABORATIVE BODY - Board of Commissioners**

**WHEREAS,** the term(s) of representative(s) on the Human Services Collaborative Body have expired and/or seats have been vacated; and

**WHEREAS,** the following appointment(s) have been recommended:

**HUMAN SERVICES COLLABORATIVE BODY**

- Maggie Jones .....Term expires 09/30/11 (Board of Commissioners)
- Pamela McConeghy ..... Term expires 09/30/11 (Business)
- Erica Karfonta ..... Term expires 09/30/11 (For Profit or Non-Profit Representative)
- Linda Herbert ..... Term expires 09/30/11 (For Profit or Non-Profit Representative)
- Anita Gibson ..... Term expires 09/30/11 (County Resident)
- Doug Britz ..... Term expires 09/30/09 (For Profit or Non-Profit Representative /  
(fill unexpired term for David Linkszt)

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

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO: 2006-10-276**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION TO APPROVE APPOINTMENTS TO LIVINGSTON COUNTY BOARDS AND COMMISSIONS - Board of Commissioners**

**WHEREAS,** the terms of representative seats on various Livingston County Boards and Commissions have expired and/or been vacated; and

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

**BUILDING AUTHORITY**

Aaron Walker ..... term expires 10/15/11

Dianne Hardy ..... term expires 10/15/11

**BUILDING CONSTRUCTION BOARD OF APPEALS**

Andrew Kraft ..... term expires 8/31/10

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby

approves the appointments and expiration dates referenced above.

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MOVED:

SECONDED:

CARRIED:



**RESOLUTION**

**NO: 2008-10-277**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION REDUCING THE NUMBER OF APPOINTED INDIVIDUALS SERVING ON THE LIVINGSTON COUNTY DEPARTMENT OF PUBLIC WORKS FROM NINE MEMBERS TO SEVEN MEMBERS - Drain Commissioner / Finance Committee**

**WHEREAS,** a Resolution of the Livingston County Board of Commissioner adopted April 17, 1969 established the Department of Public Works; and

**WHEREAS,** the Livingston County Department of Public Works (LCDPW) operates under the authority of Act 185 of 1957; and

**WHEREAS,** the purpose of the LCDPW is to construct and operate such facilities as water, sewer, and refuse systems, lake improvements and erosion control systems; and

**WHEREAS,** currently a nine-member Board of Public Works (BPW) governs the LCDPW, which is administered through the Office of the Livingston County Drain Commissioner, and the Drain Commissioner serves as its Director; and

**WHEREAS,** currently there are two vacant seats on the BPW with the recent resignations of Martin Belser and Rolly Olney II and at the August 7, 2008 meeting of the LCDPW, the BPW authorized the Director to submit a resolution to the Livingston County Board of Commissioners recommending the Board of Public Works change from a 9 (nine) permanent member Board to a 7 (seven) member Board; and

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes that the Board of Public Works change from a 9 (nine) permanent member Board to a 7 (seven) permanent member Board,

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO: 2008-10-278**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION APPROVING THE TENTATIVE AGREEMENT BETWEEN LIVINGSTON COUNTY BOARD OF COMMISSIONERS AND THE MICHIGAN ASSOCIATION OF PUBLIC EMPLOYEES REPRESENTING 911 DISPATCHERS - County Administration / Finance Committee**

**WHEREAS,** negotiations have resulted in a tentative agreement between the Livingston County Board of Commissioners and the Michigan Association of Public Employees (hereinafter referred to as "MAPE"), for the period of 1/1/08 through 12/31/10; and

**WHEREAS,** the 911 Dispatchers have ratified the tentative agreement; and

**WHEREAS,** the modifications to the agreement are consistent with Board policy concerning wages and benefits; and

**WHEREAS,** the approval of the tentative agreement by the Board of Commissioners is the final action needed to execute this agreement.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the agreement reached with the MAPE and the Livingston County Board of Commissioners for the period of 1/1/08 through 12/31/10.

**BE IT FURTHER RESOLVED** that the Chair of the Board of Commissioners is authorized to sign all contracts necessary to effectuate this agreement.

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**MOVED:**

**SECONDED:**

**CARRIED:**

**RESOLUTION**

**NO: 2008-10-279**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION AUTHORIZING THE REMOVAL AND REPLACEMENT OF THE GRAND RIVER EVERGREEN TREE BY THE HOWELL AREA CHAMBER OF COMMERCE - Administration**

**WHEREAS,** the mature evergreen tree located between the Old Court House and the Administration Building showing signs of disease and distress; and

**WHEREAS,** this tree has traditionally been decorated as part of the City of Howell Holiday decorations; and

**WHEREAS,** the Howell Area Chamber of Commerce has approached the County with a request to remove and replace the evergreen tree at no cost to the County; and

**WHEREAS,** the Infrastructure and Development Committee has reviewed this request and agreed with the need to replace the tree; and

**WHEREAS,** although an alternative location was sought, it has been concluded that changing the location is not feasible.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the removal and replacement of the Grand River Evergreen tree by the Howell Area Chamber of Commerce subject to the direction and instructions of the Chairman of the Infrastructure & Development Committee.

**BE IT FURTHER RESOLVED** that Livingston County shall not participate in any cost involved with this project.

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MOVED:  
SECONDED:  
CARRIED:

**RESOLUTION**

**NO: 2008-10-280**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION AUTHORIZING THE SHERIFF DEPARTMENT AND THE COUNTY OF LIVINGSTON TO APPLY FOR AND ENTER INTO CONTRACT WITH THE STATE OF MICHIGAN, OFFICE OF HIGHWAY SAFETY PLANNING FOR THE FISCAL YEAR 2008 “DRIVE MICHIGAN SAFELY TASK FORCE” HIGHWAY SAFETY GRANT – Sheriff Dept. / Finance**

**WHEREAS,** The Livingston County Sheriffs’ Department has been invited to participate in the FY 2009 Highway Traffic Safety Enforcement Grant titled “Drive Michigan Safely Task Force” offered by the State of Michigan, Office of Highway Safety Planning. Livingston County has been selected based on an analysis of fatal and serious injury traffic crash data; and

**WHEREAS,** The County of Livingston will be receiving up to \$69,000.00 for directed overtime traffic patrols during the grant period beginning October 1, 2008 through September 30, 2009. The Livingston County Sheriff Department will be administering a cooperative effort with Hamburg Township Police Department, Brighton City Police Department and the Fowlerville Police Department focusing on alcohol related offenses, intersection traffic violations, occupant restraint violations, youth alcohol enforcement, child seat safety and bicycle safety; and

**WHEREAS,** the Livingston County Sheriff Department will be working in conjunction with Hamburg Township Police Department, Brighton City Police Department and the Fowlerville Police during the grant period. As in past years’ involvement, the Sheriff Department will be identified as the lead agency and will be responsible for fulfilling the grant requirements including the disbursement of funds received.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the submission of application to enter into a contract with the State of Michigan, Office of Highway Safety Planning wherein Livingston County will receive a maximum of \$69,000.00 in State reimbursement funds effective October 1, 2008 through September 30, 2009.

**BE IT FURTHER RESOLVED** that the Chairman of the Livingston County Board of Commissioners be authorized to sign the above referenced application and any subsequent grant documents upon review and approval of civil counsel.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-10-281

LIVINGSTON COUNTY

DATE: October 6, 2008

**RESOLUTION TO AMEND RESOLUTION # 2008-02-039 AUTHORIZING INCREASE OF BLANKET PURCHASE ORDER TO RKA PETROLEUM OF ROMULUS, MICHIGAN FOR DIESEL FUEL FOR BALANCE OF FISCAL YEAR 2008 AND BUDGET AMENDMENT - L.E.T.S. / Finance Committee**

**WHEREAS,** the proposed amendment assures compliance with the Uniform Budgeting and Accounting Act, as amended; and

**WHEREAS,** L.E.T.S. purchases diesel fuel through the State of Michigan Extended Purchasing program from RKA Petroleum of Romulus, Michigan; and

**WHEREAS,** the 2008 budgeted amount of \$170,000 for diesel fuel is used for L.E.T.S. buses, the county Emergency Medical Services (EMS), and Airport was authorized by Resolution #2008-02-039 on February 4, 2008; and

**WHEREAS,** L.E.T.S. is requesting authorization to increase the amount by of the current blanket purchase order to RKA Petroleum by an amount not to exceed an additional \$90,000 for the delivery of diesel fuel during the balance of Fiscal Year 2008 under the State of Michigan Extended Purchasing Program bringing the total to Two Hundred Sixty Thousand Dollars (\$260,000); and

**WHEREAS,** there are sufficient funds available from the fare box and reimbursements from the Federal and State transit funding agencies.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes a increase of Ninety Thousand (\$90,000) Dollars in the current blanket purchase order for the purchase of diesel fuel under the State of Michigan Extended Purchasing Program from RKA Petroleum of Romulus, Michigan for a total amount not to exceed Two Hundred Sixty Thousand Dollars (\$260,000) for the period of January 2, 2008 through December 31, 2008 in accordance with the County Purchasing Policy.

**BE IT FURTHER RESOLVED** that there are sufficient funds available from the fare box and reimbursements from the Federal and State funding agencies.

**BE IT FURTHER RESOLVED** that the Livingston County Board of Commissioners hereby approves and adopts the following 2008 budget amendment:

Fund	Amended 2008 Budget	Proposed Budget Amendment	Proposed 2008 Amended Budget
L.E.T.S.	\$2,488,442	\$90,000	\$2,578,442

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: 2008-10-282**

**LIVINGSTON COUNTY**

**DATE: October 6, 2008**

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**RESOLUTION AUTHORIZING THE PURCHASE OF ALARIS MEDSYSTEM III INFUSION PUMPS - Emergency Medical Services / Finance Committee**

**WHEREAS,** the EMS Department is hereby requesting authorization to purchase 16 refurbished Alaris MedSystem III Infusion Pumps for the care of critical ill patients; and

**WHEREAS,** this equipment will replace the current IV Pumps and add additional pumps to allow the department to become more operationally efficient and meet the Medical Control Authority requirement for the use of IV Pumps; and

**WHEREAS,** this equipment will be purchased through Progressive Medical International per their response to the RFP from the Livingston County Purchasing Department for the total amount of \$31,200.00; and

**WHEREAS,** funding for same is available in the EMS 2008 Budget; and

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

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the purchase of 16 refurbished Alaris MedSystem III Infusion Pumps from Progressive Medical International 2460 Ash St Vista, CA 92081 at a total cost of \$31,200.00.

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MOVED:

SECONDED:

CARRIED: