

PUBLIC SAFETY and INFRASTRUCTURE & DEVELOPMENT

10/28/2013

304 E Grand River, Board Chambers, Howell, Michigan 48843

7:30 PM

AGENDA

- 1. CALL MEETING TO ORDER**
- 2. APPROVAL OF MINUTES**
Meeting minutes dated: August 26, 2013
- 3. APPROVAL OF AGENDA**
- 4. REPORTS**
- 5. CALL TO THE PUBLIC**
- 6. RESOLUTIONS FOR CONSIDERATION:**

07 Central Dispatch
RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF THREE VHF REPEATERS TO BACK UP THE SIMULCAST AND WARNING SIREN ACTIVATION SYSTEMS – 9-1-1 CENTRAL DISPATCH / EMERGENCY MANAGEMENT, INFRASTRUCTURE & DEVELOPMENT AND PUBLIC SAFETY COMMITTEE, FINANCE COMMITTEE, BOARD OF COMMISSIONERS

08 Drain Commissioner
RESOLUTION AUTHORIZING THE LIVINGSTON COUNTY DRAIN COMMISSIONER TO APPLY FOR A MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY STORMWATER, ASSET MANAGEMENT AND WASTEWATER (SAW) GRANT FOR LIVINGSTON COUNTY UTILITY INFRASTRUCTURE AND THE SEPTAGE RECEIVING STATION

09 Drain Commissioner
RESOLUTION TO CREATE AN ENVIRONMENTAL PROJECTS MANAGER POSITION

-
- 10. 2014 BUDGET DISCUSSIONS**
 - 11. ADJOURNMENT**

MEETING MINUTES

LIVINGSTON COUNTY

AUGUST 26, 2013 – 7:30 P.M.

ADMINISTRATION BUILDING – BOARD CHAMBERS
304 E. Grand River Avenue, Howell, MI 48843

PUBLIC SAFETY

RON VAN HOUTEN DAVID DOMAS KATE LAWRENCE DON PARKER

CINDY CATANACH

ERIC SANBORN

COMM. DOLAN

MIKE KINASCHUK

MIKE MURPHY

COMM. WILLIAMS

OTHERS: DON ARBIC

ROBERT SPAULDING

RYAN CALLAGHAN

CHAD SELL

COMM. GREEN

JOSEPH RICCADI

SARAH HUG

BRUCE HUG

BELINDA PETERS

1. **CALL TO ORDER:** Meeting called to order by: **COMM. RON VAN HOUTEN** at 7:35 p.m.

2. **APPROVAL OF MINUTES: MINUTES OF MEETING DATED JULY 22, 2013:**

MOTION TO APPROVE THE MINUTES, AS PRESENTED.

MOVED BY: LAWRENCE / SECONDED BY: PARKER

ALL IN FAVOR - MOTION PASSED

3. **APPROVAL OF AGENDA:**

MOTION TO APPROVE THE AGENDA, AS PRESENTED.

MOVED BY: DOMAS / SECONDED BY: LAWRENCE

ALL IN FAVOR - MOTION PASSED

4. **REPORTS:** Comm. Domas shared a report on his visit to Genessee County Veterans Court. He shared that there is a visit coming up on September 9 in Oakland County. He will forward further information to the Commissioners via email.

Comm. Van Houten shared that the Sheriff's Department – Road Patrol will be forwarded to the Finance meeting on Wednesday, August 28 to allow open discussion with all the Commissioners available.

5. CALL to THE PUBLIC: None.

6. RESOLUTIONS FOR CONSIDERATION:

7. CENTRAL DISPATCH - RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL AND TRAINING FOR A SUPERVISOR TO ATTEND COMPUTER AIDED DISPATCH SYSTEM ADMINISTRATOR TRAINING

RECOMMEND MOTION TO THE: FINANCE
MOVED BY: DOMAS / SECONDED BY: LAWRENCE
ALL IN FAVOR - MOTION PASSED

8. CENTRAL DISPATCH - RESOLUTION AUTHORIZING AN AMENDMENT TO THE 911 CENTRAL DISPATCH 2013 BUDGET (GREEN OAK)

RECOMMEND MOTION TO THE: FINANCE
MOVED BY: DOMAS / SECONDED BY: PARKER
ALL IN FAVOR - MOTION PASSED

9. CENTRAL DISPATCH - RESOLUTION AUTHORIZING AN AMENDMENT TO THE 911 CENTRAL DISPATCH 2013 BUDGET (800 MHZ)

RECOMMEND MOTION TO THE: FINANCE
MOVED BY: DOMAS / SECONDED BY: LAWRENCE
ALL IN FAVOR - MOTION PASSED

10. CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE INSTALLATION OF AN EMERGENCY POWER SUPPLY FOR THE UNADILLA TOWNSHIP FIRE DEPARTMENT

RECOMMEND MOTION TO THE: FINANCE
MOVED BY: PARKER / SECONDED BY: DOMAS
ALL IN FAVOR - MOTION PASSED

11. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE REPLACEMENT OF LOW-STRAND-COUNT FIBER OPTIC CABLE ALONG MERRILL ROAD**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

12. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE INSTALLATION OF AN EMERGENCY POWER SUPPLY FOR THE PINCKNEY POLICE DEPARTMENT**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

13. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE PURCHASE OF KNOX BOXES FOR EMERGENCY ACCESS TO LIVINGSTON COUNTY SCHOOL**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

14. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE PURCHASE OF TACTICAL BODY ARMOR FOR THE BRIGHTON-HAMBURG TACTICAL TEAM**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

15. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE PURCHASE OF AIR MONITORING DEVICES FOR LIVINGSTON COUNTY FIRE DEPARTMENTS**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

16. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE PURCHASE OF SPOTTING SCOPE NIGHT VISION SURVEILLANCE SYSTEMS FOR THE SHERIFF DEPARTMENT TACTICAL TEAM**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

17. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT 800 MHZ PUBLIC SAFETY RADIOS**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

18. **CENTRAL DISPATCH - RESOLUTION AUTHORIZING A 9-1-1 TELEPHONE SYSTEM MAINTENANCE SERVICE CONTRACT**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **DOMAS / SECONDED BY: LAWRENCE**
ALL IN FAVOR - MOTION PASSED

19. **SHERIFF - 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 FISCAL YEAR 2014 SECONDARY ROAD PATROL AND TRAFFIC ACCIDENT PREVENTION PROGRAM GRANT**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **PARKER / SECONDED BY: DOMAS**
ALL IN FAVOR - MOTION PASSED

20. **SHERIFF - RESOLUTION TO APPROVE THE PURCHASING OF A ROBOTIC TOTAL STATION FOR THE LIVINGSTON COUNTY TRAFFIC SAFETY BUREAU**

RECOMMEND MOTION TO THE: **FINANCE**
MOVED BY: **DOMAS / SECONDED BY: LAWRENCE**
ALL IN FAVOR - MOTION PASSED

21. SHERIFF - RESOLUTION AUTHORIZING THE PROMOTION OF SERGEANT TO ACTING LIEUTENANT

RECOMMEND MOTION TO THE: FINANCE
MOVED BY: PARKER / SECONDED BY: LAWRENCE
ALL IN FAVOR - MOTION PASSED

22. SOLID WASTE MANAGEMENT - RESOLUTION RECOMMENDING CONSISTENCY WITH THE LIVINGSTON COUNTY SOLID WASTE MANAGEMENT PLAN FOR A TYPE B TRANSFER STATION IN OCEOLA TOWNSHIP

RECOMMEND MOTION TO THE: FINANCE
MOVED BY: LAWRENCE / SECONDED BY: PARKER
ALL IN FAVOR - MOTION PASSED

23. ADJOURNMENT:

MOTION TO ADJOURN AT 8:30 P.M.
MOVED BY: PARKER / SECONDED BY: DOMAS
ALL IN FAVOR - MOTION PASSED

Respectfully Submitted

KELLI HAWORTH
RECORDING SECRETARY

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF THREE VHF REPEATERS TO BACK UP THE SIMULCAST AND WARNING SIREN ACTIVATION SYSTEMS – 9-1-1 CENTRAL DISPATCH / EMERGENCY MANAGEMENT, INFRASTRUCTURE & DEVELOPMENT AND PUBLIC SAFETY COMMITTEE, FINANCE COMMITTEE, BOARD OF COMMISSIONERS

WHEREAS, the county’s VHF simulcast system is robust and fault tolerant, but does have single points of failure with the potential of stripping 9-1-1 central dispatch of the capability of alerting EMS, the fire service or activating warning sirens; and,

WHEREAS, the 9-1-1 central dispatch department can purchase and direct the installation of three (3) VHF repeaters, two on the Hillcrest tower and one on the Oceola tower, complete with supporting accessories, i.e., antennas, duplexers and jumpers, re-use existing equipment and create back-ups in the event of simulcast or siren activation system failure; and,

WHEREAS, the purchase, including labor, can be made at discount pricing under terms of the state of Michigan’s contract with Motorola Solutions, Inc., for \$28,447.10; and,

WHEREAS, the 9-1-1 central dispatch department has sufficient funds in its 2013 budget (Org 261 32525, Object 974000) for this purchase.

THEREFORE, BE IT RESOLVED the Livingston County Board of Commissioners authorizes the 911 Central Dispatch/Emergency Management Department to issue a purchase order in an amount not to exceed \$30,000 to obtain and install three (3) back-up VHF repeaters and accessories under state contract #071B9200262 terms.

BE IT FURTHER RESOLVED, after review and approval by civil counsel as may be necessary; the Chair of the Board of Commissioners is authorized to sign contractual or other documents as may be required to complete the transaction.

#

MOVED:
SECONDED:
CARRIED:

Date: October 15, 2013

Proposal for:
 Mr. Donald Arbic
 Livingston County Central Dispatch
 300 N. Highlander Way
 Howell, MI 48843
 Ph. 517-5406-4620

Submitted by:
 Mike Wriggelsworth
 ComSource, Inc.
 2130 Austin Dr
 Rochester Hills, MI 48309
 248-853-5430 Phone
 248-853-0310 Fax

Back-Up VHF Equipment (Option 1&2)

Quantity	Description	Each Price	Extended
1	VHF Omni Antenna for use with VHF Console	\$695.00	\$695.00
1	ComSource Labor to interface Console to Console System	\$1,000.00	\$1,000.00
1	Tower Labor to remove VHF Directional Antenna and replace with VHF Omni Directional Antenna	\$1,800.00	\$1,800.00
1	Motorola MTR3000 Repeater VHF/100 Watts (Oceola Tower/FD Back-Up). No duplexer quoted. To use duplexer from Hillcrest that is not being used.	\$5,658.70	\$5,658.70
1	ComSource Labor to interface MTR3000 to existing antenna system (Oceola Tower)	\$850.00	\$850.00
1	Misc. Supplies	\$200.00	\$200.00
	Pricing complies with State of Michigan Contract #071B9200262 with Motorola Solutions Inc.		
		Sub-Total	\$10,203.70
		Tax	EXEMPT
		Installation	N/A
		S/H	\$150.00
		Total	\$10,353.70

Terms: Corporate Check / Visa / MasterCard / Purchase Order
Delivery: 7-10 Business Days

Thank you for allowing ComSource to serve you!
 Sincerely,
 Mike Wriggelsworth
 ComSource, Inc.

Date: October 15, 2013

Proposal for:
Mr. Donald Arbic
Livingston County Central Dispatch
300 N. Highlander Way
Howell, MI 48843
Ph. 517-5406-4620

Submitted by:
Mike Wriggelsworth
ComSource, Inc.
2130 Austin Dr
Rochester Hills, MI 48309
248-853-5430 Phone
248-853-0310 Fax

Back-Up VHF Equipment (Option 3)

Quantity	Description	Each Price	Extended
1	Motorola MTR3000 Repeater VHF/100 Watts (Hillcrest/FD Back-Up). Duplexer included	\$6,636.70	\$6,636.70
1	ComSource Labor to interface MTR3000 to existing VHF antenna system (Hillcrest)	\$850.00	\$850.00
	Pricing complies with State of Michigan Contract #071B9200262 with Motorola Solutions Inc.		
		Sub-Total	\$7,486.70
		Tax	EXEMPT
		Installation	N/A
		S/H	\$75.00
		Total	\$7,561.70

Terms: Corporate Check / Visa / MasterCard / Purchase Order
Delivery: 7-10 Business Days

Thank you for allowing ComSource to serve you!
Sincerely,
Mike Wriggelsworth
ComSource, Inc.

Date: October 15, 2013

Proposal for:
Mr. Donald Arbic
Livingston County Central Dispatch
300 N. Highlander Way
Howell, MI 48843
Ph. 517-5406-4620

Submitted by:
Mike Wriggelsworth
ComSource, Inc.
2130 Austin Dr
Rochester Hills, MI 48309
248-853-5430 Phone
248-853-0310 Fax

Back-Up VHF Equipment (Option 4)

Quantity	Description	Each Price	Extended
1	Motorola MTR3000 Repeater VHF/100 Watts (Hillcrest) Duplexer included	\$6,636.70	\$6,636.70
1	VHF Omni Directional Antenna	\$695.00	\$695.00
1	Tower Labor to remove UHF antenna on tower and replace with VHF Omni Antenna (above)	\$2,000.00	\$2,000.00
1	ComSource Labor to interface MTR3000 to existing newly installed antenna system (Hillcrest)	\$850.00	\$850.00
1	Misc. Supplies	\$200.00	\$200.00
	Pricing complies with State of Michigan Contract #071B9200262 with Motorola Solutions Inc.		
		Sub-Total	\$10,381.70
		Tax	EXEMPT
		Installation	N/A
		S/H	\$150.00
		Total	\$10,531.70

Terms: Corporate Check / Visa / MasterCard / Purchase Order
Delivery: 7-10 Business Days

Thank you for allowing ComSource to serve you!
Sincerely,
Mike Wriggelsworth
ComSource, Inc.



LIVINGSTON COUNTY, MICHIGAN
**911 CENTRAL DISPATCH/
EMERGENCY MANAGEMENT DEPARTMENT**

300 S. Highlander Way, Howell, Michigan 48843
Phone 517.546.4620 Fax 517.546.5008
Web Site: co.livingston.mi.us

Memorandum

To: Infrastructure & Development and Public Safety Committee
Finance Committee
Board of Commissioners

From: Donald T. Arbic, Director

Date: October 18, 2013

Re: Resolution Authorizing Purchase of Communications
Equipment to Back-up the Simulcast and Warning Siren
Activation Systems

The Livingston County simulcast system is robust and fault-tolerant. Nevertheless, there are several single points of failure with the potential to prohibit central dispatch from alerting EMS and fire service personnel, or activating warning sirens.

The 9-1-1 central dispatch department requests authorization from the Board of Commissioners to purchase and install three (3) back-up VHF repeaters, two on the Hillcrest tower and one on the Oceola tower, complete with supporting accessories, i.e., antennas, jumpers and duplexers, to serve as back-up EMS and fire service communications as well as back-up for the warning siren activation system in the event of failures.

The equipment can be purchased and installed at discount pricing under terms of the state of Michigan's contract with Motorola Solutions, Inc. The 9-1-1 central dispatch department requests authorization to issue the purchase order in an amount not to exceed \$30,000. There are sufficient funds in the department's 2013 budget (Org 261 32525, Object 974000) for this purchase.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING THE LIVINGSTON COUNTY DRAIN COMMISSIONER TO APPLY FOR A MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY STORMWATER, ASSET MANAGEMENT AND WASTEWATER (SAW) GRANT FOR LIVINGSTON COUNTY UTILITY INFRASTRUCTURE AND THE SEPTAGE RECEIVING STATION

Board of Commissioners

County of Livingston

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the _____ of the _____ of _____ County of _____, State of Michigan, (the "Municipality") held on _____.

PRESENT: Members: _____

ABSENT: Members: _____

Member _____ offered and moved the adoption of the following resolution, seconded by Member _____ .

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (select one or more) establish an asset management plan, . establish a stormwater management plan, . establish a plan for wastewater/stormwater, . establish a design of wastewater/stormwater, . pursue innovative technology, or . initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed ___\$1,545,762.00_____ (“Grant”) be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. __Livingston County Drain Commissioner_____ (*title of the designee’s position*), a position currently held by _____ Brian Jonckheere _____ (*name of the designee*), is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.

THE FORM WILL NOT BE ACCEPTED IF IT HAS BEEN EDITED, ALTERED, RETYPED, OR CONVERTED TO ANY OTHER FORMAT.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Members:

NAYS: Members:

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the _____ of the _____ of _____, County of _____, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Name
_____ of _____, Clerk
_____ of _____ County of _____

SAW GRANT APPLICATION

Rick Snyder, Governor

Michigan Department of Environmental Quality (DEQ)

Dan Wyant, Director

<http://www.michigan.gov/deq>

Michigan Department of Treasury Michigan Finance Authority (Authority)

Andy Dillon, State Treasurer

<http://www.michigan.gov/treasury>

Administered by:

Department of Environmental Quality
Office of Drinking Water and Municipal Assistance
Revolving Loan Section
Sonya T. Butler, Chief

Department of Treasury
Michigan Finance Authority
Joseph Fielek, Executive Director

Mailing Addresses:

PO Box 30241
Lansing, Michigan 48909
517-284-5433

PO Box 15128
Lansing, Michigan 48901
517-335-0994

Delivery Addresses:

Constitution Hall
4th Floor South
525 West Allegan Street
Lansing, Michigan 48933

Richard H. Austin Building
1st Floor
430 West Allegan Street
Lansing, Michigan 48922

**Completion of this application is mandatory for the applicant
to be considered for SAW Grant Program assistance.**

Printed under the authority of Parts 52 and 53, of the Natural Resources and Environmental Protection Act,
1994 PA 451, as amended.

October 21, 2013

SAW Grant Application Instructions

Project information: This portion of the grant application needs to be completed and returned with one or more of the grant activities noted in the appendices below.

Authorizing Resolution: The resolution must be signed and dated. Submit the resolution with the project information noted above.

Sample Grant Agreement: A sample of the grant agreement must accompany the resolution.

Appendices: Provide complete information as noted in the Appendix that corresponds to the proposed project. Each Appendix contains guidance on eligibility and general information related to the grant activity.

- Appendix A: Wastewater Planning, Design and User Charge Activities
- Appendix B: Planning and/or Design of Stormwater and/or Nonpoint Source of Water Pollution
- Appendix C: Asset Management Plan for Stormwater and Wastewater
- Appendix D: Stormwater Management Plan
- Appendix E: SAW Innovative Wastewater and Stormwater Technology
- Appendix F: Disadvantaged Community Status Determination Worksheet

Appendix C and Appendix E will require a separate certification within 3 years of the grant award confirming that grant activities have been completed. The certification forms can be found at: www.michigan.gov/cleanwaterrevolvingfund (select Forms and Guidance).

A hard copy of the grant application must be submitted to the DEQ. Grant applications may be submitted at any time beginning December 2, 2013. Grant awards will be issued quarterly based on the date an application is administratively complete, until available SAW funding had been exhausted.

PROJECT INFORMATION

Project Name and County Stormwater AMP for Livingston County; Wastewater AMP for the Livingston Regional Sewer System and Livingston County Septage Receiving Station

A. Legal Name of Applicant Livingston County

The legal name of the applicant may be different from the name of the project. For example, a county may be the legal applicant, while the project may be named for the particular village or township it will serve.

If applicant is not a City/County/Township/Village, provide Authorizing Statute to qualify as a municipality. _____

B. Mailing Address of Applicant

Street, P.O. Box 2300 East Grand River, Suite 105

City, State & Zip Howell MI 48843-7581

County(s) project is located in Livingston County

(517) 546-0040
(Area Code and Telephone Number)

C. Designated Contacts for this Project

1. Authorized Representative (Name below must match the person named in the resolution)

Name Brian Jonckheere

Title Drain Commissioner

Street, P.O. Box 2300 East Grand River, Suite 105

City, State & Zip Howell MI 48843-7581

(517) 546-0040 bjonckheere@co.livingston.mi.us
(Area Code and Telephone Number) (E-mail Address)

2. Applicant's Financial Advisor

Name _____

Firm _____

Street, P.O. Box _____

City, State & Zip _____

(Area Code and Telephone Number) (E-mail Address)

3. Applicant's Consulting Engineer (if applicable)

Name Keith McCormack, P.E. (for application)

Firm Hubbell, Roth & Clark, Inc.

Street, P.O. Box 55 Hulet Drive, P.O. Box 824

City, State & Zip Bloomfield Hills MI 48303-0824

(248) 454-6348 kmccormack@hrc-engr.com
(Area Code and Telephone Number) (E-mail Address)

4. Primary Contact (if different than authorized representative)

Name Ken Recker Title Chief Deputy
(517) 546-0040 krecker@co.livingston.mi.us
(Area Code and Telephone Number) (E-mail Address)

D. Disclosure of Conditions Requiring Repayment of Grant

The intent of the SAW Grant Program is to accelerate the statewide use of asset management planning practices as well as improve water quality. It is expected that SAW grant wastewater or stormwater recipients will implement the necessary construction for which grant funding was provided for any planning, design, and/or user charge grants. SAW grant recipients for wastewater system asset management plans are required to make significant progress (as defined in Appendix C) on the funding structure. Stormwater Asset Management Plan (AMP) recipients are required to implement the plan (as defined in Appendix C). Stormwater management grant recipients must develop a stormwater management plan. An innovative technology grant recipient must proceed with the project if testing and demonstration show that the water quality issue may be successfully and feasibly addressed with full scale implementation. Consistent with this intent and provisions of Part 52 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended:

“(a) A grant recipient (shall) proceed with a project for which grant funding is provided within 3 years after the department approves the grant (executed grant agreement). For asset management programs related to sewage collection and treatment systems, this includes significant progress, as determined by the department, toward achieving the funding structure necessary to implement the program.

(b) The grant recipient (shall) repay the grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority for deposit into the fund if the applicant is unable to, or decides not to, proceed with a construction project or begin implementation of an asset management program for which grant funding is provided.”

E. Project Need and Proposed Scope of Work

In order to improve water quality, the applicant can seek SAW Grant Program assistance to cover the costs of: 1) planning, design, and/or user charge of a wastewater or stormwater system; 2) asset management for a wastewater and/or stormwater system; 3) a stormwater management plan; and 4) innovative wastewater and stormwater technologies. Details for establishing project need for each of these categories can be found in the appendices.

Describe the specific activities you will fund with SAW grant assistance. Describe the system deficiencies and/or water quality problems you want to evaluate/address: **(Attach additional pages as necessary.)**

See attached sheets for the following projects:
Appendix C: Stormwater AMP for Livingston County Drains; Appendix C: Wastewater AMP for the
Livingston Regional Sewer System serving parts of Hartland and Tyrone Townships; and the
Livingston County Septage Receiving Station.

F. Ownership of System Facilities or Assets

Is the legal entity that owns the system facilities or assets described in the proposed scope of work the same as the legal name of the applicant (see Item A)? YES NO

If NO, has the applicant obtained the necessary legal documentation delegating the applicant as an agent of the owner who has the authority for implementing the activities associated with the proposed scope of work at the direction of the owner? (Certification of this legal relationship must be provided prior to the applicant receiving SAW grant assistance. The applicant must have the authority to establish a rate structure necessary to demonstrate significant progress with implementing a wastewater asset management plan if applicable. Note that a rate structure is not required for a stormwater asset management grant.) YES NO

G. Funding Source for Associated Construction (if applicable)

If the proposed scope of work for SAW grant assistance will result in subsequent construction, then identify the anticipated funding source(s) for the construction.

SAW SRF SWQIF Rural Development Other (explain) N/A

The applicant intends to seek SAW, SRF, and/or SWQIF loan(s) to construct the proposed project in fiscal year N/A (an October 1st to September 30th fiscal year).

If construction financing is anticipated to come from a source other than SAW, SRF and/or SWQIF, identify the proposed construction year(s): N/A.

H. SAW Grant Agreement Period

Start date of grant-funded tasks: April 2014 (month/year). May include services rendered on or after January 2, 2013, the effective date of the SAW program legislation.

Estimated date for completion of **all** grant-funded tasks: April 2017 (month/year). Must be completed within 3 years of executed grant.

I. Does this project have an associated SRF/SWQIF loan or S2 grant(s)? If so, indicate the project number(s) below:

S2 Grant Project # N/A **SRF Loan Project #** N/A **SWQIF Loan Project #** N/A

J. Is the applicant in receivership? YES NO

Is the applicant operating under an emergency manager or an emergency financial manager appointed under state law? YES NO

Is the applicant operating under a consent agreement as provided under the local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to 141.1291?
 YES NO

If a disadvantaged community status determination is being requested, then complete and submit the worksheet in Appendix F. Communities considered disadvantaged by the DEQ can be awarded up to \$500,000 in grant funds to construct projects identified in an asset management plan.

K. Project Cost Worksheet

Read the instructions below before completing the Project Cost Worksheet.

Grant Budget Item	Incurred Project Costs A	Estimated Project Costs B	Cost Supporting Documents Attached?	Total Project Costs A+B
1. Project Planning Costs			<input type="checkbox"/> YES	
2. Design Engineering Costs			<input type="checkbox"/> YES	
3. User Charge System Development Costs			<input type="checkbox"/> YES	
4. Wastewater Asset Management Plan Costs	\$6,100.00	\$739,662.00	<input checked="" type="checkbox"/> YES	\$745,762.00
5. Stormwater Asset Management Plan Costs	\$0.00	\$800,000.00	<input checked="" type="checkbox"/> YES	\$800,000.00
6. Stormwater Management Plan Costs			<input type="checkbox"/> YES	
7. Innovative Wastewater and Stormwater Technology Costs			<input type="checkbox"/> YES	
8. Disadvantaged Community Construction Cost			<input type="checkbox"/> YES	
9. Cost Subtotal				\$1,545,762.00
10. LESS Local Match				\$189,152.40
11. Requested SAW Grant Amount (Line 9 minus Line 10)				\$1,356,609.60

1. Entering Cost Figures

To complete the Project Cost Worksheet, enter costs incurred to date in the first column and estimated costs in the second column. **Use whole dollar amounts for all entries.** A budget line item may have costs entered in each column; however, the entries must accurately reflect the division between incurred costs and estimated (i.e., the costs in the second column must not be a cumulative total but are to represent the balance of costs not yet incurred).

2. Supporting Documentation

Documentation must be attached to your application to support the costs included on the Project Cost Worksheet: Validate by checking the box in the third column on each requested line item.

- For incurred costs, adequate supporting documentation means executed contract; an invoice; proof of billing or payment for each cost for which grant assistance is being sought (e.g., copies of the monthly invoices from your consulting engineer, timesheet/payroll records showing hours worked and work performed).
- For estimated costs, adequate supporting documentation means an engineer's estimate; a letter, or email from a vendor detailing the services to be rendered and their costs; or a ledger of anticipated billable force account hours, employee rates, and classifications.

3. Executed Contracts (required for reimbursement, not required for grant application)

A contract between the applicant and the vendor must be executed for each service that has been or is to be rendered if the cost of such service is greater than \$50,000. An executed

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copy of each contract, with a clear identification of the scope of the service(s) and a contract period, must be submitted prior to reimbursements of costs.

4. Line-By-Line Completion Guidance

In addition to the costs described below, costs eligible for SAW grant assistance include: those incurred for services rendered on or after January 2, 2013; for services to prepare this grant application; and for activities performed by the applicant's employees that are directly related to the project. These incurred costs or cost estimates should be placed under the applicable budget lines.

Line 1 – Project Planning Costs

The costs associated with project planning activities and preparation of required planning documents. Refer to Appendix A or B.

Line 2 – Design Engineering Costs

The costs associated with engineering design and preparation of design required documents. Bidding phase services, including construction staking, are not eligible for SAW grant assistance. Refer to Appendix A or B.

Line 3 – User Charge System Development Costs

The costs associated with developing or updating the applicant's system of rates and user charges to cover the costs of project construction, operation, and maintenance as part of a planning or design grant. The costs to develop, amend, and pass sewer use ordinances, and prepare or revise intermunicipal service agreements necessary for construction of the proposed project are also eligible for reimbursement. Refer to Appendix A or B.

Line 4 – Wastewater Asset Management Plan Costs

The costs associated with developing a wastewater asset management plan. Only those components addressing wastewater assets are eligible (e.g., costs associated with conducting an asset inventory of other utilities cannot be included). Refer to Appendix C.

Line 5 – Stormwater Asset Management Plan Costs

The costs associated with the development of a stormwater asset management plan. SAW grant assistance is available for the development of an asset management plan for both open and enclosed storm sewer systems. Open drainage systems that are deemed surface waters of the state are not eligible for assistance to develop a stormwater asset management plan. Refer to Appendix C.

Line 6 – Stormwater Management Plan Costs

The costs associated with the development of a stormwater management plan. SAW grant assistance is available for the development of plans intended to address water quality problems from MS4 permitted stormwater systems and unpermitted stormwater runoff and nonpoint sources of pollution. Refer to the Stormwater Management Plan guidance and Appendix D for information on eligible plans and planning activities.

Line 7 – Innovative Wastewater and Stormwater Technology Costs

The costs associated with testing and demonstrating the practical use of technology to address a water quality issue. The cost of the technology is not eligible for SAW grant assistance. Refer to Appendix E.

Line 8 – Disadvantaged Community Construction Cost

The construction costs associated with a project identified in an asset management plan. The costs cannot exceed \$500,000. This is only available to communities identified as “disadvantaged.” See Appendix F.

Line 10 – Required Local Match

SAW grant assistance is limited to \$2 million per community with a 10-percent local match for the first million and a 25-percent local match for the second million. Applicants who responded “Yes” to any of the questions under Section J of this application or whose community status is determined as disadvantaged by the DEQ are not required to provide a local match.

L. Covenants and Certifications

The applicant must abide by all of the covenants and certifications enumerated below:

1. The applicant has the legal, managerial, institutional, and financial capability to plan, design, and build the project, or cause the project to be built, and cause all facilities eventually constructed to be adequately operated.
2. The applicant certifies that no undisclosed fact or event, or pending litigation, will materially or adversely affect the project, the prospects for its completion, or the applicant's ability to make timely repayments of the grant if the project does not proceed.
3. The applicant agrees to provide the local match for grant-eligible costs and disburse match funds to service providers concurrent with grant disbursements.
4. The applicant agrees to maintain complete books and records relating to the grant and financial affairs of the project in accordance with generally accepted accounting principles (GAAP) and generally accepted government auditing standards (GAGAS).
5. The applicant agrees that all municipal contracts related to the project will provide that the prime contractor and any subcontractor may be subject to a financial audit and must comply with GAAP and GAGAS.
6. The applicant agrees to provide any necessary written authorizations to the DEQ and the Authority for the purpose of examining, reviewing, or auditing the financial records of the project. The applicant also agrees to require similar authorizations from all contractors, consultants, property owners, or agents with which the applicant negotiates an agreement.
7. The applicant agrees that all pertinent records shall be retained and available to the DEQ and the Authority for a minimum of three years and that if litigation, a claim, an appeal, or an audit is begun before the end of the three-year period, records shall be retained and available until the three years have passed or until the action is completed and resolved, whichever is longer.
8. The applicant agrees to ensure that planning and design activities of the project are conducted in compliance with the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; its Administrative Rules; and all applicable state laws, executive orders, regulations, policies, and procedures.
9. The applicant acknowledges that acceptance of a wastewater asset management grant will subsequently affect future NPDES permits to include asset management language as applicable.

I certify that I am the authorized representative designated by the municipality, as defined by Section 324.5301(i) of Part 53 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, that will receive the grant for this project and that the application information being submitted is complete and accurate to the best of my knowledge.

I further certify that Livingston County (legal name of applicant) agrees to and will abide by the covenants and certifications stipulated above.

Brian Jonckheere Drain Commissioner
Name and Title of Authorized Representative (Please Print or Type)

Signature of Authorized Representative (Original Signature Required) _____ Date _____

Required Documents

The following documents must be submitted with this application. This grant application will be deemed incomplete if the required documents are not attached.

- (1) Authorizing Resolution. An adopted and certified copy of the attached standard resolution, **including the SAW Grant Agreement boilerplate marked SAMPLE**, must be attached.
- (2) Application Information. The proposed scope of work must be supported by the additional information required under Section E on page 3.
- (3) Cost Support Documentation. All requested costs must be supported with documentation consistent with the instructions on pages 5-7.
- (4) All of the required information listed in each of the applicable appendices must be provided.

Please return the application and the specified attachments to:

REVOLVING LOAN SECTION
OFFICE OF DRINKING WATER AND MUNICIPAL ASSISTANCE
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

MAILING ADDRESS
P.O. BOX 30241
LANSING MI 48909-7741

SURFACE DELIVERY ADDRESS
CONSTITUTION HALL, 4TH FLOOR SOUTH
525 W ALLEGANS ST
LANSING MI 48933

Grant Application Received By:	Can Expect A Grant Award In:*
July 1	October
October 1	January
January 1	April
April 1	July

*A hard copy of the grant application must be submitted to the DEQ. Grant application may be submitted at any time beginning December 2, 2013. Grant awards will be issued quarterly based upon the date an application is administratively complete, until available SAW funding has been exhausted.

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**Please Use the Attached Resolution “As Is”
(Do Not Substitute Your Own Form)**

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Board _____ of Commissioners
County of Livingston

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the _____ of the _____ of _____
County of Livingston, State of Michigan, (the "Municipality") held on
_____.

PRESENT: Members: _____

ABSENT: Members: _____

Member _____ offered and moved the adoption of the following resolution,
seconded by Member _____.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and
Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL
324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan
Department of Environmental Quality (the "DEQ") shall establish a strategic water quality
initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to
municipalities for sewage collection and treatment systems or storm water or nonpoint source
pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other
applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient
shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality
to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (***select one or more***)
 establish an asset management plan, establish a stormwater management plan, establish
a plan for wastewater/stormwater, establish a design of wastewater/stormwater, pursue
innovative technology, or initiate construction activities (up to \$500,000 for disadvantaged
community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate
principal amount not to exceed \$1,545,762.00 ("Grant") be requested from the MFA and
the DEQ to pay for the above-mentioned undertaking(s); and

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OTHER FORMAT.

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Livingston County Drain Commissioner (*title of the designee's position*), a position currently held by Brian Jonckheere (*name of the designee*), is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Members:

NAYS: Members:

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RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the _____ of the _____ of _____, County of _____, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Name
_____ of _____, Clerk
_____ of _____ County of Livingston

APPENDIX D

Stormwater Management Plan

The SAW grant program is available to applicants who wish to acquire funding for the development of Stormwater Management Plans. Under the SAW program, a Stormwater Management Plan is broadly defined to include those documents listed in the below checklist. Applicants are encouraged to review the webpages associated with each document to determine which Stormwater Management Plan best fits their planning needs for the treatment of stormwater. Applicants should also review the Stormwater Management Plan guidance document.

For those applicants applying for a SAW grant for the development of a Stormwater Management Plan, indicate below which type of document will be generated using grant funding. Include a description and a map of the planning area, as well as a description of water quality problems that will be addressed with the Stormwater Management Plan.

- Municipal Separate Storm Sewer System (MS4) Stormwater Management Program (see www.mi.gov/deqstormwater). An MS4 Stormwater Management Program addresses the effects of urbanization on the water quality of surface waters of the state. Please choose one of the following:
- Applicant currently has National Pollutant Discharge Elimination System (NPDES) MS4 permit coverage
 - Applicant will be a new NPDES MS4 permittee

Applicants applying for a SAW grant for one of the following Stormwater Management Plans, shall also include as part of the application the percentage of land uses in the planning area.

- NPS Watershed Management Plan (See the “Developing an Approved Watershed Management Plan” www.mi.gov/nps). The description of water quality problems must include the following:
- A description of the watershed and watershed boundary and the hydrologic unit code.
 - A description of the current water quality conditions, and the needs/problems to be addressed with the proposed project. List or discuss all 303(d) listed water bodies and include the Assessment Unit ID (See the [2012 Integrated Report](#), Appendix B).
 - A list of the pollutants the NPS Watershed Management Plan will target. The list shall include pollutants listed in the [2012 Integrated Report](#) for Michigan (See Appendix B of the report) as causing designated use impairments in the watershed where NPS pollution is a contributor to the water quality impairment. The list should also include pollutants important at the local level and the rationale for the listing.
- SAW Stormwater Management Plan

Stormwater Management Plan

The SAW grant program is available to applicants who wish to acquire funding for the development of Stormwater Management Plans and the design of projects contained or described within a Stormwater Management Plan. Under the SAW program, a Stormwater Management Plan is broadly defined to include:

- Municipal Separate Storm Sewer System (MS4) Stormwater Management Plan (See the MS4 at www.mi.gov/deqstormwater)
- NPS Watershed Management Plan (See the “Developing an Approved Watershed Management Plan” at www.mi.gov/nps)
- SAW Stormwater Management Plan (See the SAW Stormwater Management Plan on page 22)

Development of a Stormwater Management Plan

MS4 Stormwater Management Plan

Permittees required to develop an MS4 Stormwater Management Plan (SWMP) are municipal agencies, such as cities, townships, villages, county agencies, and school districts located in a census defined urbanized area with a discharge of stormwater to surface waters of the state. The existing NPDES MS4 individual permit application is structured such that by completing the application, an MS4 SWMP is produced. The best management practices (BMP) included in the MS4 SWMP shall be designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable.

For those applicants who are developing a new MS4 SWMP, the development of the entire MS4 SWMP is eligible for SAW grant funding. An applicant who already has an approved MS4 SWMP or Stormwater Pollution Prevention Initiative (SWPPI) in place can receive funding to update the SWMP/SWPPI. An approved MS4 SWMP includes the following minimum requirements:

1. BMPs to be implemented to meet the following six minimum control measures (a– f) and applicable water quality requirements (g)
 - a. Public Participation/Involvement Program
 - b. Public Education Program
 - c. Illicit Discharge Elimination Program
 - d. Construction Stormwater Runoff Control Program
 - e. Post-Construction Stormwater Runoff Program
 - f. Pollution Prevention and Good Housekeeping Program
 - g. Total Maximum Daily Loads (TMDL) Implementation Plan (This water quality requirement applies to a regulated MS4 that discharges stormwater to impaired waters with an approved TMDL that includes a pollutant load allocation assigned to the regulated MS4.)
2. A measurable goal for each BMP. Each measurable goal shall have a measure of assessment to determine progress towards achieving the measurable goal.
3. The following Phase I MS4 Permittees shall include as part of the SWMP an Industrial Facility Program: [cities of] Ann Arbor, Flint, Grand Rapids, Sterling Heights, and Warren.

The NPDES MS4 individual permit application allows an applicant the option of submitting a collaborative approach for four of the six minimum control measures and the water quality requirements as part of the SWMP. Collaborative efforts may include several MS4 permittees collaborating to meet all or parts of a minimum control measure or water quality requirement.

The MS4 SWMP is considered approved when an individual NPDES permit is issued to the MS4 permittee with the requirement to implement and enforce the approved MS4 SWMP. The MS4 permittee is required to document progress made implementing the MS4 SWMP as part of the Progress Report requirements in the MS4 NPDES permit.

For MS4 permittees with an approved SWMP or SWPPI, the following are examples of updates that may be eligible if the activity is significantly revised or goes beyond what is currently included in the approved SWMP/SWPPI:

- Public Education Program: Developing and implementing a survey to assess changes in public behavior.
- Illicit Discharge Elimination Program:
 - Developing a storm sewer system map to include the location of all outfalls and points of discharge.
 - Prioritizing dry-weather screening of outfalls and points of discharge by identifying areas of high illicit discharge potential. This prioritization could be completed as a collaborative effort with several MS4 permittees.
- Post-Construction Stormwater Runoff
 - Updating post-construction stormwater runoff performance standards. More specifically, updating an ordinance or regulatory mechanism to include the water quality treatment and channel protection performance standards in the current NPDES MS4 individual permit application.
 - Developing a tracking system for ensuring the long-term maintenance of post-construction BMPs. For example, a system to track the performance of the BMPs implemented to meet the performance standards and included in a maintenance agreement.
- Pollution Prevention and Good Housekeeping Program
 - Developing a site-specific standard operating procedure identifying the structural and non-structural stormwater controls implemented or to be implemented and maintained to prevent or reduce pollutant runoff at facilities owned/operated by the applicant with a high potential for pollutant runoff.
 - Developing a procedure for assessing catch basins for routine inspection, maintenance, and cleaning based on preventing or reducing pollutant runoff.
- TMDL Implementation Plan – Developing a TMDL monitoring plan for assessing the effectiveness of BMPs currently being implemented or to be implemented in making progress toward achieving the TMDL pollutant load reduction requirement.

Nonpoint Source Watershed Management Plan

Applicants eligible to develop a NPS Watershed Management Plan include cities, villages, counties, townships or other public bodies established under state law (watershed alliances, conservation districts, and regional planning agencies for example). Watershed Management Plans under this category must be approvable as defined in the administrative rules for the CMI NPS Pollution Control Grants and/or include the “nine minimum elements of watershed planning” required by the United States Environmental Protection Agency. To maximize potential future funding, plans should meet both state and federal criteria. NPS Watershed Management Plans must be developed for a hydrologically-based area and must include a list of targeted pollutants. Targeted pollutants must include those listed in Michigan’s 2012 Integrated Report as causing designated use impairments in the watershed. The list should also include pollutants important at the local level as well as the rationale for their listing.

For an applicant who is developing a new NPS Watershed Management Plan, the development of the entire plan is eligible for SAW grant funding. Justifiable updates to a previously approved NPS

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Watershed Management Plan are also eligible. Justifiable updates to a plan include, but are not limited to: updates to meet additional criteria; reevaluation of environmental conditions and next steps; etc.

Complete watershed management plans (along with completed [checklists](#)) can be submitted to the appropriate [district office](#) or the NPS Unit in Lansing. Watershed plan reviews require a minimum of 90 days and approval typically requires two or more reviews.

Applicants developing a NPS Watershed Management Plan for: (1) watersheds with flooding, flashy flows, or other hydrology issues; (2) or recommended stream bank stabilization, channel realignment, changes to channel geometry; (3) or changes impacting flow or sediment transport, must refer to the NPS Hydrologic and Geomorphic Guidance. Applicants must also consider a wetlands component, as described in the Guidance for Wetland Related Elements, when developing a NPS Watershed Management Plan.

SAW Stormwater Management Plan

An applicant that wants to develop a SWMP other than an MS4 or NPS SWMP may receive grant funding to develop a SWMP as long as it contains the following minimum components:

1. A description and map of the jurisdictional boundaries and the area to be covered by the plan (typically a sewershed and/or drainage district). The planning area should be hydrologically based and include the entire collection and conveyance system (open and closed) as well as the contributing area.
2. A description of the major components of the stormwater system and/or country drainage district, including sewershed and watershed boundary and internal sub-boundaries, surface water hydrology, mapping of stormwater conveyance (pipes and channels), existing storage, regulatory or other mapped floodplains, flood control facilities and treatment components.
3. A description of publically owned BMPs and private BMPs that significantly affects the stormwater system.
4. A description of all stormwater sources and all known stormwater related water quality problems within the planning area (for example, surface flooding, hydraulic restriction, erosion, water quality, etc.).
5. Include recommendations and an analysis of projects to correct stormwater and known stormwater related water quality problems.
 - a. This includes project identification, preliminary sizing and description of proposed activities. Proposed activities could consist of capital improvements (i.e. culvert replacement, channel modification, structural BMPs, etc.) or changes to inspection or maintenance activities (i.e. stream bank assessments, detention basin inspections, floodplain or floodway encroachment surveys, etc.).
 - b. Provide estimated operation, maintenance and capital costs for all recommendations
6. Include a timeline for implementation of the plan. The extent of the timeline is at the applicant's discretion (i.e., 5-year, 10-year, etc.).

It is strongly suggested that the following components also be included in the SWMP:

1. A general maintenance plan
2. The desired level of service should be determined through a public involvement process
3. A public education program or activities
4. A general description of land use percentages

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GUIDANCE FOR APPENDIX D

Grant Eligible

- A Stormwater Management Plan (SWMP) must address water quality issues caused by surface runoff of stormwater. There must be a stormwater related water quality problem, not just a stormwater quantity issue.
- Pre-project (planning and design) assessment of Best Management Practices (BMPs) to determine the most effective solution.
- Legal and/or force account costs associated with the creation or amendment of stormwater ordinances, policies, and design standards.
- Flow monitoring for a hydrologic analysis of a stormwater conveyance system or surface water system.
- Water quality sampling to determine current water quality conditions.
- Development of a public education and involvement program or activities for stormwater issues.
- Development of a maintenance plan for stormwater practices.
- AMP/GIS mapping software/hardware/training. Total limits are as follows:

Service Area Population	Dollar Limit
Less than or equal to 5,000	\$60,000
5,001 to less than or equal to 20,000	\$85,000
20,001 to less than or equal to 50,000	\$110,000
Greater than 50,000	\$160,000

Note: Attach justification when assistance is sought for an applicant with an existing GIS system or for when an exception is being made to the above dollar limits.

Grant Ineligible

- Costs related to implementation of a MS4 SWMP program
- The purchase price to acquire land/easements
- Post-construction monitoring of stormwater management BMP performance to determine effectiveness.
- Planning and design activities related to the evaluation of groundwater impacted by stormwater infiltration.



LIVINGSTON COUNTY, MICHIGAN
DEPARTMENT OF DRAIN COMMISSIONER
2300 E. Grand River Ave. Howell, MI 48843
Phone 517-546-0040 Fax 517-545-9658
Web Site: www.livgov.com/drain

Memorandum

To: Livingston County Board of Commissioners

From: Robert A. Spaulding, DPW Coordinator

Date: 10/22/2013

**Re: RESOLUTION AUTHORIZING THE LIVINGSTON
COUNTY DRAIN COMMISSIONER TO APPLY FOR A
MICHIGAN DEPARTMENT OF ENVIRONMENTAL
QUALITY STORMWATER, ASSET MANAGEMENT
AND WASTEWATER (SAW) GRANT FOR LIVINGSTON
COUNTY UTILITY INFRASTRUCTURE AND THE
SEPTAGE RECEIVING STATION**

On November 5, 2002, the voters in the State of Michigan overwhelmingly passed Proposal 2 (Great Lakes Water Quality Bond), enabling the State of Michigan to authorize the sale of \$1 billion of general obligation bonds. Public Act 562 of 2012 authorizes a portion of these bonds to be deposited into the Strategic Water Quality Initiatives Fund for establishing grants for asset management plan development, stormwater plan development, sewage collection and treatment plan development, and state-funded loans to construct projects identified in the asset management plans. This Stormwater, Asset Management, and Wastewater Program is referred to as the SAW Grant Program.

The Drain Commissioners office has begun implementing a computerized maintenance management system (CMMS) several years ago. Our efforts to date have provided a solid framework for the CMMS. However, with limited available resources our GIS and CMMS need substantial work towards completion. While the funds the State is providing may not allow for the full completion of our attributes in our CMMS, it will provide substantial assistance towards its completion. This will enhance the effectiveness of our field operations without additional

general fund dollars or additional special assessment levies to our sanitary and stormwater systems.

The SAW Grant Program has been allocated an amount of \$450 million dollars, \$97 million dollars of which is available in the state fiscal year 2014. Livingston County, as are all communities, is limited to applying for up to a \$2 million dollar cap allotted to any one community. The Office of the Drain Commissioner is requesting permission from the Board of Commissioners to apply for a total of \$1,545,762.00 in Saw Grant program dollars, for the following projects:

1. Wastewater Asset Management Plan for the Livingston Regional Sewer System and the Livingston County Septage Receiving Station in the amount of \$745,762.
2. Stormwater Asset Management Plan for Livingston County in the amount of \$800,000.

The first million of grant dollars has a ten percent local match while the second million has a 25 percent match. That would set Livingston County's grant matching obligations at \$209,152.40.

The match will consist of employee salaries and other budgeted expenses and all incurred expenses starting from January 2, 2013, can be considered in our matching obligation. We will be able to meet our match expectations through already budgeted line item expenses in our 2013 and 2014 budgets.

If you have any questions regarding this matter please contact me.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION APPROVING THE CREATION OF A FULL TIME ENVIRONMENTAL PROJECTS MANAGER POSITION IN THE OFFICE OF THE DRAIN COMMISSIONER – DRAIN COMMISSIONER

WHEREAS, prior to 2009 the Drain Commissioner’s office organization included a Water Resources Coordinator Position, which was vacated in August of 2008 and not filled due to the hiring freeze which remains in place; and

WHEREAS, since 2009 the Drain Commissioner’s office has cost shared a Groundwater Specialist Position with the Livingston County Health Department to assist with the mandated responsibility of maintaining county obligations under Phase II of the Clean Water Act; and

WHEREAS, increases in building activity since the fall of 2012, combined with changes in the County Phase II permit have exceeded the inspection and administrative resources of the Drain Commissioner’s office; and

WHEREAS, no additional inspection positions have been requested by the Drain Commissioner commensurate with the increase in permitting activity; and

WHEREAS, this position will be managing a variety of environmental compliance programs, some of which are state and federal mandates such as compliance with Phase II National Pollutant Discharge Elimination Permit, managing the soil erosion program, lake improvement projects, dam maintenance and right-of-way acquisitions, and

WHEREAS, the Environmental Projects Manager position will be funded from a combination of permit fees, administrative charges to Lake level and improvement funds, and the Drain Commissioners general fund budget; and

WHEREAS, Human Resources, with the assistance of the compensation consultant, has recommended this newly created position be placed at Grade L on the Non-Union Salary scale.

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

THEREFORE BE IT RESOLVED that the Board of Commissioners authorize the creation of an Environmental Projects Manager effective January 1, 2014, at Grade Level L for the Drain Commissioner.

CURRENT POSITIONS		
POSITION TITLE	FULL -TIME #	PART -TIME #
Drain Commissioner	1	
Chief Deputy Drain	1	
Deputy Drain	1	
Engineering Surveyor	1	
Water Resources Coordinator (Job Split)		.3
Accounting Supervisor	1	
Accounting Bookkeeper II	1	
Sanitary Facilities	1	

REQUESTED POSITIONS		
POSITION TITLE	FULL -TIME #	PART -TIME #
Drain Commissioner	1	
Chief Deputy Drain	1	
Deputy Drain	1	
Engineering Surveyor	1	
Environmental Projects Manager	1	
Accounting Supervisor	1	
Accounting Bookkeeper II	1	
Sanitary Facilities	1	

Superintendent			Superintendent		
Sanitary Facilities Operator	2		Sanitary Facilities Operator	2	
Assistant Sanitary Facilities Operator	1		Assistant Sanitary Facilities Operator	1	
Field Supervisor	1		Field Supervisor	1	
Drain/Soil Inspector	3		Drain/Soil Inspector	3	
Heavy Equipment Operator	1		Heavy Equipment Operator	1	
Drain Maintenance Worker III	1		Drain Maintenance Worker III	1	
Drain Maintenance Worker II	1		Drain Maintenance Worker II	1	
Administrative Assistant	1		Administrative Assistant	1	
Administrative Aide	1	0.7	Administrative Aide	1	0.7
TOTALS:	19	1.0	TOTALS:	20	.7

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MOVED:
 SECONDED:
 CARRIED:



Memorandum

To: Livingston County Board of Commissioners
From: Brian Jonckheere
Date: 10/23/2013
**Re: Resolution Authorizing the Creation of an Environmental
Projects Manager Position**

Honorable Commissioners,

The upsurge in SESC permitting activity which began a year ago has continued through 2013. Revenues are anticipated to increase approximately \$50,000 over last year's revenue totals for the county's soil erosion control program.

This increased activity, while a welcome sign from an economic perspective, has reduced our ability to re-allocate work duties associated with the former Water Resources Coordinator position, which has been cost shared with the Environmental Health Division of the Health Department since 2008. A secondary consequence of the increased construction activity is the Environmental Health Division needs their Groundwater Specialist position on a full-time basis.

Costs for the re-instatement of this position will be paid for in part by an increase in Soil Erosion Control Permit Fees, which have not been increased since 2004. Additionally activities associated with this position's work on lake level and improvement projects will be charged out to the benefitting special assessment districts as needed. The increase from the partially funded Water Resources Coordinator Position to the fully funded Environmental Projects Manager position is anticipated to cost \$30,000 over the amount budgeted for the shared position in 2013. This is detailed on the attached spreadsheet.

This position will be responsible for compliance with Livingston County's requirements under the Phase II permit for county owned facilities. This reduces potential liabilities to the county associated with the penalty provisions of the Clean Water Act. This position will work closely with the Facilities Services Department in that regard.

Thank you for your consideration of this request and of the enclosed Request for Exception to the Hiring Freeze.

If you have any questions regarding this matter please contact me.

EMPLOYEE NAME: Vacant
JOB TITLE: Environmental Projects Manager
POSITION ID#: 101.275-024
EMPLOYEES SUPERVISED: Drain Inspectors (3)
IMMEDIATE SUPERVISOR: Ken Recker



TITLE OF IMMEDIATE SUPERVISOR: Chief Deputy Drain Commissioner

FLSA STATUS: Exempt - Professional

DEPARTMENT: Drain **LOCATION:** East Complex

EFFECTIVE: 01/01/13 **GRADE** L **RANGE:** \$46,552 - \$58,970

WORKERS COMPENSATION CODE: 9410

SUMMARY OF POSITION:

This position manages a variety of environmental compliance programs within the Drain Commissioner's Office. These programs are required by state statute and involve the supervision and management of select LCDC employees. The programs under the direction of this position include; compliance with the Phase II NPDES permit, Management of the Soil Erosion Program including compliance with the Authorized Public Agency requirements, Lake Improvement Projects, Lake Level Management, Dam Maintenance activities, Right-of-Way acquisition projects. This position is also charged with grant research, application development, and administration.

ESSENTIAL FUNCTIONS:

1. Coordinates, plans, and facilitates Phase II NPDES permit compliance for LCDC. Manages project consultants and provides technical support to participating units of government. Facilitates the completion of projects and activities related to Phase II permit requirements. Supervises Drain Office staff with respect to achieving compliance with drain outfall inspections.
2. Manages the Soil Erosion and Sedimentation Control program within the department to achieve compliance with Part 91 rules and regulations. Oversight of staff related to permitting and inspection activities.
3. Administers Lake Improvement Boards as established by petition of lakefront property owners on LCDC controlled lakes within Livingston County. Job functions include attending meetings as the Drain Commissioner's representative, preparation of legal notices and budgets, preparation of meeting agendas, and preparing board minutes. Monitors the petition process and ensures compliance with statutory requirements pertaining to lake improvements and lake levels. Tracks, manages, and directs project consultants and activities related to aquatic plant control, lake dredging, fish stocking and other lake improvement activities. Develops assessment rolls relating to lake improvements and lake level projects .

4. Tracks and manages project consultants and staff activities related to dam maintenance, inspection, and operation. Collaborates with the Chief Deputy Drain Commissioner to maximize compliance with court-appointed lake levels and the inspection requirements of Part 307 of P.A. 451.
5. Under the supervision of the Chief Deputy Drain Commissioner and in collaboration with the field supervisor, Manages and facilitates compliance with the requirements in the Part 91 Soil Erosion Program related to the designation as an Authorized Public Agency.
6. Collaborates with the Chief Deputy Drain Commissioner to develop a Right-of-way acquisition process for various drainage projects. Meets with Landowners and assists the Chief Deputy Drain Commissioner in Negotiations with Landowners related to easement and/or property acquisition.
7. Researches, develops applications, and administers grant proposals and projects for state, federal, non-profit, and privately funded grants.

GENERAL DUTIES:

1. Act as an agent of LCDC and perform all job functions and interactions with the public and this office with a level of professionalism and respect.
2. Perform the essential job responsibilities in a manner that promotes a safe and positive work environment. Will engage in staff development activities as appropriate.
3. This position will be required to adjust working hours based upon project demand. This may include evening and weekend hours.
4. This position will accept other responsibilities and duties required by the supervisor consistent with the objectives and essential functions of this position. Such responsibilities shall be incorporated into the position description if they involve a lengthy commitment of time or are on-going.
5. This position will advise and routinely update the supervisor of workload and target project completion. Adjustments of workload may be warranted if activities deviate significantly from specified essential functions.

SUPPLEMENTARY FUNCTIONS:

1. May represent Livingston County on internal/external committees or work groups to enhance service delivery or service planning.
2. May participate in community education activities.
3. May be required to participate in the periodic evaluation of services and service planning.
4. May engage in complaint resolution related to services provided by LCDC.
5. Participation in approved emergency activities and/or preparedness drills in the case of a county declared disaster or emergency.

LICENSING or CERTIFICATIONS:

- Valid MI Driver's License and a good driving record.
- MDEQ Certified Stormwater Operator.

- Soil Erosion Control Certification.
- Stormwater Operator Certification.

QUALIFICATIONS:

1. Bachelors degree in applied science (e.g. geology, biology, limnology, chemistry, etc.), resource management, or engineering.
2. Four years of progressively independent work experience in water resources management projects, or, an equivalent combination of education and experience sufficient to sufficiently perform the essential duties of the job such as those listed above.

Knowledge of:

- Applicable local, state, and federal laws, rules, and regulations;
- General office procedures;
- Customer service principles
- Drainage systems
- Basic limnology
- Fluvial morphology and ecology
- Inland lake management
- Right-of-way easement principles

Skill in:

- Ordinance development
- Applying local, state, and federal laws, rules, and regulations and working effectively on the County and Drain Commissioners behalf in negotiations with regulatory agencies;
- Providing customer service;
- Performing inspections and assessments;
- Communication, interpersonal skills as applied to interaction with coworkers, supervisor, lake associations, local units of government, the general public, etc. Excellent interpersonal communication skills are highly important to the success of this position and the Drain Commissioner's office in general.
- Good technical writing skills.
- Ability to maintain records, prepare reports and answer questions.
- Ability to maintain effective working relationships and productively serve as a member of a team with employees and the public plus have the ability to deal with problems courteously and tactfully.
- Working with local units of government to facilitate a consensus-driven approach to watershed management and water quality improvement
- Must be able to maintain cooperative working relationships and possess good interpersonal skills and be able to work within a team structure.
- Must have ability to develop computer skills to manage implemented County documentation systems.

STAFF DEVELOPMENT/TRAINING:

- Prevention of Harassment in the Workplace
- Michigan Right to Know
- CPR Classes and Certificate
- Illicit discharge detection

WORKING CONDITIONS:

Physical Requirements:

- Positions in this class typically require: climbing, balancing, standing, walking, talking, hearing, seeing and repetitive motions. Medium Work: Force requirements similar to light work but more time in the field than Deputy or Chief Deputy, mostly walking. Light work includes Exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or negligible amount of force constantly to move objects. If the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.
- May be exposed to hazardous materials found in a home or general office environment.
- Use of household cleaning products and disinfectants may be required.

CRITERIA FOR MERIT INCREASES:

- Has developed specific efficiencies in performance of duties.
- Exceeds performance objectives for the position.
- Demonstrates on-going skill development through readings, journals, etc.
- Initiates constructive ideas with supervisor for unit/position performance.
- Assumes constructive leadership role with co-workers.
- Assists in providing training to other staff, share skills with other staff.
- Functions willingly as a training consultant/resource to colleagues.
- Pursues appropriate certification/licensure.

I understand that failure to comply with all areas of this Position Description could result in disciplinary action. By signing below, I am indicating that I have read and understand all job requirements, agree to abide by them as written, and have received a copy of this document.

Signature of Employee

Signature of Supervisor

Date

Date

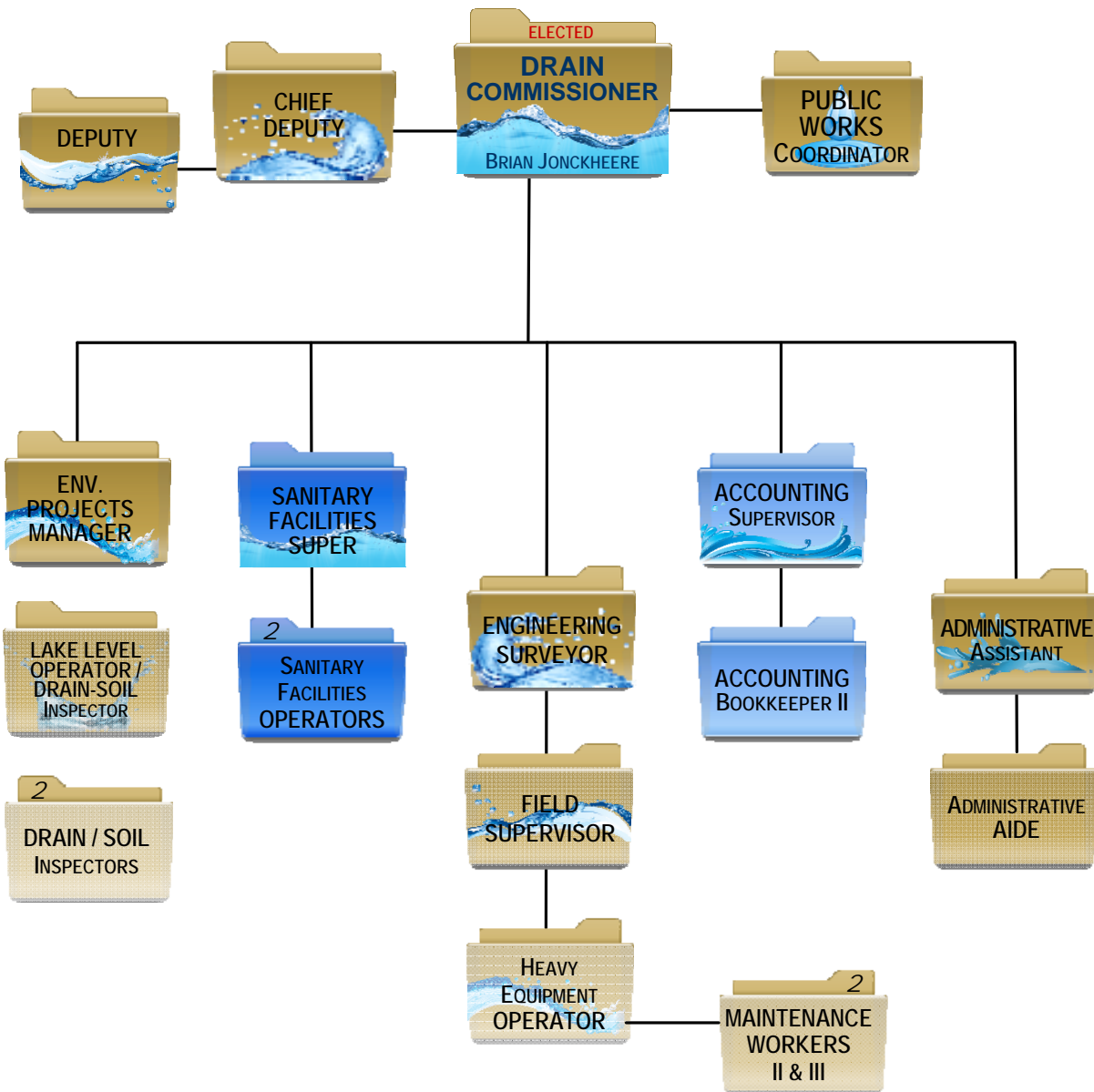
POSITION DESCRIPTION ESTABLISHED:

09/2013

POSITION DESCRIPTION REVIEWED:

09/2013

2014 OFFICE OF THE: DRAIN COMMISSIONER



The office of Drain Commissioner is governed by Public Act 40 of 1956, The Drain Code. Some of the many roles include; drain construction, operation and maintenance. Pursuant to various Parts of P.A. 451 of 1994, the Drain Commissioner retains jurisdiction over such activities as lake improvements, lake levels, sanitary sewer operation, household hazardous waste program oversight, soil erosion and sedimentation control enforcement and watershed management activities.

FTE COMPARISON	
Accounting Supervisor	1
Accounting Bookkeeping II	1
Admin. Assistant	1
Administrative Aide	1
Chief Deputy	1
Drain Commissioner	1
Drain Inspector	2
Drain Maint Wrk II & III	2
Drain/ Soil Inspector	2
Lake Level Operator	1
Engineering Surveyor	1
Field Supervisor	1
Heavy Equip Operator	1
Sanitary Facilities Supvr	1
Deputy	1
Public Works Coord.	1
Env. Projects Manager	1
2013 FTEs	20
2005 FTEs	23

The Drain Commissioner's office is funded by a variety of sources such as special assessments, soil erosion permit fees, general fund appropriations, and occasionally through State and Federal grants. Many of the public infrastructure projects that are conducted through the office are funded through the sale of notes and bonds issued by the County. They, in turn, are repaid through a combination of special assessments and township and county general fund contributions.

The Department of Public Works (DPW), which includes the Solid Waste program, also falls under the Drain Commissioner in his capacity as Director of the DPW as set forth in the County Department and Board of Public Works Act, Public Act 185 of 1957. Many responsibilities fall under this umbrella, such as construction of various public water and sewer infrastructure projects. The DPW employs one full-time person as the DPW Coordinator.

Cost of Environmental Projects Manager Position

EXPENSES

Environmental Projects Mgr.	
Wages:	\$ 60,482
Benefits:	\$ 32,398
(1) Total Expenses:	\$ 92,880

REIMBURSEMENTS:

Percent Work Activity:	
Soil Erosion: 25%	
Program Management 20%	\$ 18,575.98
APA Administration 5%	\$ 4,643.99
Lake Levels/Improvements 15%	
Lake level Admin.	\$ 4,643.99
Lake improvement admin	\$ 9,287.99
Phase II Responsibilities 50%	0
(2) Total Reimbursements:	\$37,151.95
(3) Net 2014 Cost of position= (1)-(2):	\$ 55,727.93
(4) Less Existing cost share with EH: (per 2013 budget)	\$ 26,313
Amount of Increased General Fund support requested= (3)-(4):	\$ 29,414.53

REQUEST FOR EXCEPTION TO THE HIRING FREEZE

Request Submitted by: **DRAIN COMMISSIONER'S OFFICE**

Title of Position to be Filled: **Environmental Projects Manager**

Salary: **\$46,551.73 (start rate)**

Annual Cost of Budgeted Position: **\$70,000.00 (start rate)**

Projected Cost for the next five years: **APPROXIMATELY: \$450,000**

New Position/**Classification:** **YES**

If No: Name of Employee Last Occupying this Position:

When did the position become vacant?

Has sufficient time been given to properly compensate for vacation and/or sick pay-offs to insure personnel expenses do not exceed the authorized budget?

Water Resources Coordinator position, which was the predecessor to this position, has been vacant and job shared with the Health Department since August of 2008.

1. Briefly describe this position and why you believe that it is essential enough to warrant an exception to the overall Livingston County hiring freeze. Provide a copy of the job description.

Position provides for compliance with the Federal mandates to county government under National Pollution Discharge Elimination System (NPDES) Phase II of the Clean Water Act. Work of the previous Water Resources Coordinator position was job-shared between the Drain Commissioner, Deputy Drain Commissioner, Drain Inspector, and Administrative Aide since the Water Resources Coordinator position was vacated in August of 2008. The recent upsurge in building activity has caused the Health Department to have to end the current job-sharing relationship, thus eliminating our ability to job share the responsibilities of the position. Without creation of this position the county will have no resources with which to assure compliance with the requirements of its Phase II permit.

Furthermore, failure to create this position will result in the county abdicating its lead role in partnering with regulated local communities to facilitate Phase II compliance.

JOB DESCRIPTION: ATTACHED.

2. Indicate if this is a mandated program/service by citing the act, rule, resolution, order, etc. that has necessitated this work. Also, if mandated, explain what effect this program/service has on current operations. If not mandated, outline the reason(s) for the department providing this task/work.

Rules implemented by the State of Michigan Department of Environmental Quality (MDEQ) pursuant to Phase II of the Federal Clean Water Act mandate communities in urbanized areas to obtain permits from the State for discharges from Municipal Stormwater Facilities (MS4s). As a condition of our permit we have historically undertaken certain educational activities within the Huron River and Shiawassee River Watersheds, have performed water quality analysis on certain lake and stream systems within these watersheds, and have partnered with the Huron River Watershed Council in our educational and monitoring efforts.

A second permit-mandated responsibility is the monitoring of outfalls from drainage systems maintained by the Livingston County Drain Commissioner. Necessary maintenance and repairs resulting from these inspections are completed in accordance with the provisions of our permit, and are specially assessed to Drainage Districts within the constraints of the Michigan Drain Code.

3. Budgeted department head count for the past five years:

2013 20 (with permanent part time secretarial) **2012** 19 (with temporary secretarial)
2011 19 **2010** 19.5 **2009** 19.75

Please explain changes:

2009 – One Secretarial position reduced in hours

2010 – One Secretarial position resigns in April, position replaced with half-time later in 2010.

2013 - Temporary Secretarial position upgraded to permanent 29 hour, Assistant Sanitary Facilities Operator position added.

4. Does the vacant position for which an exemption is being requested perform essential function(s) that cannot be performed with the existing staff resources within Livingston County? Identify all special skills, education and/or licensing requirements for the position.

Existing staff resources are not available to perform the functions of this position, as the shared position with the Environmental Health Division will end December 31, 2013. Neither the Facilities Services Department nor our office can perform the activities required under the County's permit pursuant to Phase II of the Clean Water Act as of January 1, 2014.

An applied science or resource development educational background, and knowledge of limnological principals and riparian issues associated with lake property ownership, along with experience in right of way acquisition & maintenance is particularly helpful. Currently, the Drain Commissioners office is short of administrative support as referenced by the list of petitioned projects requested by residents that remain incomplete.

5. Recognizing that all Elected Officials/Department Heads are expected to provide quality supervision and be creative problem solvers, how could the department reassign work and/or personnel to get all essential work of the department done without additional hiring?

Technically, the only individuals qualified to undertake the responsibilities are Brian Jonckheere and Ken Recker. Absent an increase in the number of hours in the day, they will not be able to add this work without other essential work not getting done.

That being said, one of the administrative assistant positions could be increased to full time, but pulled off the front counter to provide administrative support to the Drain Commissioner and Chief Deputy. This would result in the following:

- Complaints from customers due to excessively long waiting periods to obtain permits at the front counter, and complaints regarding excessive hold times for phone inquiries.**
- Reduced capabilities in the office for requested constituent response.**

Should the County have a qualified person in another Department that could oversee the program, we would withdraw our request.

6. Specifically list three reasonable options if your request to add a position is denied.

Assign another county department with the responsibility for maintaining compliance with Phase II requirements

Decrease the level of service we are able to provide.

7. What are the consequences of not filling the requested position over the next several months and beyond?

In the short term, failure to commit to the new Phase II permit would likely result in warnings from the MDEQ. Any prolonged delays would ultimately result in penalties under the Title III of the Federal Clean Water Act. Section 309 of Title III stipulates a minimum fine of \$2,500 and a maximum fine of \$25,000 per day for the first offense. For a second offense a maximum fine of \$50,000 per day of violation is possible.

The requirements of owners/operators of MS4's pursuant to Phase II as administered by the Michigan Department of Environmental Quality have been challenged and survived tests in the judicial system. While Phase II clearly represents an unfunded mandate to county government, failure to comply would only increase costs by adding fines and penalties on top of the compliance costs which would still remain a county obligation.

8. What budget saving measures has this department implemented? Have additional measures been identified?

Specifically pertaining to the County's Phase II permitting obligations, the Drain Commissioner has reduced the costs associated with running the Phase II program substantially since the inception of the program a decade ago. In 2005 expenses associated with initial permitting activities were \$176,000. In 2012 compliance costs associated with Phase II were just over \$60,000 (labor and outside costs). As of August of 2008, the Administrative Functions of the Water Resources Coordinator were divided between the Drain Commissioner, the Chief Deputy, one of the remaining Inspectors, and 30% of one position through 2013 is cost shared with the Environmental Health Division of the Health Department.

We have partially implemented the use of a computerized maintenance management system (CMMS) that utilizes Geographic Information System (GIS), to help better track and document our maintenance activities and costs. Continued implementation of the CMMS will be an essential component of damage control as our aging workforce approaches retirement age. Upon retirement, their institutional knowledge of our systems will be lost without the CMMS. While we view the CMMS as a long term budget saving mechanism, short term implementation costs have offset any immediate budget savings.

We have lost three full time positions, including one Administrative Assistant, one Soil Erosion Inspector (retired in 2007), and the Water Resources Coordinator (resigned in 2008) over the last six years, while retaining the Soil Erosion Control, Phase II, Lake Improvement, and Lake Level responsibilities assigned to those positions. We have attempted to work with other entities to assign or contract out our administrative responsibilities for Lake Improvement Projects with little success.

Personnel in our maintenance crew have been cross-trained to the maximum extent economically possible so that available personnel can support both sanitary system and stormwater system maintenance functions.

9. What position or other costs would you be willing to drop to enable hiring – if that becomes necessary to obtain approval for hire?

At this time there are no positions that we believe can be dropped without decreasing the responsibilities of the office. Three drain maintenance positions were previously dropped from our budget in the last decade, as the financial crunch began to sink in. With the assumption of operations for the Livingston Regional Sanitary Sewer System and the Septage Receiving Station, plus regular operation of our dams and drainage systems, the need for management of the maintenance and operation functions of the office remains strong and is, in fact, increasing. The alternative to meeting the Phase II obligations through our office is for the County to find other resources elsewhere to meet the obligation.

10. Please provide additional information regarding the staff of this department (i.e. organizational charts, workflow chart, staff on leaves from work/job restrictions, employee training downtime, etc.) to determine the workforce available for accomplishing the necessary tasks/services.

The organizational chart as proposed is attached. One of our sanitary facilities operators is currently on restrictions and is prevented from working in electrical boxes or near areas where there is a fall risk. We have no other employees on work restrictions at this time.

11. Is the work required by statute to be performed at the County level or can it be shared with other Counties? With local governments?

Since Livingston County owns stormwater facilities and is classified as an MS4 operator, the obligations of the Phase II permit must be fulfilled at the County level. The Drain Commissioner has historically taken a lead role in this regard within the county. Costs associated with Phase II compliance are cost shared between Livingston County and other regulated communities in the County. Currently Livingston County absorbs 30% of the cost of compliance of Phase II, with the balance being shared with other units of local government.

12. Explain what services can be provided by others, private sector or non-profit?

We have worked successfully with the Huron River Watershed Council, a 501 (c) 3 organization, to perform some of the educational and monitoring requirements pertaining to Phase II, and will continue to do so to a limited extent.

Private sector services for Phase II compliance can be solicited, but would not appear to provide an economical alternative value for the tax dollar, as the cost per hour for the consultant to perform the necessary Phase II obligations can run from \$100 to \$150 per hour. Given the historic level of effort required of 600-650 manhours per year, costs upward of \$90,000 could result. This compares unfavorably with our request to provide approximately one third that amount of funding, with the balance coming from permit fees and charges against lake projects.

13. Are there other County employees with the skills and knowledge that can be transferred from another department thereby shifting the vacancy to another department where the position will not be filled?

I am not aware of another county department where the job requirements are similar to this position. Planning and/or Public Health Departments often employ individuals with similar backgrounds as what would be required to manage the Phase II program. In inquiring as to staffing levels at other potential county departments, we are informed that they do not have surplus staffing available to fill these needs.

14. Has the use of temporary employees been evaluated to handle the work? Please provide explanation(s).

Yes, however temporary employee models do not have a history of positive application in the professional services market, and at the wage scale the position would be offered. Hiring out the work to a consultant, while substantially more expensive, makes more sense for this position than considering temporary employment. Also, the requirements under the Clean Water Act have no sunset provision, necessitating a long term commitment to the Phase II program.

15. Has the use of part-time (less than 30 hours) employees been evaluated for feasibility and cost-effectiveness to accomplish the work? Please provide explanation(s).

No. See the response to item 14 above.

16. Has current staff been working overtime and, if so, how much is currently being worked or how much is planned to be worked per week (on the average)?

Administrative support staff regularly carry a balance of compensatory time due to the work demands against available staffing. The Drain Commissioner, Chief Deputy , Deputy Drain Commissioner, and Solid Waste Coordinator are in the office regularly on evenings or weekends. We do not see the evening or weekend work subsiding for administrative staff due to a number of projects that require constant administrative oversight. I would estimate non-compensated administrative overtime at approximately 30 to 40 hours per week amongst the four staff mentioned above. Additionally, other staff potentially available to work the job duties during overtime hours does not have the background necessary to administer the program.

17. Has cross-trained staff been fully utilized to maximize the output of existing staff? Please provide explanation(s).

Cross training has been implemented between inspector and office operations, inspector and crew operations, and sanitary and stormwater operations. Further cross training between inspector and stormwater crew operations is being performed in anticipation of upcoming changes in utility staking requirements, which we anticipate to require positive response to every utility locating request received by this office.

We anticipate this position would also be cross-trained with the Solid Waste Coordinator and Chief Deputy Drain Commissioner to increase the administrative capabilities of the office.