

Infrastructure and Development Committee

9/27/2010

304 E. Grand River Ave., Howell, MI

7:30 PM

AGENDA

1. **CALL MEETING TO ORDER**
2. **APPROVAL OF MINUTES**
Minutes dated: August 30, 2010
3. **APPROVAL OF AGENDA**
4. **REPORTS**
5. **CALL TO THE PUBLIC**
6. **DISCUSSION**
7. **RESOLUTIONS FOR CONSIDERATION**

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8. **Administration**
RESOLUTION APPROVING AN AGREEMENT WITH THE CITY OF BRIGHTON FOR BUILDING OFFICIAL SERVICES - Co. Administration

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9. **Administration**
RESOLUTION APPROVING AN AGREEMENT WITH THE CITY OF HOWELL FOR BUILDING OFFICIAL SERVICES - Co. Administration

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10. **BUDGET DISCUSSIONS**
 11. **ADJOURNMENT**

MEETING MINUTES

LIVINGSTON COUNTY

August 30, 2010 – 7:30 P.M.

ADMINISTRATION BUILDING – CONFERENCE ROOM 4
304 E. Grand River Avenue, Howell, MI 48843

INFRASTRUCTURE & DEVELOPMENT COMMITTEE

COMM. DOLAN **COMM. LA BELLE** **COMM. PARKER** **COMM. VAN HOUTEN**

OTHERS: MAGGIE JONES BELINDA PETERS JIM ROWELL KATHLEEN KLINE-HUDSON
 BRIAN JONCKHEERE CHRIS FOLTS TOM DARLING

1. **CALL TO ORDER:** Meeting called to order by: **COMM. DENNIS DOLAN** at 7:41 PM

2. **APPROVAL OF MINUTES:** **MINUTES OF MEETING DATED JULY 26, 2010:**

MOTION TO APPROVE THE MINUTES, AS PRESENTED.
MOVED BY: VAN HOUTEN / SECONDED BY: PARKER
ALL IN FAVOR - MOTION PASSED

3. **APPROVAL OF AGENDA:**

MOTION TO APPROVE THE AGENDA, AS PRESENTED.
MOVED BY: LABELLE / SECONDED BY: VAN HOUTEN
ALL IN FAVOR - MOTION PASSED

4. **REPORTS:** None.

5. **CALL TO THE PUBLIC:** None.

6. **DISCUSSION:** **NEIGHBORHOOD STABILIZATION PROGRAM GRANT** - Planning Director Kline-Hudson distributed a summary sheet that outlined a fast track Neighborhood Stabilization Program Grant that she and Building Official, Jim Rowell, have submitted to MSHDA. Discussion ensued regarding: whether these properties were noticed for demolition; the 5-year lien requirement of the grant; eligible neighborhoods in the County according to

foreclosure; and, other risk factors. Ms. Kline-Hudson and Mr. Rowell expressed their desire to expand the program in the future and qualify for more potential NSP-3 funds.

**MOTION FOR SUPPORT OF NEIGHBORHOOD STABILIZATION PROGRAM GRANT APPLICATION AND
RECOMMENDATION TO THE FINANCE COMMITTEE.**

MOVED BY: LABELLE / SECONDED BY: VAN HOUTEN

ALL IN FAVOR - MOTION PASSED

7. RESOLUTIONS FOR CONSIDERATION:

8. ADMINISTRATION: RESOLUTION APPOINTING THE LIVINGSTON COUNTY BUILDING OFFICIAL

RECOMMEND MOTION TO: FINANCE

MOVED BY: LABELLE / SECONDED BY: VAN HOUTEN

ALL IN FAVOR - MOTION PASSED

**9. ADMINISTRATION: RESOLUTION AUTHORIZING THE 30-DAY NOTICE OF TERMINATION OF THE
INTERGOVERNMENTAL AGREEMENT FOR BUILDING OFFICIAL SERVICES**

RECOMMEND MOTION TO: FINANCE

MOVED BY: LABELLE / SECONDED BY: PARKER

ALL IN FAVOR - MOTION PASSED

**10. DRAIN COMMISSIONER: RESOLUTION APPROVING A CONTRACT BETWEEN LIVINGSTON COUNTY AND THE
HURON RIVER WATERSHED COUNCIL PURSUANT TO THEIR PROPOSAL FOR THE
PERFORMANCE OF WATERSHED PLANNING SERVICES ASSOCIATED WITH PHASE II
STORM WATER PERMIT REGULATIONS**

RECOMMEND MOTION TO: FINANCE

MOVED BY: LABELLE / SECONDED BY: PARKER

ALL IN FAVOR - MOTION PASSED

**11. DRAIN COMMISSIONER: RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ALLOWING
LIVINGSTON COUNTY TO BILL PARTNERING COMMUNITIES FOR PHASE II STORM
WATER PERMIT IMPLEMENTATION COSTS**

RECOMMEND MOTION TO: FINANCE

MOVED BY: LABELLE / SECONDED BY: VAN HOUTEN

ALL IN FAVOR - MOTION PASSED

12. PLANNING: RESOLUTION TO EXPEND A PORTION OF THE LIVINGSTON COUNTY ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) AWARD

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

13. ADJOURNMENT

**MOTION TO ADJOURN AT 8:12 P.M.
MOVED BY: PARKER / SECONDED BY: LA BELLE
ALL IN FAVOR - MOTION PASSED**

Respectfully Submitted:

KATHLEEN KLINE-HUDSON
RECORDING SECRETARY

RESOLUTION

NO: 2010-

LIVINGSTON COUNTY

DATE:

RESOLUTION APPROVING AN AGREEMENT WITH THE CITY OF BRIGHTON FOR BUILDING DEPARTMENT SERVICES - Co. ADMINISTRATION / I&D

WHEREAS, the City of Brighton has a need to fill a vacant Building Official position; and

WHEREAS, this position is vital to the continuation of State-mandated building inspection and plan review functions for the City; and

WHEREAS, Livingston County has prepared an Agreement for Building Official Services which provides the best interim solution to the management of the City of Brighton; and

WHEREAS, the one (1) year duration of this contract will allow an adequate amount of transition time for the City to resolve the need for filling the vacant Building Official position with a permanent solution to serve the future needs of the City of Brighton; and

WHEREAS, this Resolution has been recommended for approval by the Infrastructure & Development Committee.

THEREFORE BE IT RESOLVED that the City of Brighton will contract with the County of Livingston to perform City Building Department functions, including Chief Building Official duties, per State statute, as set forth in the attached Building Agreement Proposal for Provision of Building Department Services for one (1) year.

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

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MOVED:

SECONDED:

CARRIED:

INTERGOVERNMENTAL AGREEMENT
FOR
BUILDING DEPARTMENT SERVICES

WHEREAS, the Livingston County Building Department employs a full-time Building Official and Building Department,

WHEREAS, the City of Brighton and Livingston County believe that the Livingston County Building Official and Inspection Staff would be able to manage building department inspections and permit reviews in the City of Brighton and in other communities under the Livingston County Building Department's jurisdiction.

WHEREAS, Livingston County and the City of Brighton are able to enter into this Agreement pursuant to Public Act 35 of 1951 as amended, being MCL 124.1 et. seq. and Public Act 8 of 1967, being MCL 124.531, et seq.;

**NOW THEREFORE, BASED UPON THE MUTUAL COVENANTS BETWEEN THE PARTIES
HEREIN, THE PARTIES HEREBY AGREE AS FOLLOWS;**

- 1. Appointment of the Building Official:** The Building Official of Livingston County is hereby appointed to also serve as the Building Official for the City of Brighton. The building official shall be responsible for the administration and enforcement of the Michigan Building Code and the Michigan Residential Codes, as amended (collectively the Codes) within the boundaries of Brighton.
- 2. The Building Inspection Department:** Work for the City of Brighton shall be done on a predetermined day agreed to by both parties. The days may be divided or overlapped as necessary to facilitate the work as dictated by the volume of work and as agreed to by both parties.
- 3. City of Brighton Building Department Responsibilities:** A building department shall be maintained by the City of Brighton and administrative staff be provided by the City of Brighton, who shall in part, be responsible for the following:
 - a. Managing and maintaining building records, including by way of example and not limitation, applications for building permits, relative site and construction plans, permits, stop work orders, enforcement actions, correspondences, and any and all

other records necessary and / or appropriate for the administration and enforcement of the Codes;

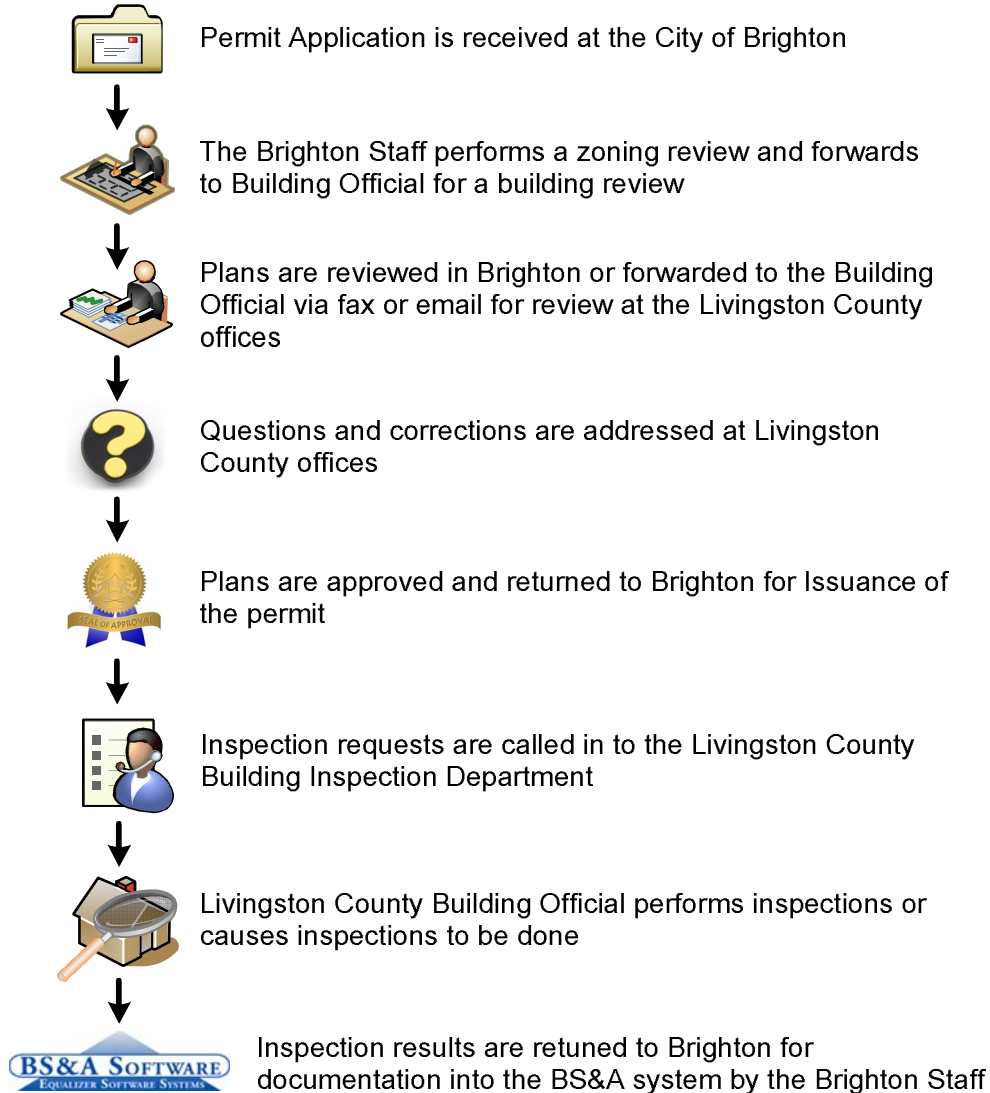
- b. Collection, acceptance, and retention of permit fees associated with building projects, applications for permits and other fees associated with building projects, applications for permits, request for inspections, complaints, building plans, correspondences, and all other papers and items directed to the Brighton Building Department;
- c. Communication and coordination with the Building Official/Designee and the public relating to building and construction issues to assure effective and efficient administration and enforcement of the codes, including by way of example, all requests for permit submittal requirement information, permit status requests, plan review requests, inspection requests, and certificate of occupancy requests;
- d. Communication of time sensitive issues shall be sent to the Building Official/Designee and addressed in the Livingston County office.
- e. Processing permit applications, request for inspections, fees, certificate of occupancy, and other building related matters as directed by the Building Official/Designee.
- f. Assist the Building Official/Designee in the preparing of correspondence for building related matters and violations.
- g. Documentation of all inspection results into the BS&A permit system.

4. Building Official Duties: The Livingston County Building Official shall be responsible for and perform the following duties on behalf of Brighton:

- a. Conduct all building inspections or cause all building inspections to be done by Livingston County Staff within the boundaries of Brighton in a timely manner on the predetermined day.
- b. Return inspection records to the City of Brighton to allow the Brighton Staff to enter results into the BS&A permit system.
- c. Conduct plan reviews on a predetermined day in the Livingston County Office or the Brighton office as deemed necessary by both parties.
- d. Prepare and sign construction documents for issuance of building permits by the City of Brighton Staff.
- e. Provide customer service and consistent advice to citizens, contractors and property owners regarding building codes and procedures by phone, email or in person at either office.
- f. Provide correspondence to regarding permits and inspections to applicants and the City Staff.
- g. Attend pre-construction or red-flag meetings as requested by City of Brighton Staff.

- h. Attend development team meeting and provide comments on site plans as requested by the City of Brighton Staff.

5. **Building inspection and permit process:** The building permit and inspection process shall be as follows:



6. **Compensation for Building Department Services:** Livingston County will make its Building Official available by email, phone or in person as needed not to exceed Eight (8) hours per week for the rate of **TWENTY FIVE THOUSAND AND XX/100 DOLLARS (\$25,000)** per year for the Building Official / Department services. Said compensation will be billed to the City of Brighton and made in monthly payments of **Two THOUSAND EIGHTY-THREE AND 33/100 DOLLARS (\$2,083.33)** for the term of the Agreement as set forth in paragraph 7 herein,

unless otherwise extended. The costs of services above and beyond that amount will be charged to the City of Brighton at a rate of \$70.00 per hour, portal to portal.

7. **Termination.** This Agreement shall commence upon the _____ day of _____, 2010, and shall continue until the _____ day of _____, 2011, at which time this Agreement shall terminate.

Agreement made this _____ day of _____, 2010.

CITY OF BRIGHTON

By: **RICCI BANDKAU**
ITS: MAYOR

By: **DIANA LOWE**
ITS: CLERK

STATE OF MICHIGAN)
COUNTY OF LIVINGSTON) ss.

On this _____ day of _____, 2010, before me a Notary Public in and for said County, personally appeared **RICCI BANDKAU** and **DIANA LOWE**, to me known to be the Mayor and City Clerk of the **CITY OF BRIGHTON**, who being by me duly sworn, did say that they executed the foregoing Agreement on behalf of the City of Brighton by authority duly vested in them by the Brighton City Charter.

My Commission Expires: _____

_____, Notary Public
Livingston County, Michigan
Acting in the County of Livingston

LIVINGSTON COUNTY

By: **MAGGIE E. JONES - CHAIRMAN**
BOARD OF COMMISSIONERS

STATE OF MICHIGAN)
COUNTY OF LIVINGSTON) ss.

On this _____ day of _____, 2010, before me a Notary Public in and for said County, personally appeared **MAGGIE E. JONES** to me known to be the CHAIRMAN of the **LIVINGSTON COUNTY BOARD OF COMMISSIONERS**, who being by me duly sworn, did say that she executed the foregoing Agreement on behalf of the County of Livingston by authority duly vested in her through Resolution #2010-10-_____, approved by the Livingston County Board of Commissioners on _____, 2010.

My Commission Expires: 10.20.13

CAROL SUE JONCKHEERE - Notary Public
Livingston County, Michigan
Acting in the County of Livingston

RESOLUTION

NO: 2010-

LIVINGSTON COUNTY

DATE:

RESOLUTION APPROVING AN AGREEMENT WITH THE CITY OF HOWELL FOR BUILDING OFFICIAL SERVICES - CO. ADMINISTRATION / I&D

WHEREAS, the City of Howell has a need to fill a vacant Building Official position; and

WHEREAS, this position is vital to the continuation of State-mandated building inspection and plan review functions for the City; and

WHEREAS, Livingston County has prepared an Agreement for Building Official Services which provides the best interim solution to the management of the City of Howell; and

WHEREAS, the one (1) year duration of this contract will allow an adequate amount of transition time for the City to resolve the need for filling the vacant Building Official position with a permanent solution to serve the future needs of the City of Howell; and

WHEREAS, this Resolution has been recommended for approval by the Infrastructure & Development Committee.

THEREFORE BE IT RESOLVED that the City of Howell will contract with the County of Livingston to perform City Building Department functions, including Chief Building Official duties, per State statute.

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

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MOVED:

SECONDED:

CARRIED: