

# BOARD OF COMMISSIONERS

10/5/2009

304 E. Grand River Ave., Howell, MI

7:30 PM

## AGENDA

1. **CALL ANNUAL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRESPONDENCE**
  - A. County of Oakland - Support continuation of State Fair
  - B. County of Oceana - Dp.of Agriculture remain a stand-alone department
  - C. County of Lake - Expansion of Unemployment Benefits
  - D. County of Huron - Payments to State of Michigan
5. **CALL TO THE PUBLIC**
6. **APPROVAL OF MINUTES**
  - A. Minutes of meeting dated 9/8/09
  - B. Minutes of special meeting dated 9/9/09
  - C. Minutes of meeting dated 9/23/09
7. **TABLED ITEMS FROM PREVIOUS MEETINGS**

None
8. **APPROVAL OF AGENDA**
  - A. Consent Agenda - Resolutions 2009-10-280 thru 287
  - B. Regular Agenda - Resolutions 2009-10-288 thru 303
9. **REPORTS**
10. **APPROVAL OF CONSENT AGENDA ITEMS (Roll Call)**
  - A. Consent Agenda - Resolutions 2009-10-280 thru 287
11. **RESOLUTIONS FOR CONSIDERATION:**
  - A. Regular Agenda - Resolutions 2009-10-288 thru 303

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**2009-10-280** RESOLUTION TO APPROVE APPOINTMENT TO THE LIVINGSTON COUNTY BUILDING CONSTRUCTION BOARD OF APPEALS - Board of Commissioners

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**2009-10-281** RESOLUTION TO AMEND RESOLUTION 2009-06-176 WHICH AUTHORIZED APPOINTMENTS TO LIVINGSTON COUNTY VETERANS AFFAIRS COMMITTEE - Board of Commissioners

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**2009-10-282** RESOLUTION APPROVING APPOINTMENT TO THE LIVINGSTON COUNTY VETERANS AFFAIRS' COMMITTEE - Board of Commissioners

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- 2009-10-283** RESOLUTION TO APPROVE APPOINTMENTS TO THE HUMAN SERVICES COLLABORATIVE BODY - Board of Commissioners
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- 2009-10-284** RESOLUTION TO APPOINT MEMBERS TO THE LIVINGSTON COUNTY WORKFORCE DEVELOPMENT COUNCIL - Michigan Works! / Health & Human Services Committee
- 
- 2009-10-285** RESOLUTION TO APPROVE APPOINTMENT TO THE COMMUNITY MENTAL HEALTH AUTHORITY - Board of Commissioners
- 
- 2009-10-286** RESOLUTION TO AUTHORIZE REQUEST TO USE COUNTY GROUNDS FOR THE 26th ANNUAL FANTASY OF LIGHTS PARADE – Building Services
- 
- 2009-10-287** RESOLUTION TO AUTHORIZE REQUEST TO USE COUNTY GROUNDS FOR THE LEGEND OF SLEEPY HOWELL – Building Services
- 
- 2009-10-288** RESOLUTION TO APPROVE APPOINTMENTS TO THE LIVINGSTON COUNTY BOARD OF CANVASSERS – Board of Commissioners
- 
- 2009-10-289** RESOLUTION AUTHORIZING THE LIVINGSTON ESSENTIAL TRANSPORTATION SERVICE (L.E.T.S) DIRECTOR TO ACT ON BEHALF OF THE LIVINGSTON COUNTY BOARD OF COMMISSIONERS TO FILE AND MONITOR GRANT APPLICATIONS, EXECUTE AGREEMENTS AFTER AUTHORIZATION FROM BOARD OF COMMISSIONERS, AND DRAW DOWN FEDERAL TRANSIT ADMINISTRATION FUNDS BY USE OF AN ELECTRONIC PIN - L.E.T.S. / General Government
- 
- 2009-10-290** RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE LIVINGSTON COUNTY BOARD OF COMMISSIONERS AND MDOT THROUGH PROJECT AUTHORIZATION # 2007-0245/Z6 TO BEGIN FY 2010 SECTION 5316 JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT AS OF OCTOBER 1, 2009 - L.E.T.S. / General Government Committee / Finance Committee
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- 2009-10-291** RESOLUTION APPROVING THE CREATION OF TWO(2) PART TIME (29 HOURS PER WEEK)DRIVER POSITIONS FOR FEDERAL AND STATE JOB ACCESS AND REVERSE COMMUTE GRANT - L.E.T.S. / General Government Committee / Finance Committee
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- 2009-10-292** RESOLUTION TO AUTHORIZE AGREEMENTS WITH THE INGHAM HEALTH PLAN CORPORATION D/B/A LIVINGSTON HEALTH PLAN - Department of Public Health / Health & Human Services Committee
- 
- 2009-10-293** RESOLUTION TO AUTHORIZE INTERGOVERNMENTAL TRANSFER TO THE STATE OF MICHIGAN - Department of Public Health / Health & Human Services Committee
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- 2009-10-294** RESOLUTION TO AUTHORIZE AN AGREEMENT WITH VINA COMMUNITY DENTAL CENTER - Department of Public Health / Health & Human Services Committee
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- 2009-10-295** RESOLUTION AUTHORIZING A MAINTENANCE SERVICE AGREEMENT FOR POWER E9-1-1 CUSTOMER PREMISE EQUIPMENT (CPE) SYSTEM WITH AT&T - 911 Central Dispatch / Public Safety Committee / Finance Committee
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- 2009-10-296** RESOLUTION APPROVING THE FILLING OF A VACANT JUVENILE ATTORNEY/REFEREE POSITION IN THE 44th CIRCUIT COURT - Circuit Court / Public Safety Committee / Finance Committee
- 
- 2009-10-297** RESOLUTION TO AUTHORIZE THE APPLICATION FOR FY 2010 MICHIGAN DEPARTMENT OF COMMUNITY HEALTH (MDCH) BYRNE GRANT FUND FOR THE LIVINGSTON COUNTY ADULT DRUG COURT PROGRAM - Circuit Court / Public Safety Committee / Finance Committee
- 
- 2009-10-298** RESOLUTION TO APPROVE THE HIRING OF TWO (2) PART-TIME HARDWARE TECHNICIANS IN THE LIVINGSTON COUNTY INFORMATION TECHNOLOGY DEPARTMENT TO REPLACE THE RECENT VACANT POSITION AT THE HIRE IN RATE OF GRADE J - Information Technology / General Government Committee / Finance Committee
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- 2009-10-299** RESOLUTION FOR THE LIVINGSTON COUNTY INFORMATION TECHNOLOGY DEPARTMENT TO MIGRATE FROM GROUPWISE TO EXCHANGE - Information Technology / General Government Committee / Finance Committee
- 
- 2009-10-300** RESOLUTION FOR APPROVAL FOR THE LIVINGSTON COUNTY INFORMATION TECHNOLOGY DEPARTMENT TO DO A "BACKUP SYSTEM UPGRADE" - Information Technology / General Government Committee / Finance Committee
- 
- 2009-10-301** RESOLUTION AUTHORIZING AN ADDENDUM TO THE SUNGARD OSSI/FIREHOUSE PROJECT RESOLUTION NUMBER 2009-03-094 FOR ADDITIONAL COSTS NEEDED FOR THE SHERIFF DEPARTMENT - Information Technology / Public Safety / Finance Committee
- 
- 2009-10-302** RESOLUTION TO AMEND RESOLUTION 2009-08-262 AUTHORIZING AN AMENDMENT TO THE LEASE WITH MOTT COMMUNITY COLLEGE FOR THE MICHIGAN WORKS!,LIVINGSTON SERVICE CENTER AT THE LIVINGSTON REGIONAL M-TEC, 1240 PACKARD DR, HOWELL - Michigan Works! / Health & Human Services Committee
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- 2009-10-303** RESOLUTION AMENDING RESOLUTION #2009-09-279 WHICH AUTHORIZED THE RETENTION OF THE LAW FIRM OF GIARMARCO, MULLINS & HORTON P.C. FOR THE PURPOSE OF RESOLVING

IMPROPER FEE CHARGES BY BLUE CROSS/BLUE SHIELD OF  
MICHIGAN - County Administration

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- 12. CALL TO THE PUBLIC**
- 13. 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: 2009-10-280**

**LIVINGSTON COUNTY**

**DATE: October 10, 2009**

**RESOLUTION TO APPROVE APPOINTMENT TO THE LIVINGSTON COUNTY BUILDING CONSTRUCTION BOARD OF APPEALS - Board of Commissioners**

**WHEREAS,** the terms of representatives seats on the Livingston County Building Construction Board of Appeals have expired and/or seats have been vacated; and

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

**BUILDING CONSTRUCTION BOARD OF APPEALS**

Gary Boss.....term expires 9/30/12

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

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**MOVED:**

**SECONDED:**

**CARRIED:**

**RESOLUTION**

**NO: 2009-10-281**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

**RESOLUTION TO AMEND RESOLUTION 2009-06-176 WHICH AUTHORIZED APPOINTMENTS TO LIVINGSTON COUNTY VETERANS' AFFAIRS COMMITTEE - Board of Commissioners**

**WHEREAS,** Resolution 2009-06-176 was approved by the Livingston County Board of Commissioners on June 1, 2009; and

**WHEREAS,** on said resolution, Jennifer Atkins was appointed to the Veterans Affairs' Committee with expiration date of 5/19/15 when in fact the expiration date should reflect 12/31/11; and

**WHEREAS,** on said resolution, James Pratt was appointed to the Veterans Affairs' Committee with expiration date of 12/31/09 when in fact the expiration date should reflect 12/31/10; and

**WHEREAS,** the record should reflect the following appointments to read as follows:

**VETERANS AFFAIRS' COMMITTEE**

Jennifer L. Atkins.....term expires 12/31/11

James H. Pratt .....term expires 12/31/10

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the amendment to Resolution 2009-06-176 to reflect the corrected expiration dates as referenced above.

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MOVED:  
SECONDED:  
CARRIED:

**RESOLUTION**

**NO: 2009-10-282**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION APPROVING APPOINTMENT TO THE LIVINGSTON COUNTY VETERANS AFFAIRS' COMMITTEE - Board of Commissioners**

**WHEREAS,** the terms of representatives seats on the Livingston County Department of Veterans Affairs' Committee have expired and/or seats have been vacated; and

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

**DEPARTMENT OF VETERANS AFFAIRS' COMMITTEE**

\*Kenneth R. Berry.....term expires 12/31/09 \* *indicates new*

**WHEREAS,** this appointment has been recommended for approval by the Department of Veterans Affairs' Committee.

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

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**MOVED:**

**SECONDED:**

**CARRIED:**

**RESOLUTION**

**NO: 2009-10-283**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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

**WHEREAS,** representatives' seats on the Human Services Collaborative Body have expired and/or been vacated; and

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

**HUMAN SERVICES COLLABORATIVE BODY**

Doug Britz.....term expires 9/30/12

Patti Nowak..... term expires 9/30/12

Mark Robinson..... term expires 9/30/12

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

approves the reappointments and expiration dates referenced above.

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MOVED:  
SECONDED:  
CARRIED:



**RESOLUTION**

**NO: 2009-10-284**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION TO APPOINT MEMBERS TO THE LIVINGSTON COUNTY WORKFORCE DEVELOPMENT COUNCIL - Michigan Works! / Health & Human Services Committee**

**WHEREAS,** Terms of seven members of the Livingston County Workforce Development Council expired on June 30, 2009, and

**WHEREAS,** Nominations for these positions have been solicited in accordance with provisions of the Workforce Investment Act (WIA), Michigan Department of Energy, Labor and Economic Growth (MDLEG) policy and WDC Bylaws; and

**WHEREAS,** The WDC Executive Committee of the Livingston County Workforce Development Council has reviewed said nominations; and

**WHEREAS,** The WDC Executive Committee is recommending re-appointment of the following current members to the Workforce Development Council:

<b>Trevor Brooks,</b> Brooks Business Enterprises	Private	3 year - Term ends 6/30/12
<b>Rick Currie,</b> Vantage H.R., LLC	Private	3 year - Term ends 6/30/12
<b>Sharon Sutis,</b> AFLAC	Private	3 year - Term ends 6/30/12
<b>Gary Hellmer,</b> IBEW Local 58	Organized Labor	3 year - Term ends 6/30/12
<b>Erica Karfonta,</b> Oakland- Livingston Human Service Agency	Community-Based Organization	3 years - Term ends 6/30/12

**WHEREAS,** The WDC Executive Committee is also recommending appointment of the following individuals to the Workforce Development Council indicated below:

<b>Charles Fuqua,</b> Transtar Autobodies	Private	3 year - Term ends 6/30/12
<b>Lauren Wilson,</b> Hatch Stamping Co.	Private	3 year - Term ends 6/30/12

**WHEREAS,** The WDC Executive Committee is recommending reappointment of the following individuals as alternates on the Workforce Development Council:

<b>Beverly Mostowy,</b> Oakland- Livingston Human Service Agency	Community-Based Organization	3 years - Term ends 6/30/12
<b>Tim Hutchins,</b> IBEW Local 58	Organized Labor	3 years - Term ends 6/30/12

**WHEREAS,** The WDC Executive Committee is recommending appointment of the following individuals as alternates on the Workforce Development Council:

<b>Tim Cornelius,</b> Transtar Autobodies	Private	3 year - Term ends 6/30/12
<b>Arvel Wooten,</b> Hatch Stamping Co.	Private	3 year - Term ends 6/30/12
<b>Karen Groth,</b> Communication Access Center for the Deaf and Hard of Hearing	Community-Based Organization	3 years - Term ends 6/30/12

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby appoints the  
Workforce Development Council members and alternates, with the terms and representative  
seats as outlined above.

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MOVED:  
SECONDED:  
CARRIED:



**RESOLUTION**

**NO:**

**2009-10-286**

**LIVINGSTON COUNTY**

**DATE:**

**October 5, 2009**

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**RESOLUTION TO AUTHORIZE REQUEST TO USE COUNTY GROUNDS FOR THE 26th ANNUAL FANTASY OF LIGHTS PARADE – Building Services**

**WHEREAS,** Howell Area Chamber of Commerce has requested the use of County grounds, specifically the Courthouse Lawn and Amphitheater, the Courthouse and Administration Building Parking Lots, and the North Street Garage parking lot, for the purpose of holding the Fantasy of Lights Parade on Friday, November 27, 2009, from 8:00 am to 9:00 pm.

**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 purpose of holding the event Fantasy of Lights Parade on Friday, November 27, 2009, from 8:00 am to 9:00 pm.

**BE IT FURTHER RESOLVED** that requested use of county grounds will be in accordance with existing county policy at the time of the event.

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**MOVED:**

**SECONDED:**

**CARRIED:**

**RESOLUTION**

**NO: 2009-10-287**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION TO AUTHORIZE REQUEST TO USE COUNTY GROUNDS FOR THE LEGEND OF SLEEPY HOWELL – Building Services**

**WHEREAS,** City of Howell/Howell Main Street has requested the use of County grounds, specifically the Courthouse Lawn and Amphitheater, for the purpose of holding the event the Legend of Sleepy Howell on Saturday, October 24, 2009, from 1:00 pm to 10:00 pm, with a backup rain date on Sunday, October 25, 2009 from 1:00 pm to 10:00 pm.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the request for use of County grounds by the City of Howell/Howell Main Street, for the purpose of holding the event the Legend of Sleepy Howell on Saturday, October 24, 2009, from 1:00 pm to 10:00 pm, with a backup rain date on Sunday, October 25, 2009 from 1:00 pm to 10:00 pm.

**BE IT FURTHER RESOLVED** that requested use of county grounds will be in accordance with existing county policy at the time of the event.

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**MOVED:**

**SECONDED:**

**CARRIED:**

**RESOLUTION**

**NO: 2009-10-288**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

**RESOLUTION TO APPROVE APPOINTMENTS TO THE LIVINGSTON COUNTY BOARD OF CANVASSERS – Board of Commissioners**

**WHEREAS,** the terms of Democratic representative Ruth E. Munzel and Republican representative J. Paul Sobonya on the Livingston County Board of Canvassers expire on October 31, 2009; and

**WHEREAS,** the Livingston County Board of Commissioners have voted by official ballot on candidates which represent the Democratic Party and the Republican Party for four-year terms on the Board of Canvassers and submitted these ballots to the Livingston County Clerk for count; and

**WHEREAS,** as a result of the votes cast by the Board of Commissioners, the following appointments have been designated:

**LIVINGSTON COUNTY BOARD OF CANVASSERS**

Democrat: \_\_\_\_\_ term expires 10/31/13

Republican: \_\_\_\_\_ term expires 10/31/13

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

approves the appointments of Democrat \_\_\_\_\_

and Republican \_\_\_\_\_ to the Livingston County Board of

Canvassers for four-year terms expiring October 31, 2013.

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**MOVED:  
SECONDED:  
CARRIED:**

RESOLUTION

NO: 2009-10-289

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION AUTHORIZING THE LIVINGSTON ESSENTIAL TRANSPORTATION SERVICE (L.E.T.S.) DIRECTOR TO ACT ON BEHALF OF THE LIVINGSTON COUNTY BOARD OF COMMISSIONERS TO FILE AND MONITOR GRANT APPLICATIONS, EXECUTE AGREEMENTS AFTER AUTHORIZATION FROM BOARD OF COMMISSIONERS, AND DRAW DOWN FEDERAL TRANSIT ADMINISTRATION FUNDS BY USE OF AN ELECTRONIC PIN – L.E.T.S. / General Government Committee / Finance Committee**

**WHEREAS,** the Livingston County Board of Commissioners approved resolution number 703-216, dated July 7, 2003 to become a “Designated Recipient” of funds directly from the Federal Transit Administration (FTA) for L.E.T.S.; and

**WHEREAS,** the Livingston County Board of Commissioners at that time did not authorize the Director of the Livingston Essential Transportation Service (L.E.T.S.) to act on its behalf to file and monitor grant applications, execute agreements after authorization from Board of Commissioners, and use an electronic PIN to authorize such agreements and activities including being able to draw down funds for reimbursement of operating and capital expenses spent by L.E.T.S.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the Director of the Livingston Essential Transportation Service (L.E.T.S.) to act on its behalf as a delegate with the Federal Transit Administration (FTA) to file and monitor grant applications, execute agreements after authorization from Board of Commissioners, and use an electronic PIN to authorize such agreements and activities including being able to draw down funds for reimbursement of operating and capital expenses spent by L.E.T.S.

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO: 2009-10-290**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE LIVINGSTON COUNTY BOARD OF COMMISSIONERS AND MDOT THROUGH PROJECT AUTHORIZATION # 2007-0245/Z6 TO BEGIN FY 2010 SECTION 5316 JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT AS OF OCTOBER 1, 2009 - L.E.T.S. / General Government Committee / Finance Committee**

**WHEREAS,** the Michigan Department of Transportation has issued a project authorization (# 2007-0245/Z6) to access Federal Transit Administration (FTA) grant # MI-37-X037 and MDOT funds for the purpose of an awarded FY 2010 Section 5316 Job Access and Reverse Commute (JARC) grant; and

**WHEREAS,** the grant will provide \$75,000 in capital for one (1) new small bus (80% - 20% split between Federal and State funds respectively) and \$100,000 in service operation funds paid 50% - 50% between Federal and State funds with no local or fare box match; and

**WHEREAS,** the grant is for FY 2010 and will run from October 1, 2009 through September 30, 2010 and if successful LETS can apply every year until the grant is no longer available at which time all expenses including any personnel hired specifically for the JARC grant will be terminated.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby hereby approves the contract with MDOT, project authorization #2007-0245/Z6 in an amount not to exceed \$100,000 in service operations and \$75,000 in capital for the purchase of one (1) small transit bus for the Job Access and Reverse Commute (JARC) grant

**BE IT FURTHER RESOLVED** that the Livingston County Board of Commissioners authorizes the Board Chair to sign said project authorization once recommended as to form by James Dunn, Legal Counsel for L.E.T.S.

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**MOVED:**

**SECONDED:**

**CARRIED:**



**RESOLUTION**

**NO: 2009-10-291**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION APPROVING THE CREATION OF TWO (2) PART TIME (29 HOURS PER WEEK) DRIVER POSITIONS FOR FEDERAL AND STATE JOB ACCESS AND REVERSE COMMUTE GRANT AND FY 2009 BUDGET AMENDMENT – L.E.T.S. / General Government / Finance Committee**

**WHEREAS,** L.E.T.S. has applied and has been awarded a Federal and State Job Access and Reverse Commute (JARC) grant; and

**WHEREAS,** funding for the requested two (2) part time (29 hours per week) driver positions along with all related operating costs will come from a JARC grant that is 100% funded between the Federal and State in the amount of \$100,000 operating and one time capital of \$75,000 for one (1) small transit bus; and

**WHEREAS,** the operating portion of the grant will begin October 1, 2009 and is at this time estimated to continue for many years at the rate of \$100,000 operating funds annually; and

**WHEREAS,** if the JARC grant is eliminated then also these positions will be eliminated; and

**WHEREAS,** the cost of the JARC grant was not included in the 2009 L.E.T.S. budget, therefore a budget amendment is necessary; and

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

**WHEREAS,** the proposed FY 2009 budget amendment reflects the addition of 25% or 3 months of both Federal and State annual operating of \$100,000 of grant revenue and related expenses.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby  
authorizes and approves the creation of two (2) Part Time (29 hours per week) driver  
positions for the purpose of implementing the Federal and State Job Access and Reverse  
Commute (JARC) grant.

**BE IT FURTHER RESOLVED** that the pay grade level for this position is placed at Grade F.

**BE IT FURTHER RESOLVED** that the Livingston County Board of Commissioners approves and authorizes the addition of two (2) Part Time driver (29 hours per week) positions.

<b>CURRENT POSITIONS</b>	
Director, Grade N	[1]
Operations Manager, Grade K	[1]
Fleet Manager, Grade I	[1]
Maintenance/Trainer, Grade G	[1]
Administrative Aide, Grade F	[1]
Dispatch/Driver, Grade F	[3]
Utility/Driver, Grade F	[1]
Driver – Full Time, Grade F	[9]
Driver – P/T (29 Hrs), Grade F	[10]
Driver – P/T (19 Hrs), Grade F	[6]
Total Positions:	[34]

<b>PROPOSED POSITIONS</b>	
Director, Grade N	[1]
Operations Manager, Grade K	[1]
Fleet Manager, Grade I	[1]
Maintenance/Trainer, Grade G	[1]
Administrative Aide, Grade F	[1]
Dispatch/Driver, Grade F	[3]
Utility/Driver, Grade F	[1]
Driver – Full Time, Grade F	[9]
Driver – P/T (29 Hrs), Grade F	[12]
Driver – P/T (19 Hrs), Grade F	[6]
Total Positions:	[36]

**BE IT FURTHER RESOLVED** that in the event that the JARC grant funding is eliminated, the two (2) Part Time (29 hours per week) driver positions will also be eliminated.

**BE IT FINALLY RESOLVED** that the Livingston County Board of Commissioners hereby adopts the FY 2009 proposed amended L.E.T.S. budget as follows:

<u>Fund</u>	<u>2009 Amended Budget</u>	<u>Proposed Amendment</u>	<u>2009 Proposed Amended Budget</u>
588 L.E.T.S.	\$2,507,213	\$25,000	\$2,532,213

The budgetary status reports showing the line-item changes for this budget amendment will be attached as part of this resolution

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**MOVED:**  
**SECONDED:**  
**CARRIED:**

**RESOLUTION**

**NO: 2009-10-292**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION TO AUTHORIZE AGREEMENTS WITH THE INGHAM HEALTH PLAN CORPORATION D/B/A LIVINGSTON HEALTH PLAN - Department of Public Health / Health & Human Services Committee**

**WHEREAS,** the Ingham Health Plan Corporation d/b/a Livingston Health Plan has contracted with Livingston County Department of Public Health to purchase health care services to serve low income Livingston County residents, including hearing and vision screening, outreach services, communicable disease services and public health community nursing services; and

**WHEREAS,** the Ingham Health Plan Corporation d/b/a Livingston Health Plan has contracted with Livingston County to assure mechanisms exist to determine eligibility and to enroll persons into the Livingston Health Plan.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners authorizes a renewal of the contract with the Ingham Health Plan Corporation d/b/a Livingston Health Plan whereby the Public Health Department will provide hearing and vision screening, outreach services, communicable disease services, public health community nursing services for \$421,206, enrollment services to the targeted population for \$25,000, dental services through VINA dental program for \$27,166 and mental health services through Community Mental Health for \$30,000.

**BE IT FURTHER RESOLVED** that the Financial Officer is authorized to adjust the 2009/2010 budgets of the Livingston County Department of Public Health to implement this resolution.

**BE IT FURTHER RESOLVED** that the Board Chairperson is authorized to sign the contracts authorized in this resolution after review by the County legal counsel.

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**MOVED:**

**SECONDED:**

**CARRIED:**

**RESOLUTION**

**NO: 2009-10-293**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION TO AUTHORIZE INTERGOVERNMENTAL TRANSFER TO THE STATE OF MICHIGAN - Department of Public Health / Health & Human Services Committee**

**WHEREAS,** the County of Livingston is committed to supporting programs that provide access to appropriate health care services for low-income residents of Livingston County; and

**WHEREAS,** the Federal government has approved Michigan's Medicaid State Plan Amendment TN No. 05-13, effective June 1, 2006, which creates an "Indigent Care Agreements Pool" for hospitals qualifying for Medicaid Disproportionate share ("DSH") payments to receive DSH payments under the Indigent Care Agreements Pool so long as: (a) the hospital has an Indigent Care Agreement with a local health care entity, such as Ingham Health Plan Corporation d/b/a Livingston Health Plan; and (b) the Indigent Care Agreement stipulates that direct or indirect health care services be provided to low-income patients with special needs who are not covered under other public or private health care programs; and

**WHEREAS,** Ingham Health Plan Corporation d/b/a Livingston Health Plan's purposes include promoting, organizing, managing and administering programs to create a system for providing or arranging and paying for health care services in a cost effective manner for persons unable to pay for such health care services; and

**WHEREAS,** Ingham Health Plan Corporation d/b/a/ Livingston Health Plan has entered into an Indigent Care Agreement with one or more qualifying hospital(s), requiring Ingham Health Plan Corporation d/b/a/ Livingston Health Plan to directly or indirectly operate a program of arranging and paying for health care to low-income individuals with special needs who are not covered under other public or private health care programs and who are unable to pay for such services; and

**WHEREAS,** both the Federal government and the State of Michigan participate in the financing of the Indigent Care Agreements Pool, with the Federal government matching the State's portion pursuant to the Federal medical assistance percentage formula; and

**WHEREAS,** certain intergovernmental transfers of public funds from Livingston County may be made to the State of Michigan to be used as the State's share in claiming the Federal match.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the County Treasurer and the Financial Officer to implement

intergovernmental transfers in an annualized amount of \$500,000, to the State of Michigan for the purpose of participating in the financing of the non-federal share of DSH payments made under the Indigent Care Agreements Pool to be paid to qualifying hospitals who have signed Indigent Care Agreements with Ingham Health Plan Corporation d/b/a Livingston Health Plan, so long as Ingham Health Plan Corporation d/b/a Livingston Health Plan maintains a current Indigent Care Agreements with those hospital(s).

**BE IT FURTHER RESOLVED** that the intergovernmental transfer is authorized once the following condition is in place:

The Ingham Health Plan Corporation d/b/a Livingston Health Plan has an Indigent Care Agreement currently in effect with one or more qualifying hospital(s).

**BE IT FURTHER RESOLVED** that this Resolution shall be effective as of October 1, 2009 through September 30, 2010.

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO: 2009-10-294**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION TO AUTHORIZE AN AGREEMENT WITH VINA COMMUNITY DENTAL CENTER - Department of Public Health / Health & Human Services Committee**

**WHEREAS,** the Ingham Health Plan Corporation d/b/a Livingston Health Plan has contracted with Livingston County Department of Public Health to purchase health care services to serve low income Livingston County residents; and

**WHEREAS,** the Ingham Health Plan Corporation d/b/a Livingston Health Plan has authorized in the current contract that Livingston County Department of Public Health will receive \$27,166 to sub-contract with VINA Community Dental Center to provide dental services to Livingston Health Plan Members and other low income individuals residing in Livingston County.

**THEREFORE BE IT RESOLVED,** that the Livingston County Board of Commissioners authorizes a contract with VINA Community Dental Center in the amount of \$27,166, to provide dental services to low income Livingston County residents.

**BE IT FURTHER RESOLVED,** that the funding will be disbursed from the Livingston Health Plan funds provided to the Livingston County Department of Public Health and will be paid quarterly in the amount of \$6,791.50 from account 221.

**BE IT FURTHER RESOLVED,** that the Board Chairperson is authorized to sign the contract authorized in this resolution after preparation by the County legal counsel.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-10-295

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION AUTHORIZING A MAINTENANCE SERVICE AGREEMENT FOR POWER E9-1-1 CUSTOMER PREMISE EQUIPMENT (CPE) SYSTEM WITH AT&T  
- 9-1-1 Central Dispatch/Emergency Management / Public Safety Committee / Finance Committee**

**WHEREAS,** the 9-1-1 Central Dispatch/Emergency Management Director is hereby requesting authorization to enter into a Maintenance Services Agreement for Power E9-1-1 customer premise equipment (CPE) system with AT&T; and

**WHEREAS,** this maintenance service agreement shall cover all components of the Power E9-1-1 customer premise equipment (CPE) system located at 300 S. Highlander Way, Howell, MI; and

**WHEREAS,** the maintenance service agreement is only available for a one year term at a price of \$27,984; and

**WHEREAS,** the term of this maintenance service agreement shall start on November 1, 2009, and expire on October 31, 2010; and

**THEREFORE, BE IT RESOLVED** the Livingston County Board of Commissioners hereby approves the Maintenance Service Agreement for Power E9-1-1 customer premise equipment (CPE) system with AT&T for the time period of November 1, 2009, through October 31, 2010, for the sum of \$27,984.

**BE IT FURTHER RESOLVED** the Chair of the Board of Commissioners be authorized to sign the Maintenance Service Agreement upon review by County Civil Counsel.

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MOVED:

SECONDED:

CARRIED:

**RESOLUTION**

**NO: 2009-10-296**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

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**RESOLUTION APPROVING THE FILLING OF A FULL-TIME ATTORNEY/REFEREE POSITION IN THE JUVENILE COURT - Circuit Court / Finance Committee**

**WHEREAS,** the 44<sup>TH</sup> Circuit Court has a need to fill a vacant funded position of Attorney/Referee for the Juvenile Court; and

**WHEREAS,** for purposes of continuity, the Juvenile Court would function more efficiently if the position of the Juvenile Court Attorney/Referee were approved to be filled; and

**WHEREAS,** sufficient monies are appropriated in the 2009 Budget – line item 101-149-704.000; and

**WHEREAS,** funding for same is available in the Juvenile Court Budget; and

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

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the filling of the vacant Juvenile Attorney/Referee position in the 44<sup>th</sup> Circuit Court for the State of Michigan.

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MOVED:

SECONDED:

CARRIED:



RESOLUTION

NO: 2009-10-297

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION TO AUTHORIZE THE APPLICATION FOR FY 2010 MICHIGAN DEPARTMENT OF COMMUNITY HEALTH (MDCH) BYRNE GRANT FUNDS FOR THE LIVINGSTON COUNTY ADULT DRUG COURT PROGRAM - Circuit Court / Public Safety Committee / Finance Committee**

**WHEREAS**, Byrne Grant Funds are anticipated to be available through the Michigan Department of Community Health's Office of Drug Control Policy and/or the State Court Administrative Office for the purpose of supporting established drug court programs; and

**WHEREAS**, notice of these funds and Requests for Proposal (RFP) are typically released by the MDCH-ODCP in May or June, to date this RFP has not been released; and

**WHEREAS**, in FY 2009, Livingston County was granted \$90,000.00 for operation of the Livingston County Adult Drug Court Program, which saves over 2800 jail bed days and approximately \$117,600.00 annually; and

**WHEREAS**, MDHC-ODCP has advised current grantees that they may receive an Extension at the current level of funding if a new RFP is not released for FY 2010; and

**WHEREAS**, Livingston County's estimated match based on current funding of the aforementioned Grant is available in the Circuit Court Budget; and,

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the Extension Award or submission of the FY 2010 Grant Application and supporting documents.

**BE IT FURTHER RESOLVED** that the Chair of the Livingston County Board of Commissioners, County Financial Officer, Circuit Court Judge, and Specialty Court and Grant Administrator be authorized to sign the above Application, subsequent Grant Agreement and any future amendments for monetary and contractual language adjustments upon review by Civil Counsel.

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**MOVED:**

**SECONDED:**

**CARRIED:**

RESOLUTION

NO: 2009-10-298

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION TO APPROVE THE HIRING OF TWO (2) PART-TIME HARDWARE TECHNICIANS IN THE LIVINGSTON COUNTY INFORMATION TECHNOLOGY DEPARTMENT TO REPLACE THE RECENT VACANT POSITION AT THE HIRE IN RATE OF GRADE J - Information Technology / General Government Committee / Finance Committee**

**WHEREAS,** it is essential that the vacant position of Hardware Technician in the Information Technology department be filled to enable the Livingston County to fully support, operate, maintain, repair computer equipment, update the current and future Network equipment, and provide technical assistance and support to all County departments; and

**WHEREAS,** Chris Kubiak who now occupies this position has given notice that he will be leaving Livingston County, therefore, the Information Technology department is requesting his position be filled; and

**WHEREAS,** the Livingston County IT department will follow the policy for hiring provided by the Human Resources department; and

**WHEREAS,** funding for same is available through the Information Technology Budget; and

**WHEREAS,** this Resolution, as amended, has been recommended for approval by the General Government Committee.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the Livingston County Information Technology department to hire Two (2) Part-Time Hardware Technicians to fill the position that is now vacant due to Chris Kubiak submitting notice that he will be leaving Livingston County.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-10-299

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION FOR THE LIVINGSTON COUNTY INFORMATION TECHNOLOGY DEPARTMENT TO MIGRATE FROM GROUPWISE TO EXCHANGE - Information Technology / General Government Committee / Finance Committee**

**WHEREAS,** Livingston County's current GroupWise Version is no longer supported by the manufacturer and we are being forced to upgrade the current email system. The Livingston County IT department wishes to standardize on the Microsoft Platform for supportability and existing expertise with the Microsoft tools. It has been determined that the best path for Livingston County is to migrate from GroupWise to Microsoft Exchange; and

**WHEREAS,** the cost to go to the newest version of GroupWise was greater than the cost to migrate to Microsoft Exchange; and

**WHEREAS,** in compliance with the Livingston County Purchasing Policy, CDW-G of Vernon Hills, IL, has been selected as the Vendor for the Livingston County migration from GroupWise to Exchange; and

**WHEREAS,** after the review of the vendor, products and services, the Purchasing department and the IT department recommends that a Purchase Order with CDW-G, of Vernon Hills, IL, be awarded for an amount not to exceed \$ 38,500 for Assessment, Design, and Pilot services, and an amount not to exceed \$ 11,000 for equipment and \$99,000 for Software all cost combined not to exceed \$148,500.00; and

**WHEREAS,** funding for same is available through the 2009 Information Technology Budget; and

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

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves a Purchase Order be issued to CDW-G for the migration from GroupWise to Exchange for a total amount not to exceed \$ 148,500.00.

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**MOVED:**

**SECONDED:**

**CARRIED:**

RESOLUTION

NO: 2009-10-300

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION FOR APPROVAL FOR THE LIVINGSTON COUNTY INFORMATION TECHNOLOGY DEPARTMENT TO DO A "BACKUP SYSTEM UPGRADE" - Information Technology / General Government Committee / Finance Committee**

**WHEREAS,** a full system backup takes as long as 36 hours to complete, and the amount of tapes that are used will soon exceed the tape drive's capacity. The volume of data that needs backing up will only increase in the future, therefore, it has been determined that there is a need for a "Backup System Upgrade" in the Information Technology Department; and

**WHEREAS,** the new system would back up to our current (SAN) Storage Area Network and then be put onto larger capacity tapes; and

**WHEREAS,** the Information Technology department is requesting 12 TB drives for the SAN and replacement of two LT04 drives for our current LT03 drives in our backup unit; and

**WHEREAS,** the new SAN drives will allow us to backup to disk and the replacement LT04 drives will allow us to double the amount of data on each tape; and

**WHEREAS,** the cost for the SAN Drives is \$21,952, with the cost of services at \$2,800, and the cost of the two new LT04 backup unit drives is \$9,069.23, for a total cost for both not to exceed \$ 33,821.23; and

**WHEREAS,** in compliance with the Livingston County Purchasing Policy, Berbee Information Networks of Milwaukee WI, has been selected for the purchase of the SAN Drives, and 9 TO 5 Computer Supply of Jacksonville Beach, FL, has been selected for the purchase of the two new LT04 backup unit drives; and

**WHEREAS,** after the review of the vendor and products, Purchasing recommends that a Purchase Order with Berbee Information Networks of Milwaukee, WI be awarded for an amount not to exceed \$24,752.00, and a Purchase Order with 9 TO 5 of Jacksonville Beach, FL for an amount not to exceed \$9,069.23; and

**WHEREAS,** funding for same is available through the 2009 Information Technology Budget; and

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

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves two Purchase Orders be issued one to Berbee Information Networks for an amount not to exceed \$24,752, and one Purchase Order to 9 TO 5 of Jacksonville Beach, FL for an amount not to exceed \$9,069.23 for a total amount not to exceed \$33,821.23 for the Information Technology Department "Backup System Upgrade".

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**MOVED:  
SECONDED:  
CARRIED:**

**RESOLUTION**

**NO: 2009-10-301**

**LIVINGSTON COUNTY**

**DATE: October 5, 2009**

**RESOLUTION AUTHORIZING AN ADDENDUM TO THE SUNGARD OSSI/FIREHOUSE PROJECT RESOLUTION NUMBER 2009-03-094 FOR ADDITIONAL COSTS NEEDED FOR THE SHERIFF DEPARTMENT - Information Technology / Finance Committee**

**WHEREAS,** there is one outstanding cost allocation that is specially needed for the Sheriff department; and

**WHEREAS,** this item is the purchase of the two (2) Live Scan machines totalling \$60,000 less the \$20,000 built into the original project which equals \$40,000; and

**WHEREAS,** as the Sheriff Departmental budget does not contain sufficient funds; the funds are being requested from the Capital Replacement Fund (403-270-999.000); and,

**WHEREAS,** the proposed budget amendment ensures compliance with the Uniform Budgeting Accounting Act, as amended, 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 \$40,000 for the purchase of two (2) Live Scan Machines to be taken from the Capital Replacement Fund (403-270-999.000).

**BE IT FURTHER RESLOVED** that the Livingston County Board of Commissioners hereby approves the following Information Technology Department budget amendment to allow for purchase and payment for the above:

<u>Fund</u>	<u>2009 Amended Budget</u>	<u>Proposed Amendment</u>	<u>Proposed Amended Budget</u>
IT Department	\$3,804,901	\$40,000	\$3,844,901
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MOVED:  
SECONDED:  
CARRIED:

RESOLUTION

NO: 2009-10- 302

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION TO AMEND RESOLUTION 2009-08-262 AUTHORIZING AN AMENDMENT TO THE LEASE WITH MOTT COMMUNITY COLLEGE FOR THE MICHIGAN WORKS! – LIVINGSTON SERVICE CENTER AT THE LIVINGSTON REGIONAL M-TEC, 1240 PACKARD DR, HOWELL - Michigan Works! / Finance Committee / Health & Human Services Committee**

**WHEREAS,** Upon advise of Civil Counsel it is necessary to amend Resolution 2009-08-262 to correct errors in the original resolution and

**WHEREAS,** Livingston County Michigan Works! currently leases space at Mott Community College's Livingston Regional M-TEC, 1240 Packard Drive, Howell, MI

**WHEREAS,** The current lease provides for establishment of an annual technology plan to ensure that the Landlord provides computer support, network support, connectivity and other technology services to contract staff, as described in the lease amendment, and

**WHEREAS,** The cost of these services will be billed monthly and will not exceed \$19,787.52 for the 12 month period beginning July 1, 2009, and

**WHEREAS,** The current lease also provides for an annual rental rate adjustment consistent with the increase in the Consumer Price Index, and

**WHEREAS,** Effective November 1, 2009, we have been notified that the base rent will increase by 3.8% bringing the monthly rent to 7,195.74/month; and

**WHEREAS,** Other provisions of the lease are unchanged; and

**WHEREAS,** The Landlord at Livingston Regional M-TEC is identified as follows:  
Charles Stewart Mott Community College  
1401 East Court Street  
Flint, Michigan 48503

**WHEREAS,** Funds are available for this purpose from federal and state grants administered by Livingston County Michigan Works!.

**BE IT FURTHER RESOLVED** that the Livingston County Board of Commissioners approves an amendment to a lease with Charles Stewart Mott Community College for the Michigan Works! Livingston Service Center commencing July 1, 2009 establishing the annual technology plan at a maximum annual cost of \$19,787.52, said costs to be billed monthly,

**BE IT FURTHER RESOLVED,** that in accordance with the provisions of the lease for an annual CPI increase, effective November 1, 2009 the new monthly lease rate will be \$7,195.74,

**BE IT FURTHER RESOLVED** that the Chair of the Livingston County Board of Commissioners is authorized to sign said lease amendment with the Charles Stewart Mott Community upon review of Civil Counsel.

**BE IT FURTHER RESOLVED** that Resolution 2009-08-262 is hereby amended to incorporate the terms and conditions as described above.

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**MOVED:**

**SECONDED:**

**CARRIED:**

RESOLUTION

NO: 2009-10-303

LIVINGSTON COUNTY

DATE: October 5, 2009

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**RESOLUTION AMENDING RES. # 2009-09-279 WHICH AUTHORIZED THE RETENTION OF THE LAW FIRM OF GIARMARCO, MULLINS & HORTON P.C. FOR THE PURPOSE OF RESOLVING IMPROPER FEE CHARGES BY BLUE CROSS/BLUE SHIELD OF MICHIGAN - County Administration**

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- WHEREAS,** Livingston County has contracted with Blue Cross/Blue Shield of Michigan (BC/BS) to provide employee health insurance on a self funded basis for over twenty years; and
- WHEREAS,** a number of contracts with BC/BS were authorized during this time which specified the fees and charges which would be levied against the County; and
- WHEREAS,** BC/BS included language in the agreements which is too vague to be considered contractual for some of the fees actually levied; and
- WHEREAS,** Livingston County has been unable to administratively resolve this overcharge; and
- WHEREAS,** the law firm of Giarmarco, Mullins and Horton P.C. through its Partner, Mr. William Horton has successfully resolved similar issues against BC/BS of Michigan for other public agencies; and
- WHEREAS,** Resolution 2009-09-279, which is the original resolution authorizing the hire of Giarmarco, Mullins and Horton P.C., must be amended to address the reimbursement of legal costs associated with the litigation.

**THEREFORE BE IT RESOLVED** that based upon the recommendation of the County General Counsel and as provided in the attached Contingent Fee Agreement, the Livingston County Board of Commissioners hereby authorizes the hiring of the firm of Giarmarco, Mullins and Horton P.C. on a contingent basis of 25% of the amount recovered including cash as well as the value of any reduction in future charges compared to pre-settlement fees. As provided in the attached Contingent Fee Agreement, Livingston County shall reimburse the firm for legal costs associated with the litigation, the costs of which are not to exceed \$60,000 without prior authorization of the County Administrator. The firm shall seek prior approval from the County Administrator prior to the use of any expert witnesses.

**BE IT FURTHER RESOLVED** that Board authorization will be required prior to any resolution of this matter.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners is authorized to sign any agreements necessary to implement this Resolution.

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby authorizes the Chairman to sign the Agreement upon the approval and review of civil counsel.

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**MOVED:  
SECONDED:  
CARRIED:**