

FINANCE COMMITTEE

2/26/2014

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

7:30 AM

AGENDA

1. **CALL MEETING TO ORDER**
 2. **ROLL CALL**
 3. **APPROVAL OF MINUTES**
 - Minutes Dated: February 12, 2014
 - Closed Session Minutes Dated: February 12, 2014
 4. **TABLED ITEMS FROM PREVIOUS MEETINGS**
 5. **APPROVAL OF AGENDA**
 - A. Consent Agenda - Res. 10 thru 13
 - B. Regular Agenda - Res. 14 thru 22
 6. **REPORTS**
 7. **CALL TO THE PUBLIC**
 8. **APPROVAL OF CONSENT AGENDA ITEMS (Roll Call)**
 - A. Consent Agenda - Res. 10 thru 13
 9. **RESOLUTIONS FOR CONSIDERATION:**
 - A. Regular Agenda - Res. 14 thru 22
-
10. **Sheriff**
RESOLUTION AUTHORIZING THE REPLACEMENT OF THE SHERIFF DEPARTMENT MOBILE DATA TERMINALS
-
11. **Sheriff**
RESOLUTION AUTHORIZING THE UPGRADE OF THE SHERIFF DEPARTMENT IN-CAR VIDEO CAMERAS
-
12. **Sheriff**
RESOLUTION AUTHORIZING ATTENDANCE TO OUT OF STATE TRAINING FOR ONE DEPUTY – Sheriff Department
-
13. **Veterans**
RESOLUTION TO APPROVE THE TRANSFER OF FUNDS FROM THE VETERANS RELIEF FUND TO THE GENERAL FUND - Veterans
-
14. **Animal Control**
RESOLUTION AUTHORIZING FILLING A VACANT FULL-TIME ANIMAL CONTROL OFFICER POSITION – Finance/Board
-
15. **Human Resources**

RESOLUTION AMENDING RESOLUTION NO. 2014-01-005 TO DISALLOW UNUSED SICK TIME TO BE PAID INTO A HEALTH CARE SAVINGS PLAN AT RETIREMENT FOR NON-UNION EMPLOYEES

16 Human Resources

RESOLUTION TO APPROVE BACKDATING OF §457 DEFERRED COMPENSATION AND §401(A) DEFINED CONTRIBUTION DEPOSITS - HUMAN RESOURCES

17 Probate Court

RESOLUTION APPROVING THE FILLING OF ONE FULL-TIME DEPUTY PROBATE REGISTER POSITION AND ONE FULL-TIME COURT CLERK POSITION IN THE PROBATE COURT - Probate Court / Public Safety Committee

18 Juvenile Court

RESOLUTION AUTHORIZING A CONTRACT WITH GROWTH WORKS FOR SUBSTANCE ABUSE TREATMENT FOR JUVENILE OFFENDERS – 44th Circuit Court, Family Division – Juvenile Unit

19 Circuit Court

RESOLUTION FOR THE SPECIALTY COURTS AND SPECIALTY PROGRAMS TO ENTER INTO A CONTRACT FOR GRANT FUNDED DRUG TESTING SERVICES AND FOR DISTRICT COURT TO ENTER INTO A LEASE FOR SPACE LOCATED IN THE ASSET BUILDING ON THE JUDICIAL CENTER CAMPUS WITH DRUG AND ALCOHOL TESTING CENTERS, INC. (“D’nA”)

20 Circuit Court

RESOLUTION TO ENTER INTO A CONTRACT FOR SOBER LIVING SERVICES, FULLY FUNDED BY GRANT PROGRAMS, WITH “IT IS POSSIBLE, INC.”-

21 Administration

RESOLUTION AUTHORIZING THE SIGNING OF THE 2014 SCHEDULE A - RENEWAL TERM JANUARY 2014 to DECEMBER 2014 WITH BLUE CROSS BLUE SHIELD OF MICHIGAN

22 Administration

RESOLUTION TO TRANSFER LUTZ PARK AND FILLMORE PARK FUNDS FROM COUNTY FUNDS TO THE LIVINGSTON COUNTY FOUNDATION AND AUTHORIZE THE COUNTY TO ESTABLISH A REIMBURSEMENT PROCESS FOR EXPENSES INCURRED IN THE UPKEEP OF THE COUNTY PARKS - COUNTY ADMINISTRATION

23. MISCELLANEOUS CLAIMS

Claims and Payables

24. COMPUTER PRINTOUT (attached)

- 25. CALL TO THE PUBLIC**
- 26. ADJOURNMENT**

MEETING MINUTES

LIVINGSTON COUNTY

FEBRUARY 12, 2014 - 7:30 A.M.

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

FINANCE COMMITTEE

X COMM. **DENNIS DOLAN** - FINANCE CHAIR
X COMM. **DAVID DOMAS**
X COMM. **DONALD PARKER**

X COMM. **CAROL GRIFFITH**
X COMM. **KATE LAWRENCE**
X COMM. **GARY CHILDS**

X COMM. **WILLIAM GREEN**
X COMM. **RON VAN HOUTEN**
X COMM. **STEVE WILLIAMS**

DEBRA KUBITSKEY

DOUG BRITZ

KEVIN WILKINSON

JOHN EVANS

JENNIFER NASH

CAROLE CHURCH

RICHARD MALEWICZ

MELISSA SCHARRER

JUDGE CAROL SUE READER

DIANNE MCCORMICK

KATHLEEN KLINE-HUDSON

JENNIFER PALMBOS

OTHERS: MARK JOHNSON

MARGARET M DUNLEAVY

BELINDA M. PETERS
DEBBIE WARDEN

1. **CALL TO ORDER:** Meeting called to order by **COMM. DENNIS DOLAN** at 7:32 AM.
2. **ROLL CALL.**
3. **APPROVAL OF MINUTES: MINUTES OF MEETING DATED JANUARY 29, 2014 AND CLOSED SESSION JANUARY 29, 2014:**

MOTION TO APPROVE THE MINUTES, AS PRESENTED.

MOVED BY: LAWRENCE / SECONDED BY: GREEN

ALL IN FAVOR – MOTION PASSED

4. **TABLED ITEMS FROM PREVIOUS MEETINGS:**

- RESOLUTION APPROVING THE APPOINTMENT OF (3)LAW CLERKS AND (2) REFEREES AS LIMITED DUTY MAGISTRATE FOR THE 53RD DISTRICT COURT
- RESOLUTION APPROVING THE APPOINTMENT OF CHRISTOPHER M. THOMPSON FOR LIMITED MAGISTRATE DUTIES FOR THE 53RD DISTRICT COURT
- RESOLUTION APPROVING THE APPOINTMENT OF KATHLEEN M. CRAMER FOR LIMITED

MOTION TO ADD TABLED RESOLUTIONS TO REGULAR AGENDA

MOVED BY: VANHOUTEN / SECONDED BY: GREEN

ALL IN FAVOR – MOTION PASSED

5. APPROVAL OF AGENDA:

➤ **CONSENT AGENDA:**

MOTION TO APPROVE THE CONSENT AGENDA, AS PRESENTED.
MOVED BY: GRIFFITH / SECONDED BY: WILLIAMS
ALL IN FAVOR – MOTION PASSED

➤ **REGULAR AGENDA:**

MOTION TO APPROVE THE REGULAR AGENDA, AS MODIFIED
MOVED BY: GRIFFITH / SECONDED BY: LAWRENCE
ALL IN FAVOR – MOTION PASSED

6. REPORTS:

- Smartzone - Belinda Peters addressed the Board regarding the Smartzone Network which is a technology business to build entrepreneurial talent and infrastructure. Washtenaw County wants to extend their smartzone into Livingston County. Commissioner Griffith suggested it would be worth looking into.

- Hartland Township - DDA - Board stated they are not interested.

7. CALL TO THE PUBLIC: None.

8. CLOSED SESSION: LABOR RELATIONS

MOTION TO RECESS TO CLOSED SESSION AT: 7:52 AM
MOVED BY: WILLIAMS / SECONDED BY: GREEN
ALL IN FAVOR - MOTION PASSED

RETURN TO OPEN SESSION AT: 8:20 AM

MOVED BY DOMAS AND SECONDED BY GREEN TO ACCEPT AGREEMENT BETWEEN MICHIGAN ASSOCIATION OF PUBLIC EMPLOYEES AND LIVINGSTON COUNTY COURTS REPRESENTING EMPLOYEES
MOTION PASSED

9. CONSENT AGENDA

RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE, PARKER
NAYS: NONE MOTION CARRIED

10. RESOLUTIONS FOR CONSIDERATION:

RESOLUTION APPROVING THE APPOINTMENT OF (3) LAW CLERKS AND (2) REFEREES AS LIMITED DUTY MAGISTRATE FOR THE 53RD DISTRICT COURT

**RECOMMEND MOTION TO DISCUSS
MOVED BY: DOMAS / SECONDED BY LAWRENCE
MOTION CARRIED.**

AFTER DISCUSSION BETWEEN JUDGE CAROL SUE READER AND BOARD IT WAS DECIDED THAT THE RESOLUTION WOULD BE AMENDED TO REFLECT ONLY THE APPOINTMENT OF THE THREE LAW CLERKS

- 1. RESOLUTION APPROVING THE APPOINTMENT OF (3) PART TIME LAW CLERK POSITIONS AS MAGISTRATES FOR THE 53RD DISTRICT COURT**

**RECOMMEND MOTION TO THE BOARD
MOVED BY LAWRENCE / SECONDED BY GREEN
MOTION PASSED**

- 2. RESOLUTION APPROVING THE APPOINTMENT OF CHRISTOPHER M THOMPSON FOR LIMITED MAGISTRATE DUTIES FOR THE 53RD DISTRICT COURT**

**RECOMMEND MOTION TO THE BOARD
MOVED BY LAWRENCE / SECONDED BY GREEN
MOTION PASSED**

- 3. RESOLUTION APPROVING THE APPOINTMENT OF KATHLEEN M. OEMKE FOR LIMITED MAGISTRATE DUTIES FOR THE 53RD DISTRICT COURT**

**RECOMMEND MOTION TO THE BOARD
MOVED BY LAWRENCE / SECONDED BY GREEN
MOTION PASSED**

- 11. MI WORKS!: RESOLUTION APPROVING THE SUBMISSION OF THE CALENDAR YEAR 2014 MICHIGAN WORKS! SYSTEM PLAN FOR THE PERIOD JANUARY 1, 2014, TO DECEMBER 31, 2014**

**RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED**

- 12. PUBLIC HEALTH: RESOLUTION AUTHORIZING THE ISSUANCE OF A BLANKET PURCHASE ORDERS FOR FY 2014 PURCHASE OF VACCINES**

RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED

13. **ANIMAL CONTROL:** RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT REGARDING THE COMPANION ANIMAL WELFARE FUND

RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED

14. **COUNTY CLERK:** RESOLUTION AUTHORIZING ISSUANCE OF BLANKET PURCHASE ORDER FOR 2014 ELECTION SUPPLIES

RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED

15. **FACILITY SERVICES:** RESOLUTION AUTHORIZING A CONTRACT FOR SNOW REMOVAL SERVICES WITH EVERGREEN OUTDOOR, INC.

RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED

16. **AIRPORT:** RESOLUTION TO CHOOSE THE FIXED THREE (3) YEAR PREMIUM OPTION FOR AIRPORT LIABILITY INSURANCE

RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED

17. INFORMATION TECHNOLOGY: RESOLUTION AUTHORIZING THE PURCHASE OF PANASONIC MOBILE DATA COMPUTERS FOR EMS

**RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED**

18. INFORMATION TECHNOLOGY: RESOLUTION AUTHORIZING THE PURCHASE OF A ONE YEAR MAINTENANCE AGREEMENT FOR LIVINGSTON COUNTY INFORMATION TECHNOLOGY'S EMC SANS INCLUDING SOFTWARE, HARDWARE AND SERVICES WITH CDWG

**RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED**

19. LETS: RESOLUTION OF INTENT TO APPLY FOR FINANCIAL ASSISTANCE FOR STATE FISCAL YEAR 2015 UNDER ACT NO. 51 OF THE PUBLIC ACTS OF 1951, AS AMENDED

**RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED**

20. LETS: RESOLUTION AUTHORIZING SPECIALIZED SERVICES CONTRACT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF LIVINGSTON

**RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED**

21. LETS: RESOLUTION AUTHORIZING BLANKET PURCHASE ORDER FOR DIESEL FUEL FOR FISCAL YEAR 2014

**RECOMMEND MOTION TO THE BOARD
MOVED BY: WILLIAMS / SECONDED BY : LAWRENCE
YEAS: WILLIAMS, VANHOUTEN, CHILDS, DOLAN, DOMAS, GRIFFITH, GREEN, LAWRENCE,
PARKER; NAYS: NONE
MOTION CARRIED**

22. INFORMATION TECHNOLOGY: RESOLUTION TO APPROVE THE PURCHASE OF AN ENTERPRISE LICENSING AGREEMENT FOR MICROSOFT SQL SERVER WITH SOFTWARE ASSURANCE IN ACCORDANCE WITH THE IT STRATEGIC PLAN

**RECOMMEND MOTION TO THE BOARD
MOVED BY: CHILDS / SECONDED BY: WILLIAMS
MOTION PASSED**

23. LETS: RESOLUTION AUTHORIZING OUT OF STATE TRAVEL FOR LETS OPERATIONS MANAGER AND DRIVER TRAINER TO ATTEND THE FTA DRUG AND ALCOHOL CERTIFICATION CLASS AND CONFERENCE IN LITTLE ROCK, AK

**RECOMMEND MOTION TO THE BOARD
MOVED BY: CHILDS / SECONDED BY: WILLIAMS
MOTION PASSED**

24. BOARD OF COMMISSIONERS: RESOLUTION AUTHORIZING AN INCREASE IN HOURS FOR THE ADMINISTRATIVE SPECIALIST POSITIONS IN THE OFFICE OF THE BOARD OF COMMISSIONERS AND HUMAN RESOURCES

**RECOMMEND MOTION TO THE BOARD
MOVED BY: LAWRENCE / SECONDED BY: GRIFFITH
MOTION PASSED**

25. **ADMINISTRATION:** **RESOLUTION AUTHORIZING OUT OF STATE TRAVEL FOR THE COUNTY FINANCIAL OFFICER TO ATTEND THE GFOA ANNUAL CONFERENCE IN MINNEAPOLIS, MINNESOTA**

RECOMMEND MOTION TO THE BOARD
MOVED BY: GRIFFITH / SECONDED BY: WILLIAMS
MOTION PASSED

26. **ADMINISTRATION:** **RESOLUTION TO AMEND THE FISCAL-YEAR 2013 BUDGET**

RECOMMEND MOTION TO THE BOARD
MOVED BY: GREEN / SECONDED BY: WILLIAMS
MOTION PASSED

27. **HUMAN RESOURCES:** **RESOLUTION AUTHORIZING THE FILLING OF THE VACANT FULL-TIME BENEFITS SPECIALIST POSITION**

RECOMMEND MOTION TO THE BOARD
MOVED BY: GRIFFITH / SECONDED BY: GREEN
MOTION PASSED

28. **TREASURER:** **RESOLUTION TO BORROW AGAINST ANTICIPATED DELINQUENT 2013 REAL PROPERTY TAXES**

RECOMMEND MOTION TO THE BOARD
MOVED BY: GRIFFITH / SECONDED BY: DOMAS
MOTION PASSED

29. **JAIL:** **RESOLUTION AUTHORIZING CAPITAL PURCHASE OF FULL BODY SCANNERS**

RECOMMEND MOTION TO THE BOARD
MOVED BY: LAWRENCE / SECONDED BY: GREEN
MOTION PASSED

30. DISTRICT COURT: RESOLUTION APPROVING THE FILLING OF A FULL TIME DEPUTY COURT CLERK POSITION IN THE 53RD DISTRICT COURT, AND THE SUBSEQUENT FILLING OF A PART-TIME DEPUTY COURT CLERK POSITION

RECOMMEND MOTION TO THE BOARD
MOVED BY: DOMAS / SECONDED BY: WILLIAMS
MOTION PASSED

31. CIRCUIT COURT: RESOLUTION AUTHORIZING SPECIALTY COURT SUB-CONTRACTS TO BE FULLY PAID FROM FY 2014 STATE COURT ADMINISTRATIVE OFFICE GRANT FUNDS

RECOMMEND MOTION TO THE BOARD
MOVED BY: GREEN / SECONDED BY: WILLIAMS
MOTION PASSED

32. MISCELLANEOUS CLAIMS

MOTION TO APPROVE THE MISCELLANEOUS CLAIMS DATED FEBRUARY 12, 2014.
MOVED BY: LAWRENCE / SECONDED BY: GRIFFITH
MOTION PASSED

33. COMPUTER PRINTOUT

MOTION TO APPROVE THE COMPUTER PRINTOUT
MOVED BY: CHILDS / SECONDED BY: GRIFFITH
MOTION PASSED

34. CALL TO THE PUBLIC: None.

35. ADJOURNMENT:

MOTION TO ADJOURN AT 9:14 AM
MOVED BY: GRIFFITH / SECONDED BY: WILLIAMS
MOTION PASSED

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

**RESOLUTION AUTHORIZING THE REPLACEMENT OF THE SHERIFF DEPARTMENT
MOBILE DATA TERMINALS**

WHEREAS, the replacement of the Livingston County Sheriff Department Mobile Data Terminals are greatly needed due to the fact that they are currently 6 years old and have exceeded their cost effectiveness; and

WHEREAS the mobile data terminals are experiencing connectivity problems, reach the end of life, are out of warranty and have difficulty running the programs we are using now that are essential to the Deputies job functions;

WHEREAS we have obtained a quote for the replacement of the MDTs from Advanced Wireless which is extending the competitively bid Oakland County Contract (#002974) pricing, including current manufacture's incentives;

WHEREAS, and money has been set aside in contingency for this purchase in the 2014 budget;

WHEREAS, the total purchase would be \$129,424.5, 25 units at \$5,176.98 each, this includes all necessary hardware, printers and cables;

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the replacement of Sheriff Department's MDTs and authorizes purchasing to issue a P.O. in the amount of \$129,424.50 to Advanced Wireless Telecom, 49716 Martin Dr, Wixom, MI 48393;

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby authorizes the 2014 budget to be amended and the funds to be moved from contingency to the Sheriff Department's budget (10130100 747000) to cover the cost of the replacement.

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MOVED: Commissioner
SECONDED; Commissioner
CARRIED



LIVINGSTON COUNTY SHERIFF DEPARTMENT
150 S. Highlander Way
Howell, Michigan 48843-2323

(517) 546-2400

MEMORANDUM

DATE: 2-14-14

TO: Board of Commissioners

FROM: Lt. Eric J. Sanborn

RE: Replacement of Mobile Data Terminals

During budget discussion last fall (2013), it was discussed as the necessity of replacing the Mobile Data Terminals for the Sheriff Department. Originally, we were requesting the replacement of all of our MDTs. Through a needs assessment we determined that 23 of the 32 vehicles assigned to road patrol are regularly used and need to be replaced. In additions we requested 2 spares to have as replacements, thus bring the total to 25.

During those discussions, we were also looking at change to a more cost effective tablet version to save the county money. Based on the quote, we had \$124,867.25 put into contingency for this project. However, we did test and evaluate the tablet version and found it to be unable to serve our purposes. It was not functional. Therefore, we were force to look at the replacement laptops. Initially, we were looking approximately a \$1,300 per unit increase. We worked with the vendor and were able to obtain a quote that is less than \$200 per unit (5,176.98).

This quote is based on the Oakland County Contract pricing (Oak. Co, Contract #0029674 attached) as well as incentives from the manufacturer, such as getting the docking stations included. The quote is time sensitive and will expire on 3-31-14. We are requesting authorization to proceed with the replacement of our MDTs and authorize purchasing to issue a P.O. for the purchase to Advanced Wireless. Also, we are requesting the funds in the amount of \$129,424.50 be moved from contingency to the Sheriff Department budget (10130100 747000) for the purchase.

Attached as well are the original budget memo, the Oakland County Contract and the updated quote.

Respectfully submitted,
Lt. Eric J Sanborn



49716 Martin Dr. • Wixom, MI 48393 • Phone: 248-295-4600 • Fax: 248-295-2699

February 14th, 2014

**Livingston Co. Sheriff Dept.
150 S. Highlander Way
Howell, MI 48843**

Attention: Lt. Eric Sanborn

Re: Quote – Panasonic Toughbook CF-31- With Included Docking Station

QN-LivingstonCoSD-CF31-02142014-SQ1

Qty.	Description	Unit Price	Ext. Price
30	CF-31WBLEHLM Windows 7 Professional (with Win 8 COA), Intel Core i5-3340M 2.70GHz, 13.1" XGA Touchscreen LCD, 500GB Shock-mounted HDD (7200rpm), 4GB, Wi-Fi, Bluetooth, 4G LTE Multi Carrier, GPS Receiver, Dual Pass (Upper WWAN / Lower Selectable), TPM 1.2, Backlit Emissive Keyboard, Toughbook Preferred	\$ 4,455.00	\$ 133,650.00
30	CF-WMBA1204G 4BG Memory (Individually Packaged) for CF-31	\$ 107.10	\$ 3,213.00
30	DS-PAN-112-2 (Included in promo price of CF-31) Havis DEVMT, DOCKST, PAN, 30, 31, LIND, [2]HGANT	\$ -	\$ -
30	C-PM-110 Havis DEVMT, PRNTR, BRO, MULTDEV	\$ 78.75	\$ 2,362.50
30	RJ4040 Brother RUGGEDJET 4 w/ Wi-Fi Printer	\$ 496.13	\$ 14,883.90
30	LB3692 Brother Car Adapter - Wired - 14 Foot Length	\$ 17.25	\$ 517.50
30	LB3602 Brother USB Cable - 6 foot length	\$ 7.75	\$ 232.50
30	Shipping/Handling	\$ 15.00	\$ 450.00
Total		\$ 5,176.98	\$ 155,309.40

Pricing is from the Oakland Co. Contract and includes additional “first time buyer” incentives passed to customer from Panasonic and valid until March 31st 2014 for the “included” docking station. It is not available in the future for additional quantities after your initial purchase. If you only purchase 20 units initially, you will not be eligible to purchase an additional quantity (with the included docking station) even if done before March 31st as you would technically then be a second time buyer. AWT must get the customer PO to Panasonic before March 31st, 2014 to qualify for this offer.

Should you have any additional questions, please let me know.

I appreciate the opportunity to provide this information.

Respectfully,

Joe Campbell
Advanced Wireless Telecom
810-360-9451
jcampbell@awt911.com



Livingston County Sheriff Department Inter-Office Memo

TO: Belinda Peters, Cindy Catanach and Rich Malewicz
FROM: Undersheriff Mike Murphy and Lt. Eric J. Sanborn
DATE: 11-20-13
SUBJECT: Explanation of requested 2014 Budget increases

In our initial level 2 budget request, the Sheriff Department had requested an additional \$287,000 for necessary upgrades in technology equipment for the patrol cars. This was to include upgrading the camera systems as well as the in-car Mobile Data Terminals and printers. Due to the time constraints of the budget process, we put forth some numbers that were based on some very initial quotes and our perceived needs.

Since, that initial budget submission we have done a thorough assessment of our needs and have come up with a more accurate request. After discussion, we decided that it would be more prudent and fiscally responsible to upgrade only the first generation cameras that are failing. We have 10 of those cameras currently installed in the patrol cars. Initially, we had also asked that our 21 generation 2 cameras be upgraded as well. The cost for that was \$54,453. The price per unit to upgrade the 10 generation 1 cameras will be \$2,643 and a total cost of \$26,430.

In regards to the Mobile Data terminals, currently we are equipped with a laptop computer that has reached the end of its life. The current configuration is that the data runs through an external modem. The computers are having several issues with connectivity; the external GPS is failing as well as the ticket printers. The connectivity causes issues with the officers being able to receive pertinent information for safety and liability. The same goes for the GPS system, being able to locate an officer in distress or for an officer being able to locate an address of a citizen in distress. Also, the current laptops can only run one brand of printer, which is becoming obsolete and difficult to obtain. We are also not happy with the quality of that printer.

There is also the issue of the capabilities of the current computers being able to run all of the software necessary to efficiently and safely do their job. In order to utilize the full functionality of the OSSI system these upgrades are critical.

In researching the options, we have selected the same manufacture (Panasonic) as our current laptops. Our laptops have been in service for nearly 6 years. They have been durable and withstood the daily riggers of 24/7 police work very well. However, they make a tablet version that is more cost effective as well as allow the officers to be more efficient. This model is currently \$1,300 less per unit than the comparable laptop version. The tablet version has an in bedded 4G wireless modem and in bedded GPS. This means wherever

that tablet is, the officers will be able to be located. It will allow the officers to take the tablets into scenes and complete reports, document incidents and take crime scene photos. The in bedded wireless modem and GPS should solve our issues with connectivity and GPS. Another advantage is that there will be much more room in the passenger side seat for a second officer during the times we are utilizing 2 man cars. In addition, the tablet version has a removable keyboard that the officer can put in his lap to type his reports as opposed to hunching over a stationary laptop. This should reduce back strain and possible workers comp issues.

Another very important thing we envision using these new Mobile Data Terminals (Tablets) for is online training. We would like to utilize an online training service that the officers can access in the patrol cars. This will enable us to keep more officers on the road and not have to send them out as often for external source training. The new tablets are equipped with 4G speed modems that can handle the streaming online video for training. The current external modems in the car are only 3G data speed capable. They are not fast enough to consistently handle the streaming training videos. Therefore, if a portion of or regular patrol fleet stays with the current configuration, we would have to get new 4G external modems to make it work and that is an additional expense.

After assessing our needs, it was determined that we currently have 32 vehicles assigned to patrol functions. There are 23 vehicles that go out regularly on 12 hour shifts. The remaining 9 vehicles that go out less frequently, we can maintain their existing configuration of the current laptops. We need to keep the regular patrol vehicles rotated to extend their lives so we don't have to replace them every 2 yrs. The same holds true for the technology. It cannot be run 24/7 and expect it to last. By doing so or constantly switching those in and out of cars will significantly reduce their life spans. The equipment an officer needs to do his job needs to be in the patrol car and readily available as we are often called on for emergency responses. It is a safety, efficiency and liability concern.

Therefore, we are requesting 25 total units for the tablet version at \$4,994.69 per unit. That is for the 23 regular patrol units and 2 spares, to be able to put into service once a tablet is down and in the process of being repaired. This price also includes the printers, cables and necessary mounting hardware for each unit. The total request is for \$124,867.25.

Based on our needs assessment, this brings our total technology request to \$151,297.25 instead of the initial \$287,000.

Type	Initial Request	Revised Request	Savings
MDTs	\$203,000	\$124,867.25	\$78,132.75
Cameras	\$84,000	\$26,430.00	\$57,570.00
Total	\$287,000	\$151,297.25	\$135,702.75

If you have any further questions, please feel free to contact me.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING THE UPGRADE OF THE SHERIFF DEPARTMENT IN-CAR VIDEO CAMERAS

WHEREAS, the upgrade of the Livingston County Sheriff Department In-Car Video cameras are greatly needed due to the fact that they are currently 6 years old and have exceeded their cost effectiveness; and

WHEREAS the 1st generation in-car video cameras are starting to fail, have reached the end of life, are out of warranty and cannot have extended warranties purchased;

WHEREAS, we have obtained a quote for the upgrade of the in-car cameras and money has been set aside in contingency for this purchase in the 2014 budget;

WHEREAS, the total purchase would be \$29,073, 11 units at \$2,643 each, this includes all necessary components for upgrade;

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the upgrade of Sheriff Department’s In-Car Video Cameras and purchasing to issue a P.O. in the amount of \$29,073 to L3-Mobilvision Inc, 90 Fanny Rd, Boonton, NJ 07005;

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby authorizes the 2014 budget to be amended and the funds to be moved from contingency to the Sheriff Department’s budget (10130100 747000) to cover the cost of the upgrades.

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MOVED: Commissioner
SECONDED; Commissioner
CARRIED



LIVINGSTON COUNTY SHERIFF DEPARTMENT
150 S. Highlander Way
Howell, Michigan 48843-2323

(517) 546-2400

MEMORANDUM

DATE: 2-14-14
TO: Board of Commissioners
FROM: Lt. Eric J. Sanborn
RE: Upgrade to Digital In-Car Cameras

During budget discussion last fall (2013), it was discussed as the necessity of upgrading the Digital In-Car Cameras for the Sheriff Department. Originally, we were requesting the upgrade of all of our cameras. Through a needs assessment we determined that 10 of the 32 cameras in the vehicles assigned to road patrol were generation 1 cameras and needed to be upgraded. They are out of warranty and we cannot even purchase an extended warranty for them and they are starting to fail.

Based on the quote, we had \$26,430 put into contingency for this project. However, during a change in record keeping, it was discovered that one of the cameras originally classified as a generation 2 camera was actually a generation 1. Therefore, we would ask that that additional camera be included and upgraded as well. With that addition, our total request would be request \$29,073.

We are requesting authorization to proceed with the upgrade of our generation 1 In-Car video cameras and authorize purchasing to issue a P.O. for the purchase to L3 Communications. Also, we are requesting the funds in the amount of \$29,073 be moved from contingency to the Sheriff Department budget (10130100 747000) for the purchase.

Attached as well are the original budget memo and the quote.

Respectfully submitted,

Lt. Eric J Sanborn

LEASE INFORMATION



Mobile-Vision, Inc.

QUOTE

90 Fanny Rd, Boonton, NJ 07005
T. 800-336-8475 F. 973-257-3024

Number 23230616

Date September 04, 2013

Sold To

Livingston County Sheriff's Department
Bob Hudecek
150 S Highlander Way
Howell, MI 48843-1954

Phone 517-540-7912
Fax 517-552-2542

Ship To

Livingston County Sheriff's Department
Bob Hudecek
150 S Highlander Way
Howell, MI 48843-1954

Phone 517-540-7912
Fax 517-552-2542

Salesperson	P.O. Number	Ship Via	Terms
Chris Mauser		UPS	

Line	Qty	SKU	Description	Unit Price	Ext Price	Comments
1	10	MVD-FB3-FB1-UPG	Upgrade, Flashback 3 from Flashback 1, FB3	\$2,514.00	\$25,140.00	
2	10	MVD-SMW2CB-UPG	Antenna Upgrade, Black 802.11n Antenna, Thru-Hole Mount Wifi/Wifi/GPS, FB3	\$129.00	\$1,290.00	
3	10	MVD-VLP2-FS	Assembly, Voice Link Plus 2 Wireless Microphone System with Transmitter w/Belt Clip, Docking Station, 9" & 40" Lapel Microphones	\$505.00	\$0.00	
4	21	MVD-FB3-FB2-UPG	Upgrade, Flashback 3 from Flashback 2, FB	\$2,395.00	\$50,295.00	
5	21	MVD-MGW3C3C2CB	Antenna, Dome Wifi/Wifi/GPS Magnetic Mount, Black, FB3	\$198.00	\$4,158.00	
6	21	MVD-VLP2-FS	Assembly, Voice Link Plus 2 Wireless Microphone System with Transmitter w/Belt Clip, Docking Station, 9" & 40" Lapel Microphones	\$505.00	\$0.00	
7	21	MVD-VLP2-CG	VLP2 Charging Station with AC Power Adapter	\$44.95	\$0.00	
8	3	MVD-AP-N-US-6	Assembly, Access Point, Indoor, 802.11n, 1 Radio w/6' cable and Antenna	\$895.00	\$2,685.00	
9	31	/EMA STD YR 1		\$250.00	\$7,750.00	
10	31	/EMA STD YR 2		\$300.00	\$9,300.00	
11	31	/EMA STD YR 3		\$375.00	\$11,625.00	
12	31	/EMA STD YR 4		\$475.00	\$14,725.00	

5 YEAR LEASE OPTION is \$27,733.08. AT THE END OF THE 5 YEAR TERM, LIVINGSTON COUNTY SO CAN BUY THE EQUIPMENT FOR \$1.

FOR THE FLASHBACK 1 UPGRADES, ONLY NEW EQUIPMENT WILL BE COVERED UNDER WARRANTY. CABLES, CAMERAS, AND MONITORS WOULD NOT BE COVERED

Quotation is valid for 60 days from date issued. These commodities, technology or software were exported from the United States in accordance with the Export Administration regulations. Diversion contrary to US law is prohibited.
State/local Fees and Taxes are not included.



Livingston County Sheriff Department Inter-Office Memo

TO: Belinda Peters, Cindy Catanach and Rich Malewicz
FROM: Undersheriff Mike Murphy and Lt. Eric J. Sanborn
DATE: 11-20-13
SUBJECT: Explanation of requested 2014 Budget increases

In our initial level 2 budget request, the Sheriff Department had requested an additional \$287,000 for necessary upgrades in technology equipment for the patrol cars. This was to include upgrading the camera systems as well as the in-car Mobile Data Terminals and printers. Due to the time constraints of the budget process, we put forth some numbers that were based on some very initial quotes and our perceived needs.

Since, that initial budget submission we have done a thorough assessment of our needs and have come up with a more accurate request. After discussion, we decided that it would be more prudent and fiscally responsible to upgrade only the first generation cameras that are failing. We have 10 of those cameras currently installed in the patrol cars. Initially, we had also asked that our 21 generation 2 cameras be upgraded as well. The cost for that was \$54,453. The price per unit to upgrade the 10 generation 1 cameras will be \$2,643 and a total cost of \$26,430.

In regards to the Mobile Data terminals, currently we are equipped with a laptop computer that has reached the end of its life. The current configuration is that the data runs through an external modem. The computers are having several issues with connectivity; the external GPS is failing as well as the ticket printers. The connectivity causes issues with the officers being able to receive pertinent information for safety and liability. The same goes for the GPS system, being able to locate an officer in distress or for an officer being able to locate an address of a citizen in distress. Also, the current laptops can only run one brand of printer, which is becoming obsolete and difficult to obtain. We are also not happy with the quality of that printer.

There is also the issue of the capabilities of the current computers being able to run all of the software necessary to efficiently and safely do their job. In order to utilize the full functionality of the OSSI system these upgrades are critical.

In researching the options, we have selected the same manufacture (Panasonic) as our current laptops. Our laptops have been in service for nearly 6 years. They have been durable and withstood the daily riggers of 24/7 police work very well. However, they make a tablet version that is more cost effective as well as allow the officers to be more efficient. This model is currently \$1,300 less per unit than the comparable laptop version. The tablet version has an in bedded 4G wireless modem and in bedded GPS. This means wherever

that tablet is, the officers will be able to be located. It will allow the officers to take the tablets into scenes and complete reports, document incidents and take crime scene photos. The in bedded wireless modem and GPS should solve our issues with connectivity and GPS. Another advantage is that there will be much more room in the passenger side seat for a second officer during the times we are utilizing 2 man cars. In addition, the tablet version has a removable keyboard that the officer can put in his lap to type his reports as opposed to hunching over a stationary laptop. This should reduce back strain and possible workers comp issues.

Another very important thing we envision using these new Mobile Data Terminals (Tablets) for is online training. We would like to utilize an online training service that the officers can access in the patrol cars. This will enable us to keep more officers on the road and not have to send them out as often for external source training. The new tablets are equipped with 4G speed modems that can handle the streaming online video for training. The current external modems in the car are only 3G data speed capable. They are not fast enough to consistently handle the streaming training videos. Therefore, if a portion of or regular patrol fleet stays with the current configuration, we would have to get new 4G external modems to make it work and that is an additional expense.

After assessing our needs, it was determined that we currently have 32 vehicles assigned to patrol functions. There are 23 vehicles that go out regularly on 12 hour shifts. The remaining 9 vehicles that go out less frequently, we can maintain their existing configuration of the current laptops. We need to keep the regular patrol vehicles rotated to extend their lives so we don't have to replace them every 2 yrs. The same holds true for the technology. It cannot be run 24/7 and expect it to last. By doing so or constantly switching those in and out of cars will significantly reduce their life spans. The equipment an officer needs to do his job needs to be in the patrol car and readily available as we are often called on for emergency responses. It is a safety, efficiency and liability concern.

Therefore, we are requesting 25 total units for the tablet version at \$4,994.69 per unit. That is for the 23 regular patrol units and 2 spares, to be able to put into service once a tablet is down and in the process of being repaired. This price also includes the printers, cables and necessary mounting hardware for each unit. The total request is for \$124,867.25.

Based on our needs assessment, this brings our total technology request to \$151,297.25 instead of the initial \$287,000.

Type	Initial Request	Revised Request	Savings
MDTs	\$203,000	\$124,867.25	\$78,132.75
Cameras	\$84,000	\$26,430.00	\$57,570.00
Total	\$287,000	\$151,297.25	\$135,702.75

If you have any further questions, please feel free to contact me.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE: January 21, 2014

RESOLUTION AUTHORIZING ATTENDANCE TO OUT OF STATE TRAINING FOR ONE DEPUTY – Sheriff Department

WHEREAS, Jim Steinaway is a Deputy with the Sheriff Department and has the opportunity to attend a Basic SWAT Training Certification School from April 7-10, 2014 in Grove City, Ohio (Columbus area); and

WHEREAS, Dep. Steinaway is slated to assume one of the vacant Tactical Officer positions within the Sheriff Department. The importance of attending this out of state training is that there are no other Basic Swat Schools available within the state of Michigan until the fall of 2014. Waiting until the later date could severely limit the manpower and effectiveness of the Tactical Team; and

WHEREAS, the training requires four nights lodging at a per night room charge of approximately \$100 per night; and

WHEREAS, the Sheriff Department has sufficient training funds budgeted for this training which will be \$500; and

WHEREAS, the total cost for lodging, meals and training will not exceed \$1,200.00; and

WHEREAS, the funds to cover attendance of this training are available in drug forfeiture fund 265, line item 301-956.000

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes Deputy Jim Steinaway of the Sheriff Department to attend Basic SWAT Training Certification held in Grove City, Ohio April 7-10, 2014.

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MOVED:

SECONDED:

CARRIED:



Livingston County Sheriff Department

150 S. Highlander Way, Howell, MI. 48843

(517) 546-2440 Voice

(517) 546-1744 Fax

January 21, 2014

Livingston County Board of Commissioners
Administration Building
304 E. Grand River Ave
Howell, MI. 48843

Re: Basic SWAT Training Certification School

Dear Board of Commissioners,

This is a formal request for approval of training in Grove City, Ohio (Columbus area) for Deputy Jim Steinaway. The training will take place April 7-10, 2014.

Deputy Steinaway is slated to assume an open Tactical Officer position within the Sheriff Department. The importance of attending this out of state training is that there are no other Basic Swat Schools scheduled within the state of Michigan until late fall of 2014. Waiting until the later date could severely limit the manpower and effectiveness of the Tactical Team.

My request to the Board is that the Sheriff's Department take advantage of the opportunity to attend this training in Grove City, OH. This training will allow Dep. Steinaway to obtain his Basic SWAT Operators Certification and enable him to be a functioning member of the Tactical Team upon completing the training. In addition, the designated training funds are available within the Sheriff Department budget.

Respectfully,

D/Lt. Scott W. Domine
Livingston County Sheriff Department
Tactical Team Commander

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO APPROVE THE TRANSFER OF FUNDS FROM THE VETERANS RELIEF FUND TO THE GENERAL FUND - Veterans

WHEREAS, the Board of Commissioners approved the levy of the Veterans Relief millage at 1/20 of mill in Resolution # 2009-06-193; and

WHEREAS, the Veterans Relief Millage is used to assist indigent veterans within Livingston County; and

WHEREAS, the funds generated from the millage can be used to fund the time and materials utilized by the Veterans Affairs staff with the aid of indigent veterans; and

WHEREAS, the Veterans Affairs Committee has approved the amount for the fourth quarter of 2013 that will be transferred from the Veterans Relief Fund to the General Fund; and

WHEREAS, the amount to be transferred is \$2,109 for the fourth quarter of 2013.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners authorize the transfer of funds from the Veterans Relief Fund to the General Fund in the amount of \$2,109 for the fourth quarter of 2013 for work related specifically to the indigent veterans of Livingston County.

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MOVED:
SECONDED:
CARRIED:

Livingston County
Department of Veterans Affairs

Resolution Number: 2014 – 1

Moved by Pratt Seconded by Atkins

Authorizing transfer of funds from County Indigent Veterans Fund, back to the County in payment of direct services for indigent veterans.

Whereas, the Livingston County Veterans Committee Indigent Fund is administered to help indigent veterans of the county, under authority of the State of Michigan and the County of Livingston, and,

Whereas, in the FOURTH quarter of 2013 (October – December 2013), the Veterans Affairs office reported expenses to assist indigent veterans as follows:

A total of 60.25 hours, representing \$2108.75 was expended for direct services personnel, compensation and benefits to assist indigent veterans,

Therefore, be it resolved, that the Veterans Affairs Committee authorize the transfer of the sum of \$2108.75 to the County of Livingston for services and support provided on behalf of indigent veterans for the 4th Quarter of 2013, and hereby authorize the County Treasurer to dispense the funds to the account they see fit.

Approved

Date: 2-13-14

Voting For: Colone, Pratt, Atkins & Heatwole, Wallace excused

Voting Against: None

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING FILLING A VACANT FULL-TIME ANIMAL CONTROL OFFICER POSITION – Finance/Board

WHEREAS, there is a vacant Full-time Animal Control Officer position in Animal Control, and

WHEREAS, two Animal Control Officers are needed to maintain service delivery in Animal Control, and

WHEREAS, the two Animal Control Officers were listed as necessary under the reorganization of Animal Control authorized by Resolution 2012-04-132.

THEREFORE BE IT RESOLVED that the Board of Commissioners authorizes the filling of a vacant full-time Animal Control Officer.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the filling of any vacancies within Animal Control which might occur as a result of filling the above referenced vacancies.

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MOVED:

SECONDED:

CARRIED:

Livingston County Michigan Human Resources Policy Manual

Section: Subject:	Vacancy Review
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A. POLICY

1. PURPOSE:

Livingston County instituted a number of cost reduction measures in light of the financial forecasts indicating the County would be unable to sustain current levels of services within available resources. One of those measures is a hiring freeze. The objective of the hiring freeze for general fund departments and departments that receive a subsidy from the general fund is to contribute to the reduction of the budget deficit and to begin to make long-term structural changes and improved efficiencies in Livingston County's work force.

2. POLICY STATEMENT:

The Board of Commissioners instituted a hiring freeze on July 7, 2008, which resolved:

- No position in a General Fund department which becomes vacant shall be replaced. In departments not funded by the General Fund, vacancies shall be posted internally with employees in General Fund departments given first consideration. The Board encourages the sharing of responsibilities within or between Departments. In addition supervisory positions may be filled internally as long as a vacancy ultimately falls off the payroll. The Board of Commissioners also endorses consolidation of County offices in order to reduce operating expenses.

In addition, on December 1, 2008 the Board reaffirmed their position on the hiring freeze by resolving:

- Any services funded by State/Federal grants which costs exceed grant funding and which services are not basic to the health, safety, and welfare of the residents of Livingston County and/or which are provided by others; shall be discontinued and the grant funding declined.
- The approved Authorization and Funded Employee List contained in the budget shall limit the number of employees who are authorized to be employed and no funds are appropriated for any position or employees not on the approved Authorization and Funded Employee List.
- All vacancies that occur during this hiring freeze are hereby declared to be a position reduction on the Authorized and Funded Employee List for each such vacated position and funding shall be removed from the Courts, Elected Officials and Department Head budgets. Said vacated position shall not be filled, except by specific Board authorization.
- If the Board of Commissioners authorizes a vacant position to be filled, then all Judges, County Elected Officials and County Department Heads will hold that position vacancy that occurs during the 2009 fiscal year for the appropriate duration of time to properly compensate for vacation and/or sick payoffs to insure personnel expenditures don't exceed the 2009 authorized budget provided that the judges and elected officials can still perform their mandated functions at a serviceable level.

However, there may be a few instances in which the best interests of Livingston County are served by allowing a hire to take place. The attached Vacancy Review Guidelines explain the objective, criteria and procedures for granting exceptions to the hiring freeze.

Vacancy requests will be approved only when it is clear to the Board of Commissioners that:

- The work is essential to Livingston County;
- The Elected Official/Department Head has examined current work and staffing to identify and then implement changes that improve service, reduce costs and reduce the number of staff required to get the department's work done;
- Alternatives to getting the work done have been seriously explored including redesigning work, reassigning current staff, using additional technology or rethinking how work is performed, streamlining and any other staff-suggested means;
- Lower priority work has been eliminated, deferred, or handled some other way. In other words, with approval, can some of the department's current duties be discontinued?;
- There is no reasonable alternative to hiring.

Where there is no reasonable alternative to hiring, it is expected that another position will be surrendered. Step placement at hiring should be scrutinized to minimize overall personnel costs. Avoid incurring any costs that are not necessary. All County expenditures – not just personnel costs need to be examined to reduce costs to the greatest extent possible.

3. APPLICABILITY:

All budgeted full-time, part-time and temporary positions that become vacant during the period of time that the hiring freeze is in effect. The hiring freeze applies to positions in a general fund department and to departments that receive a general fund subsidy. Every position will be reviewed on an individual basis.

Replacing an incumbent during a leave must follow the Vacancy Review Process. No approval is required to return the incumbent employee to the original position.

The hiring freeze will be in effect until further notice, and will not be lifted without an affirmative action taken by the Board of Commissioners.

4. DEFINITIONS:

5. REFERENCE AND LEGAL AUTHORITY:

Board Resolution 604-193	Resolution Establishing a Position Review Process to Justify the Current Need for Vacant Positions under the General Hiring Freeze
Board Resolution 2008-07-201	Resolution Authorizing Implementation of Adjustments to the 2008 Livingston County Budget
Board Resolution 2008-12-352	Resolution Adopting the 2009 Livingston County Budget
Board Resolution 2009-05-156	Resolution Authorizing Livingston County's Annual Budget Process and Calendar for 2010

6. SEE ALSO:

Personnel Policy regarding Workforce Reduction
Form: Livingston County 2004 General Hiring Freeze, Request to Fill
Form: Request for Exception to the Hiring Freeze

7. SUPERSEDES:

8. APPROVED BY:

Personnel Committee: June 3, 2009
Finance Committee: June 10, 2009
Board of Commissioners: July 6, 2009

9. RESOLUTION: No. 2009-07-217

10. REVIEW HISTORY:

B. PROCEDURE:

The requesting Elected Official/Department Head will complete the analysis required to Request an Exception to the Hiring Freeze. The appropriate Board Sub-Committee will review all requests for hiring within their jurisdiction. Only when the appropriate Board Sub-Committee is confident that the hire meets the criteria will the request receive further review from the Finance Committee and ultimate authorization will be provided by the Board of Commissioners prior to making a job offer.

The Board Sub-Committee may request clarification or additional information as deemed necessary.

Administration will adjust budgets to reflect the savings from vacant positions.

REQUEST FOR EXCEPTION TO THE HIRING FREEZE

Request Submitted by: **Debbie Oberle**

Title of Position to be Filled: **Full time ACO
(hire rate)**

Salary: **\$36,371.08**

Annual Cost of Budgeted Position: **\$53,000**
years: **\$ 275,000**

Projected Cost for the next five

New Position/Classification (Yes/No): **NO**

If No: Name of Employee Last Occupying this Position—
Melody Moore

Name of Employee on Leave:

Date of Expected Return:

When did the position become vacant? **Became vacant 2/18/14**

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? **Yes.**

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.

-There are two ACO for the county, with one vacancy, only one will be left to cover all the hours. LCAC currently has ACO coverage from 8am to 6pm six days per week—80 hours per week plus overtime for calls from 6pm to midnight. Two ACO's are needed.

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.

-Animal Control is mandated by state of MI. ACO's are needed to capture and restrain stray dogs and livestock.

3. Budgeted department head count for the past five years:
Jan., 2007: 7FT, 1PT Jan., 2008: 6FT, 3PT Jan., 2009: 5FT, 5PT
Jan., 2010: 5FT, 4PT Jan., 2011: 4FT, 5PT Jan., 2012: 5 FT, 7 PT
Jan., 2014: 5 FT, 7 PT Jan, 2014: 6FT, 7 PT. (all include me)

Please explain changes: **2014 budget approved a Shelter Coordinator and backfilling that person with PT ACA.**

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.

-Animal Control officer duties can't be done by other staff. The ACO must be deputized and have training in animal capture and MI Dog Laws.

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?

-With only one ACO left on staff, we would have to cut coverage from 80 hours down to 40 hours. And there would not be ACO coverage for vacation or illness.

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

-Give animal control duties to another department.

-Cut hours of coverage and notify 911 that officers will not be available for assistance

-No other options

7. What are the consequences of deferring the vacant position over the next several months and beyond?

-One officer will have to cover all 16 townships and assist 911 with police officer assistance calls. That option is not feasible and would require payment of significant overtime if current ACO could handle all the hours.

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

The department already did away with PT On-Call ACO's in March of 2012. We have conducted staffing evaluations over the past two years to determine minimal staffing levels to perform activities required by the Department.

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

Have no other options. Staffing levels have been evaluated to determine what is needed to provide necessary services.

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.

2014

		DIR		
FT ACO (40)		Shelter Coordinator		PT Vet (15)
FT ACO (40)				
		FT ACA (40)		PT Vet Tech
		FT ACA (20)		
		PT ACA (20)		
		PT Kennel Assistant (19)		
		PT Kennel Assistant (19)		
		PT Kennel Assistant (19)		

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?

-Due to road coverage needed for 16 townships, there is not a way to share unless it is a local police dept that has an officer that is deputized for animal control.

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

-none, must be deputized as an animal control officer, and no other animal organization in Livingston County has animal control officers.

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?

-Must be deputized as an ACO. There are no others available that I'm aware of.

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

-There is 80 hrs per week of coverage, with staggered hours from 8-6pm and on call until midnight. Use of temporary employees over the long term is not feasible.

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).

This option was evaluated during the previous staffing evaluation. The best arrangement is two full time ACO's on two different schedules which provides regular coverage at least 6 days per week, with minimal overtime for late night and Sunday.

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)?

-with the latest staffing reorganization the two ACO's provide regular coverage for six days a week into the evenings. There is overtime for late night and Sundays.

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

-special skills required, current shelter staff is not trained as animal control officers.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AMENDING RESOLUTION NO. 2014-01-005 TO DISALLOW UNUSED SICK TIME TO BE PAID INTO A HEALTH CARE SAVINGS PLAN AT RETIREMENT FOR NON-UNION EMPLOYEES

WHEREAS, Livingston County Board of Commissioners adopted Resolution No. 2007-09-220 which authorized the non-union employees' sick leave program in conjunction with introducing a short term disability program; and

WHEREAS, Resolution No. 2012-04-120 allowed employees to choose to roll over sick time to their Health Care Savings Plan account annually and at retirement; and

WHEREAS, the Board of Commissioners adopted Resolution 2014-01-005 after the plan administrator for the Health Care Savings Plans, MERS of Michigan, strongly recommended we discontinue allowing the annual sick time conversion based on recent Internal Revenue Service tax rulings; and

WHEREAS, MERS of Michigan is now advising that based on recent Internal Revenue Service tax rulings it is unable to administer the sick conversion at retirement because our current policy allows the employee to choose whether to take sick time payouts as cash or as a deposit into their Health Care Savings account.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby discontinues allowing sick time to be converted into Health Care Savings Plan Accounts (currently administered by MERS of Michigan) following retirement.

THEREFORE BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes the changes and amendments to any previous participation agreements as required by MERS of Michigan to effectuate the changes described herein.

THEREFORE BE IT FINALLY RESOLVED that the Livingston County Board of Commissioners authorizes the Chair of the Board of Commissioners to sign on behalf of Livingston County any documents required by MERS of Michigan in order to effectuate this resolution.

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO APPROVE BACKDATING OF §457 DEFERRED COMPENSATION AND §401(A) DEFINED CONTRIBUTION DEPOSITS - HUMAN RESOURCES

WHEREAS, Livingston County recently brought payroll in-house and went live with Tyler Munis for payroll processing effective the first pay in January 2014; and

WHEREAS, part of the payroll function is to withhold money and forward same to our §457 deferred compensation and §401(a) defined compensation plan providers for distribution in individual employee accounts; and

WHEREAS, due to unfamiliarity with the new payroll system staff were not immediately able to pull necessary reports in formatting that was acceptable to our §457 deferred compensation and §401(a) defined contribution plan providers causing a delay in the investment elections being transmitted and deposited into individual employee accounts; and

WHEREAS, reports are now available and employee investment elections are now being transmitted to our §457 and §401(a) deferred compensation plan providers in a timely manner; and

WHEREAS, backdating is available by both §457 deferred compensation plan providers and our §401(a) defined contribution provider to correct any impact on the late deposit of employee assets; and

WHEREAS, staff recommend we pursue backdating for the January 9, 2014 pay date contributions for Great West Retirement Services, MERS of Michigan, and Nationwide Retirement Services and for the January 23, 2014 pay date contributions for MERS of Michigan contributions only.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes backdating for §457 and §401(a) deposits for the January 9, 2014 pay date contributions for Great West Retirement Services, MERS of Michigan, and Nationwide Retirement Services and for the January 23, 2014 pay date contributions for MERS of Michigan contributions only.

BE IT FURTHER RESOLVED that Livingston County Human Resources is authorized to pay the gains/losses cost of backdating the above mentioned January payments to Great West Retirement Services, MERS of Michigan, and Nationwide Retirement Services.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby authorizes any future budget amendments as necessary to effectuate the above.

BE IT FINALLY RESOLVED that the Chair of the Board of Commissioners be authorized to sign all necessary documents to effectuate this change upon approval by Civil Counsel.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION APPROVING THE FILLING OF ONE FULL-TIME DEPUTY PROBATE REGISTER POSITION AND ONE FULL-TIME COURT CLERK POSITION IN THE PROBATE COURT - Probate Court / Public Safety Committee

WHEREAS, the Probate Court has a need for two full-time Deputy Probate Register position and one full-time Court Clerk positions; and

WHEREAS, one of the current Deputy Probate Registers has tendered her resignation, and

WHEREAS, the current Court Clerk, as a member of the same court unit, has priority under the union contract to bid to fill vacancies within the Probate Court, and has stated that she would like to bid for the vacated full-time Deputy Register Position, and

WHEREAS, for purposes of continuity, the Probate Court would function more efficiently if the filling of the Deputy Probate Register and Court Clerk positions were granted at the same time; and

WHEREAS, the positions are vital to the continuation of the provision of legal, financial, and program services available to the Court and the public who use the Court; and

WHEREAS, funding for same is available in the Probate Court Budget.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves filling one vacant full-time Deputy Probate Register position and one part-time Court Clerk position in the Probate Court.

#

MOVED:

SECONDED:

CARRIED:

ATTACHMENT A

Probate Court Deputy Probate Register Job Posting / February 2014

**Job Title: Deputy Probate Register
Union (MAPE) Grade IV
Salary Range: \$14.72 - \$17.58
Full-Time**

General Summary

This class provides direct supervision to the Court Clerk position and performs a variety of tasks related to the processing of all guardianship and conservatorship proceedings and assumes responsibility for all non-judicial acts required of the guardian/conservator division. Participates in intake, review, processing and filing of legal documents regarding all probate matters.

Essential Functions

Provides information to attorneys and the public on the filing of petitions, procedural requirements. Assists the public with inquiries, filing papers, guardianships, estates, and other matters.

Processes guardianship and conservatorship proceedings for developmentally disabled individuals, minors, and legally incapacitated adults. Processes involuntary commitment proceedings for the mentally ill. Processes files, including reviewing the initial papers, receipting of fees, scheduling hearings, noticing the parties, typing documents, and contacting parties regarding their status. Maintains court-appointed attorney and guardian ad litem lists and serves as the direct contact between court-appointed attorneys and the court.

Assists in maintaining case files and assists in ensuring they are ready for court action as scheduled; schedules hearings; prepares orders, discharges, and other documents related to probate matters as well as correspondence and various forms; manages annual accountings and inventories filed in conservatorships; covers other court duties as needed.

Minimum Qualifications:

1. Associates Degree, and
2. One to two years of Court experience; or, an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job such as those listed above. No felony convictions.

ATTACHMENT A

Probate Court Clerk Job Posting / February 2014

Job Title: Probate Court Clerk
Union (MAPE) Grade III
Salary Range: \$13.50 - \$16.13
Part-time (20 Hours)

General Summary

Under the general supervision of the Probate Administrator and direct supervision of the Deputy Probate Register, performs a variety of tasks related to the processing of probate matters. Serves as primary responder to telephone calls as well as individuals at the counter of the probate division. Enters fee and case information to the computer system. Sets up files, receives, reviews, and files legal documents, schedules hearings, and processes files of assigned areas.

Essential Functions

Provides information to attorneys and the public on the filing of petitions, procedural requirements. Assists the public with inquiries, filing papers, and other matters.

Processes files, including reviewing the initial papers, receipting of fees, scheduling hearings, noticing the parties, typing documents, and contacting parties regarding their status.

Oversees processing of conservator accounts, which includes:

- monitoring guardians' and conservators' compliance with statutory duties;
- reviewing annual accountings filed with the court for accuracy and completeness;
- direct supervision of undergraduate- and graduate-student accounting interns who prepare memoranda for hearings to allow accounts;
- contacting conservators to explain problems with accountings and additional filings required;
- scheduling hearings for allowance of accounts and providing parties with required notices;
- preparing and mailing orders following account hearings;
- following up with fiduciaries to correct deficiencies in conservatorship files, such as failure to file accounts, failure to provide court-ordered receipts, failure to file court-ordered surety bonds.

Assists in maintaining case files and ensuring they are ready for court action as scheduled; prepares orders, discharges, and other documents related to probate matters, as well as correspondence and various court forms. Assists with filing wills, making and certifying copies, and performing related tasks. Microfilms files when closed or as required by court rule; indexes microfilm for clarity and completeness upon return from processing; covers other court duties as needed.

Minimum Qualifications:

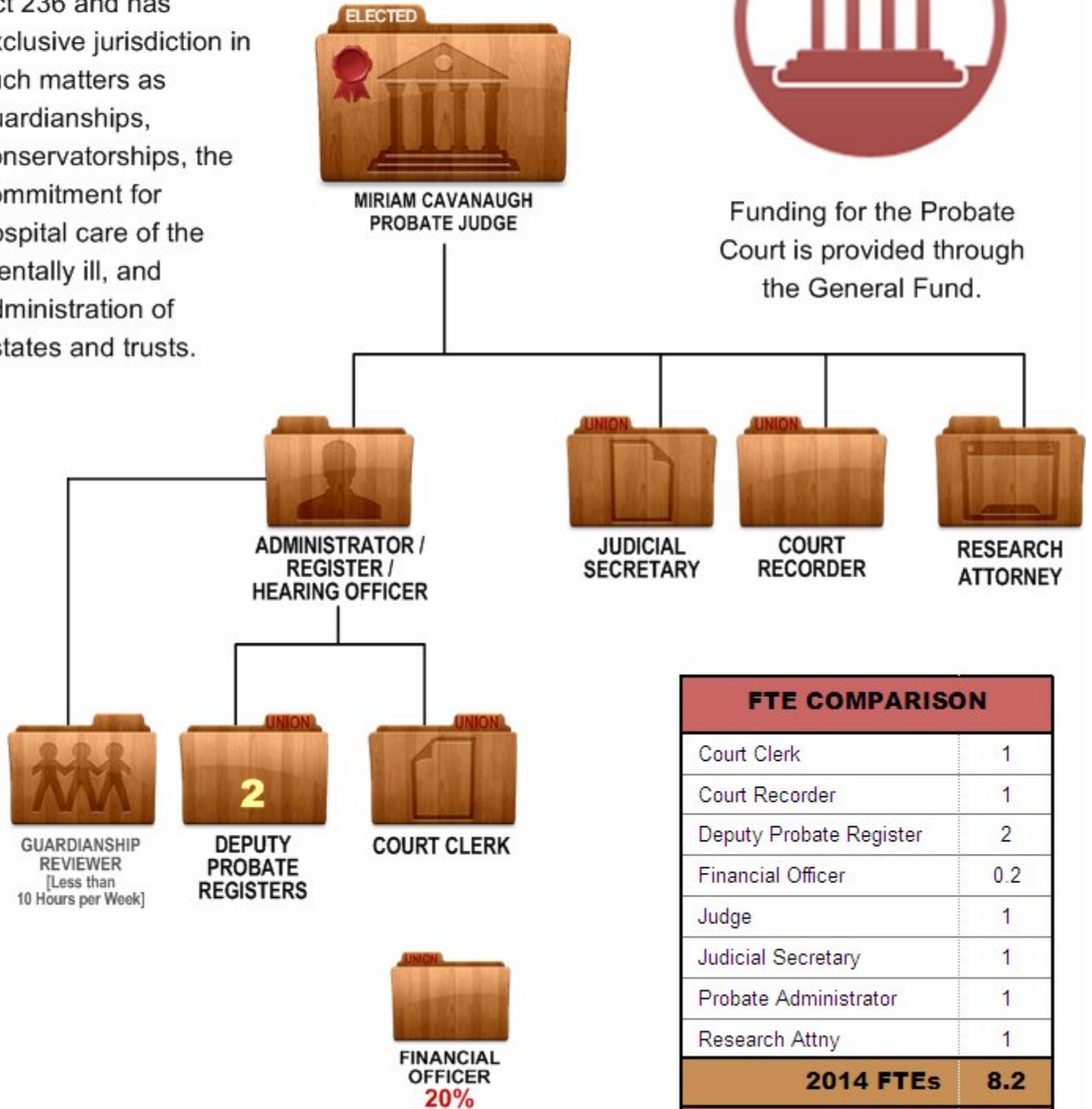
1. High School graduate, and
2. One to two years of Court experience; or, an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job such as those listed above. No felony convictions.

2014 PROBATE COURT

The Probate Court is governed by the Revised Judicature Act of 1961, being Public Act 236 and has exclusive jurisdiction in such matters as guardianships, conservatorships, the commitment for hospital care of the mentally ill, and administration of estates and trusts.

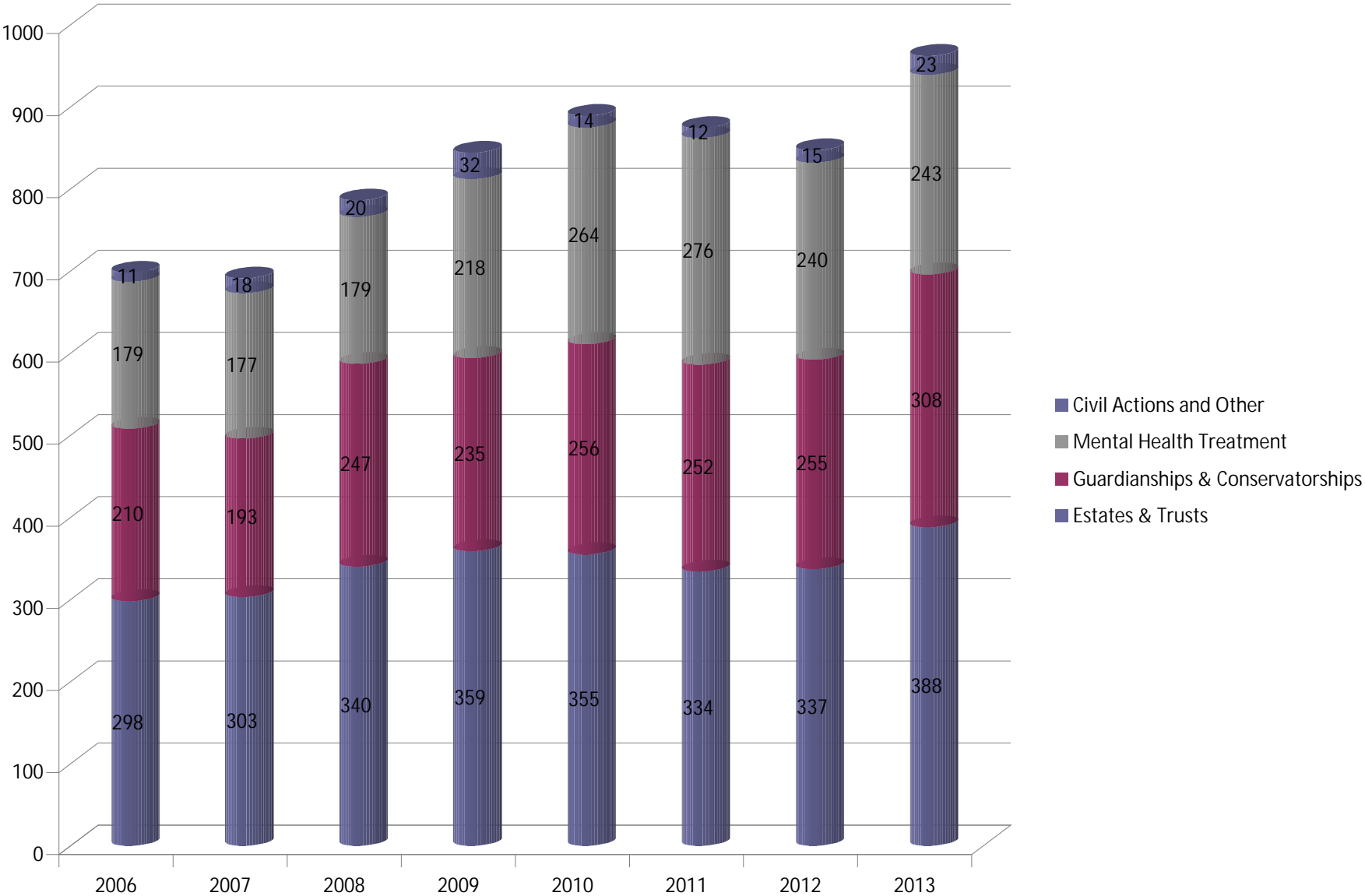


Funding for the Probate Court is provided through the General Fund.



FTE COMPARISON	
Court Clerk	1
Court Recorder	1
Deputy Probate Register	2
Financial Officer	0.2
Judge	1
Judicial Secretary	1
Probate Administrator	1
Research Attny	1
2014 FTEs	8.2
2005 FTEs	8.0

Probate Court Caseload (2006-2013)



Livingston County Probate Court Caseload and Estimated Judge Need

File type	Case Code	2006	2007	2008	2009	2010	2011	2012	2013*
Estates & Trusts	DA	9	7	7	8	5	5	1	1
	DE	217	214	243	252	235	223	258	278
	PE	53	72	75	76	95	88	51	77
	TT	4	0	4	4	5	6	7	8
	TV	15	10	11	19	15	12	20	24
Guardianships & Conservatorships	CA	45	33	42	29	46	44	45	66
	CY	13	20	29	15	15	22	23	23
	DD	13	20	29	43	50	36	38	53
	GA	77	54	59	65	75	69	77	91
	GL	0	15	9	3	3	11	5	5
	GM	40	31	54	49	46	58	53	42
	LG	11	10	9	16	11	5	4	11
PO	11	10	16	15	10	7	10	17	
Mental Health	MI	179	177	179	218	264	271	239	243
	JA	0	0	0	0	0	5	1	0
Civil & Other	CZ	11	13	17	22	9	5	8	13
	ML	0	5	3	10	5	7	7	10
	BR (not counted on caseload, but is counted on JRR report)								9

File Type Totals:	2006	2007	2008	2009	2010	2011	2012	2013
Estates & Trusts	298	303	340	359	355	334	337	388
Guardianships & Conservatorships	210	193	247	235	256	252	255	308
Mental Health Treatment	179	177	179	218	264	276	240	243
Civil Actions and Other	11	18	20	32	14	12	15	23
Total:	698	691	786	844	889	874	847	962

*Total Caseload - Includes Beginning Pending, New Filings, and Re-opened files

REQUEST FOR EXCEPTION TO THE HIRING FREEZE

Request Submitted by: **James M. Duquet**

Title of Position(s) to be Filled: **Deputy Register – Probate Court
Court Clerk – Probate Court**

Salary: **Deputy Register (full time) – Grade (IV) Step 1 = \$31,170/yr; 14.99/hr
Court Clerk (full time) – Grade III, Step (Hire rate) = \$27,757/yr; \$13.34/hr**

New Position/Classification (Yes/No): **No**
If No: Name of Employee Last Occupying this Position

Court Clerk: Tammy Drinnon

To Temporarily Replace an Employee who is on approved leave of absence: **N/A**
Name of Employee on Leave:
Date of Expected Return:

When did the position become vacant?

The positions will become vacant as of March 7, 2014. Tammy Drinnon has exercised her right under the MAPE contract to bid for the Deputy Register position being vacated by Staci Spare, thereby leaving an open probate clerk position.

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?

Yes. There will be no payoffs to Ms. Drinnon at this time because she will remain a court employee. It is anticipated that the vacating of Ms. Spare's position, which is being paid at Step 4 of the pre-2011 pay scale (\$34,933) and filling it with Ms. Drinnon at Step 1 of the post-2011 pay scale (\$31,170) will more than make up for any vacation and/or sick pay-offs to Ms. Spare.

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.

See Job Descriptions ([Attachments A and B](#)).

Additionally, to comply with SCAO Best Practices, the Probate Court has revised the way in which it reviews annual accountings of all conservators and guardians of estates, not just those filed by professional fiduciaries. The court has created checklists that annual accounts must meet both before they are accepted for filing and before they are approved. This requires extensive follow-up with fiduciaries to ensure the court fulfills its statutory obligations. The clerk's duties include the following:

- **processing petitions and scheduling hearings for all conservatorships for minors;**
- **monitoring guardians' and conservators' compliance with statutory duties;**
- **reviewing annual accountings filed with the court;**
- **direct supervision of interns;**
- **contacting conservators to explain problems with accountings and additional filings required;**
- **scheduling hearings for allowance of accounts in all file types and providing parties with required notices;**
- **preparing and mailing orders following account hearings;**

- following up with fiduciaries to correct deficiencies in conservatorship files, such as failure to file accounts, failure to provide court-ordered receipts, failure to file court-ordered surety bonds.

The court's current caseload of conservatorships (and guardians of the estates of individuals with developmental disability) varies between about 450 and 500 open files at any time. Each of these requires an annual account to be filed with and reviewed by the court. Additionally, fiduciaries in supervised decedent's estates and trusts are required to file annual accounts with the court. Accordingly, each file must be tracked and fiduciaries must be sent deficiencies if they fail to timely file their accounts. Each account must then be reviewed for:

- mathematical accuracy;
- appropriateness of expenditures in light of the protected individual's needs;
- proper service on all interested parties;
- appropriate fiduciary and attorney fees; and
- proper bank statements, receipts, and other supporting documentation to verify the funds on deposit and the expenditures.

At least once every three years (more often if the conservator petitions or the court finds irregularities in the accounts) the Michigan Court Rules require the court to hold a hearing and issue an order allowing the accounts.

Continuity is essential to performing these duties. The clerk spends a great deal of time reviewing a court file, prior orders, annual accountings, and supporting bank records before she can instruct a fiduciary how to correct the filing. Fiduciaries do not always answer the phone when called, and they rarely call back during a part-time clerk's scheduled work hours. It would be extremely inefficient for a second part-time employee to familiarize herself with the same files so that she can follow up with fiduciaries to correct deficient filings.

Keep in mind that conservator accounts comprise but a small part of the court's overall duties, which include: estates, trusts, civil actions, guardianships of minors, legally incapacitated adults, and adults with developmental disability, protective orders, treatment of individuals with mental illness, and other miscellaneous filings – all of which have their own specific filing and administrative requirements. Moreover, the nature of probate cases requires files to remain open for years. Guardianships and conservatorships may remain open for the lifetime of the protected individual. Each file requires the court to take some action at least annually (review annual reports and perform home visits in guardianships, review and allow annual accountings in conservatorships, obtain annual continuation of administration filings in decedent estates).

Accordingly, in addition to the added duties of overseeing conservatorship filings (including conservatorships for adults, minor, and individuals with developmental disability), the Court Clerk, as well as all other staff, will continue to perform the following duties for the Probate Court as needed:

- processing court filings and payments;
- handling telephone and in-person inquiries;
- scheduling hearings;
- sending required notices, subpoenas, and other mailings;
- preparing dockets and court orders;
- coordinating appointment of guardians ad litem and attorneys;
- coordinating services with other government agencies such as DHS and CMH;
- microfilming and archival of court records;

- data entry of information and reports mandated by statute and court rule;
- performing other court-related duties, as needed (e.g., checking parties in for hearings, court recording, etc.); and
- clerical work to assist the Probate Register (e.g., maintaining appointment lists, typing correspondence to attorneys, parties, and fiduciaries, etc.).

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.

The clerk position itself is not mandated; however, the functions of the Court performed by the clerk are mandated by statute and court rule. Specifically, the Michigan Court Rules require the court to review annual accounts for the factors listed in the response to question #1 and hold hearings to allow at least every third account. MCL 700.5418 and MCR 5.409(C). In addition to the Probate Court Clerk's focus on reviewing conservatorship accounts, the clerk's function is to assist in the duties of the Probate Register, which is a statutorily mandated position.

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

Jan., 2009: 7.5 Jan., 2010: 7.7¹ Jan., 2011: 8.2² Jan., 2012: 8.2 Jan., 2013: 8.2

Please explain changes:

Prior to May 2009, the 7.5 employees consisted of:

- (1) Judge,
- (1) judicial secretary,
- (1) court recorder,
- (1) research attorney,
- (.5) Court Administrator (split 50% for Circuit Court and 50% for Probate Court),
- (1) Probate Register, and
- (2) Deputy Registers.

Subsequent to May 2009, the 7.5 employees consisted of (See Court Organizational Chart – Attachment C):

- (1) Judge,*
- (1) judicial secretary,*
- (1) court recorder,*
- (1) research attorney,*
- (1) Court Administrator/Probate Register/Hearing Officer,
- (2) Deputy Registers, and
- (.5) Court Clerk.

Subsequent to December 2010, the 8.2 employees consisted of (See Court Organizational Chart – Attachment C):

- (1) Judge,*
- (1) judicial secretary,*
- (1) court recorder,*
- (1) research attorney,*

¹ In the 2010 budget, 20% of Ann White's salary, which was previously in the Circuit Court budget, was moved to Probate- accounting for the additional 2/10ths of an employee. This did not represent any addition of staff, but rather a shifting of line items to better reflect the distribution of Ann's work time.

² The Board of Commissioners approved the filling of the Probate Court Clerk as a full-time position pursuant to Resolution No. 2010-12-354.

- (1) Court Administrator/Probate Register/Hearing Officer,
- (2) Deputy Registers,
- (1) Court Clerk, and
- (.2) Financial Officer.

***Note that despite their salaries being paid entirely out of the Probate Court budget, the four employees within the judicial chambers (judge, judicial secretary, court recorder, and research attorney) spend more than 70% of their time handling matters for the Circuit and Juvenile Courts (less than 1.5 days per week of courtroom time are dedicated to Probate Court matters). The additional Circuit and Juvenile Court duties, as well as physical distance between the judicial chambers and the front counter, make it impossible for the judicial chambers staff to cover duties for probate support staff.**

4. Does the vacant position(s) 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.

The Probate Clerk's duties of overseeing the filing and review of annual accountings require specialized skills and familiarity with a specialized area of the law. In addition to the Probate Clerk's focus on conservator accounts, each staff member must be able to accept filings and answer questions from the public that are specific to Probate Court. These specialized skills are simply not available through staff in other County positions. The Probate Court had attempted an arrangement with the County Clerk's office to cover telephone calls and assist people who came to the Probate counter during Probate staff meetings. This soon became unworkable because of the County Clerk's staff's lack of familiarity with the particular requirements of Probate law. A thorough knowledge of court processes, including an understanding of statutes and court rules that are specific to Probate Court operations, is necessary to be able to perform daily functions. Further, the ability to assist customers with complex questions or who are upset about their situation is essential to the effectiveness of the persons in these positions.

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?

Staff members regularly take on duties in addition to those defined in their job descriptions on request (see response to question #1). These changes have occurred without seeking to amend job descriptions or increases in staff pay or utilizing overtime. This has already been necessary to maintain court operations at the existing staff levels. In 2005, the Supreme Court Administrative Office conducted an audit of the Livingston Probate Court and found that the court was understaffed at that time, and that staff levels had not changed for at least the previous twelve years.³ In December 2010, the Board of Commissioners authorized the Probate Clerk position to be modified from part-time to full-time, thereby increasing the Probate Court's total FTE's to the current number of 8.2. 2013 case filings are up 8.2% over 2010. [See Probate Caseload by File Type ([Attachment D](#)).]

Additionally, analysis of filing trends and workload has been conducted to ensure that there is an even distribution of work. Staff capacity, based on factors such as demonstrated ability to manage complex tasks, differences in educational backgrounds, and other individualized factors, has been evaluated to determine the most efficient ways of assigning work, short of requesting hiring for new positions.

³ Michigan Supreme Court, State Court Administrative Office – Final Report on Investigative Follow-up Review, Statewide Phase, to the Michigan Michigan Office of the Auditor General: Performance Audit of Selected Probate Court Conservatorships, January 2005.

Toward this goal, the Probate Court has already enlisted the help of unpaid interns. The court has an accounting student from Cleary University serve as an intern each term, including summer terms. The account intern reviews annual accountings, prepare memoranda for account hearings, and performs audits of conservatorships, which are then reviewed by the Probate Register. The court also has a student from Howell High School assist with filing, microfilming and archiving closed case files, reorganizing open and closed case files, and other clerical tasks as needed.

6. Specifically list three reasonable options if your request to replace a position is denied.
 1. Distribute the work of the position among remaining staff and obtain a budget amendment to cover anticipated overtime and other costs. This option is unlikely to have a positive impact on court services and county fiscal issues. Service to court customers will be negatively impacted as staff will not be able to perform all duties required. Costs will increase for overtime. In addition, positions will have to be re-evaluated for change in classification and/or pay to compensate for assumption of additional/new duties. Moreover, this will have a negative impact on morale, as staff is already frequently asked to use flex time to work through lunches or stay late, not to mention the potential union issues this could create.
 2. Hire two part-time (20 hour) clerks. This option is would be far less efficient than filling the current full-time clerk position, and given the existing constraints on staff time and physical space, would prove unworkable. As stated in the response to question 1, the duties of the court clerk demand continuity on a day-to-day or week-to-week basis. In addition to the staff-training time and steep learning curve required for any new hire, it would be very difficult and duplicative of work to expect a second employee to be able to pick up where the current clerk left off in her communications with fiduciaries and attorneys and be able to answer detailed questions about files.

(*See Attachment E for specific problems with attempting to bring on a second part-time employee for this work.)

7. What are the consequences of deferring the vacant position over the next several months and beyond?

Direct services to the public – efficient responses to questions, assistance with problems, handling of crises – will immediately suffer. As the Probate Court serves the most vulnerable citizens in our community (e.g., minors, legally incapacitated adults, individuals with developmental disabilities, individuals with mental illness), the diminution of services would be more acutely felt by this population than the general public. On days of employee illness or planned vacations, the Court will have insufficient staff to keep its front counter open all day. Cases will not be processed in a timely manner, resulting in violations of statutory and court rule requirements, potentially leading to the reversal of court orders on appeal. Statutorily mandated functions, such as reporting requirements and oversight of guardianships and conservatorships, will likely become deficient. This could allow theft or abuse by court appointed fiduciaries to go unnoticed and potentially lead to another audit by the Supreme Court Administrative Office. Staff morale will be a significant concern as workloads increase. Note also that Judge Cavanaugh and her chambers staff are responsible for 30% of the criminal docket of the Circuit Court as well as all of the neglect/abuse cases of the Juvenile Court, and so are not available to assist with filing duties at the front counter.

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

The Probate Court has sought operational cost savings in every area of its budget. Most notably, by moving from an hourly rate to a flat fee, the court has reduced the average amount paid to court-appointed attorneys and GALs by nearly \$40 per appointment. The Court has also extensively utilized unpaid interns to help satisfy other mandated functions such as reviewing accountings in conservatorships and storing and microfilming case files (also mandated 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?

The Probate Court has already taken significant budget cuts, which have hindered its ability to effectively deliver services. The Court by nature is a reactive entity. It must use resources to meet demands of its caseload, which has increased 10% in the last two years alone, and 39% since 2007 (See Attachment D). The Court is conservative in managing its budget in all areas, but must accommodate the increased demand. Given the cuts already made and the Court's current staffing level, it is not possible to identify any additional areas where cuts can be made.

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.

See Court Organizational Chart (Attachment C).

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?

The work performed by the Probate Court Clerk is assigned under the general supervision of the Chief Judge, the Presiding Probate Judge, and Probate Register. The work supports the statutory and court-rule-required duties of the Court, which are required of all probate courts throughout Michigan. The specialized nature of the work of the Livingston County Probate Court makes it impossible to share with other counties or local governmental units.

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

Not applicable for this position, except to the extent that unpaid interns have already been utilized.

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?

No. The statutory requirements applicable to probate matters are quite specific and require specialized knowledge (see responses to questions #1 and #4).

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

A temporary employee (a former Juvenile Court Clerk) was used for a short period of time in April 2010 while the Deputy Register and Probate Clerk positions remained unfilled. This employee was used to assist with filing and answering phones to prevent the need to temporarily close the front counter. However, this experience demonstrated that, given the specialized nature of Probate law, it is not feasible to use temporary employees to complete the work (see responses to questions #1 and #4).

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).

See Attachment D. The Court Clerk position was previously part time. This proved unworkable, however, as the workload for this position at that time exceeded what could be done in 20 hours per week, and caseloads have increased sharply since that time. Reverting to part-time employees to fill the Court Clerk position would simply be unmanageable. Given the continuous flow of the work, setting primary duties aside or shifting between multiple part-time staff would be inefficient, substantially increase the risk of error, and create a loss of continuity in dealing with attorneys, agencies, and the public served by the Court. The board previously approved the upgrading of the Probate Clerk position to full time in December 2010, and approved the filling of the Probate Clerk position with a full time employee in February 2013, when Ms. Drinnon was hired.

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)?

Given the prior budget restraints, no overtime has been paid for at least the past five years. Additionally, although the court will frequently grant flex time, both to make up for extra time worked and to accommodate personal schedules, emergencies, and prevent gaps in coverage at the front counter, (with the exception of the recent snow day) the court has not granted compensatory time during the past five years, as this would only result in more leave time that the court is ill-equipped to handle at its current staffing level. If the requested Court Clerk position is not filled with a full-time position, it is foreseeable that some services will have to be cut, including, but not limited to, periodically closing the counter to filing, discontinuation of mailing pre-due notices for filings (a major source of revenue collection), and delays in scheduling hearings.

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

Yes. Each staff member has a number of duties that require him or her to cover for other staff members on a daily basis (see response to question #1). For example, with such a small number of support staff, there is usually only one person to staff the front counter while another staff member takes her lunch break.⁴ The lone person at the counter must handle filings, telephone calls, public inquiries, process payments, provide forms, schedule hearings, and perform other court-related duties with regard to all types of probate matters – not just his or her area of specialty. This problem is exacerbated on probate hearing days and when a staff member is absent due to illness or vacation. Additionally, if the court recorder is absent on a probate hearing day, support staff is required to record hearings for the judge.

⁴ Frequently, these staffing shortages will require the Court Administrator/Probate Register to work the front counter, accepting filings and answering phones, which is not an efficient use of the Administrator's time or the County's resources.

Chief Judge
David J. Reader

Probate Court Judge
Miriam A. Cavanaugh



Livingston County Probate Court
204 S. HIGHLANDER WAY, HOWELL, MI 48843
(517) 546-3750 – FAX (517) 552-2510

Court Administrator/
Probate Register
James M. Duquet

To: **Livingston County Board of Commissioners**
From: James M. Duquet
Date: 2/26/2014
Re: **RESOLUTION APPROVING THE FILLING OF ONE FULL-TIME DEPUTY REGISTER POSITION AND ONE FULL-TIME COURT CLERK POSITION IN THE PROBATE COURT**

In light of the Deputy Probate Register's recent resignation and the current Probate Clerk's request to bid for that vacancy under the union contract, the Probate Court requests the Board of Commissioners' approval to fill both vacant positions.

The Probate Court initially addressed the need for full-time employees in the Deputy Register and Probate Clerk positions when the Board approved Resolution No. 2010-12-354. The Board at that time found the arguments for full-time positions to be compelling based on the court's caseload. The Board had the opportunity to revisit this issue when it approved the filling of a vacancy in the Probate Clerk position at a full-time level when it approved Resolution No. 2013-01-014. The Probate Court's caseload has increased since the approval of that resolution. Accordingly, the Probate Court requests the both the Deputy Register Position and the Probate Clerk position to be filled at their current levels.

These positions are directly responsible for processing and monitoring filings in guardianship and conservatorship cases, which are not only statutorily mandated and essential to safeguarding vulnerable individuals, but also highly time-intensive. Accordingly, both the Deputy Register position and the Probate Clerk position require a full-time presence. The Probate Court has evaluated all other options, including the use of part-time employees, but for the reasons explained in detail in the attached documentation, this is not a feasible option.

The attached documentation is as follows:

- **RESOLUTION APPROVING THE FILLING OF ONE FULL-TIME COURT CLERK POSITION IN THE PROBATE COURT**
- **REQUEST FOR EXCEPTION TO THE HIRING FREEZE**
- **ATTACHMENT A – DEPUTY REGISTER JOB DESCRIPTION**
- **ATTACHMENT B – PROBATE COURT CLERK JOB DESCRIPTION**
- **ATTACHMENT C – PROBATE COURT ORGANIZATIONAL CHART**
- **ATTACHMENT D – PROBATE COURT CASELOAD BY FILE TYPE (2006-2013)**

If you have any questions regarding this matter please do not hesitate to contact me. Thank you.

James M. Duquet
Probate Court Administrator/Register

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE: 2/26/2014

**RESOLUTION AUTHORIZING A CONTRACT WITH GROWTH WORKS FOR
SUBSTANCE ABUSE TREATMENT FOR JUVENILE OFFENDERS – 44th Circuit Court,
Family Division – Juvenile Unit**

WHEREAS, the Juvenile Court seeks to utilize its resources in the most efficient and effective manner including assurance that the services available address the needs of the youth and families under the court’s jurisdiction; and

WHEREAS, the Juvenile Court seeks to access the needed services in the most efficient manner while assuring the best interests of both the community and client are met; and

WHEREAS, funding for the contract in the amount of \$126,180 is available in the 2014 Child Care Fund budget (50% county funds and 50% state funds); and

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners authorizes the contract with Growth Works Contract to include substance abuse treatment and Intensive Outpatient Treatment as proposed in the contractors original response to the Court’s Request for Proposal (RFP) in the amount of \$126,180.

BE IT FURTEHR RESOLVED that the Chairman of the Board of Commissioners is authorized to sign any contracts and/or amendments upon approval of Civil Counsel.

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#

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MOVED:

SECONDED:

CARRIED:



Memorandum

To: Livingston County Board of Commissioners
From: John Evans
Date: 2/26/2014
Re: Court Contract for Substance Abuse Treatment

The attached resolution authorizes a contract with Growth Works for substance abuse treatment and intensive outpatient treatment to youth and families under the jurisdiction of the court. The Court has sufficient funds in the Child Care Fund budget to implement this service within the contract.

The IOP program will address a significant gap in the court services for substance using youth under the court's supervision. Currently, the only option available for substance abuse treatment beyond counseling is residential inpatient treatment. Intensive outpatient treatment will provide therapeutic, intensive interventions to youth and families while the youth remains in their home and community. This will not only prevent the need for out of home placement in some cases but will also provide an option for earlier release of youth who do need inpatient treatment.

If you have any questions regarding this matter please contact me. Thank you for your consideration and continued support of the Livingston County Courts.

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

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION FOR THE SPECIALTY COURTS AND SPECIALTY PROGRAMS TO ENTER INTO A CONTRACT FOR GRANT FUNDED DRUG TESTING SERVICES AND FOR DISTRICT COURT TO ENTER INTO A LEASE FOR SPACE LOCATED IN THE ASSET BUILDING ON THE JUDICIAL CENTER CAMPUS WITH DRUG AND ALCOHOL TESTING CENTERS, INC. ("D'nA") - CIRCUIT COURT /FINANCE COMMITTEE / FULL BOARD

WHEREAS, District Court currently has a lease arrangement with a provider of drug testing services to occupy space in the ASSET Building on the Judicial Center Campus; and

WHEREAS, There is a benefit to having the drug testing services located conveniently close to court; and

WHEREAS, Livingston County's Specialty Courts and Specialty Programs have grant funding, up to approximately \$70,000 for FY2014, to pay for drug testing for program participants, and

WHEREAS, The Courts also refer cases to the on-campus drug testing provider, which are self-pay; and

WHEREAS, The Courts worked with County Purchasing on a fair bidding process, in which bids were solicited for the lease and the drug testing services, including both the services contracted for payment through the Courts and the self-pay services referred by the Courts; and

WHEREAS, Two bids were received in the bidding process including the current provider, A Second Chance, and Drug and Alcohol Testing Centers, Inc.; and

WHEREAS, The Courts conducted a fair review of the two bids, meeting with each of the bidders, and as a result of the process, selected Drug and Alcohol Testing Centers, Inc. for the award of the lease and the grant funded contracts;

THEREFORE, BE IT RESOLVED that the Chair of the Livingston County Board of Commissioners be authorized to sign a contract with Drug and Alcohol Testing Centers, Inc., for testing at the rate schedule included with this Resolution, for no more than \$40,000 for the period April 1, 2014 through September 30, 2014, which will be fully funded by grant funds and renewable for up to two full additional years at the discretion of the Court and provided grant funding is available, and;

THEREFORE, BE IT FURTHER RESOLVED that the Chair of the Livingston County Board of Commissioners be authorized to sign a lease with Drug and Alcohol Testing Centers, Inc., for the space located at the ASSET Building at the rate of \$850 per month, for the period April 1, 2014 through September 30, 2014, and renewable for up to two additional years at the discretion of the Court; and

THEREFORE, BE IT FURTHER RESOLVED that the Chair of the Livingston County Board of Commissioners be authorized to sign the lease, lease extensions, contracts, and contract

extensions referenced above and any future amendments for monetary and contractual language upon review by Civil Counsel.

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MOVED:
SECONDED:
CARRIED:



LIVINGSTON COUNTY, MICHIGAN
LIVINGSTON COUNTY TRIAL COURTS

204 S. Highlander Way Suite 3 Howell, MI 48843
Phone 517-540-7789 Fax 517-546-3731
Web Site: livgov.com

Memorandum

To: Livingston County Board of Commissioners

From: Carole Church, Court Programs Administrator

Date: February 17, 2014

Re: RESOLUTION FOR THE SPECIALTY COURTS AND SPECIALTY PROGRAMS TO ENTER INTO A CONTRACT FOR GRANT FUNDED DRUG TESTING SERVICES AND FOR DISTRICT COURT TO ENTER INTO A LEASE FOR SPACE LOCATED IN THE ASSET BUILDING ON THE JUDICIAL CENTER CAMPUS WITH DRUG AND ALCOHOL TESTING CENTERS, INC.
("D'nA") - CIRCUIT COURT /FINANCE COMMITTEE / FULL BOARD

Livingston County Trial Courts currently lease space in the ASSET Building on the campus of the Judicial Center to a provider of drug testing services, so that services can be located conveniently close to the Courts. The Specialty Courts and Specialty Programs have limited funding for drug testing services for participants. The total budget for FY 2014 is up to approximately \$70,000, and is funded through the Adult Drug Treatment Court, Intensive Treatment Mental Health Court, Juvenile Drug Treatment Court, and Swift and Sure Sanctions Probation Program grants. In addition to contracted drug testing services, the drug testing provider who occupies the ASSET Building location will receive referrals from Circuit Court and District Court cases that are self-pay.

The Courts worked with County Purchasing on a bidding process. Two bids were received – one from the current provider, and one from Drug and Alcohol Testing Centers, Inc. A team from the Courts reviewed the bids, met with each bidder, and made a decision based on criteria that included 1) ability to meet the needs of the court as articulated in the Request for Proposal (RFP) 2) drug test pricing, including the prices charged for contracted cases and for self-pay cases 3) Experience with the provider, including references and 4) any services that the provider could provide over and above what was requested in the RFP, and the perceived benefits of those services. Tabulation of the bids is included.

Based on this review, the Court recommends that the lease for ASSET building space and the contract for grant funded drug testing be awarded to Drug and Alcohol Testing Centers, Inc. (D'n A). This would be for one year, beginning April 1, 2014, with the opportunity to renew at the court's discretion for up to two additional years. Any payment for drug testing services is subject to availability of grant funds.

Thank you for your consideration in this matter.

Drug & Alcohol Testing Services
RFP # LC-13-14

	A 2nd Chance	Drug & Alcohol Testing Centers
PBT	No Charge	\$4.00
Antibuse Dispensing with PBT	No Charge	TBD
Urine screen for narcotics - 10 panel	\$8.00	\$10.00
Lab confirmation of narcotics		\$20.00
Lab confirmation of urine	\$20.00	\$20.00
EtG testing	\$12.00	\$14.00
Radio Immuno Assay	\$20.00	\$35.00
GC/MS Confirmation		\$20.00
Enrollment Fees	No Charge	\$25.00
Other: REDROP:		
No Voids	No Charge	
Dillute Specimens	No Charge	
Make-up tests	No Charge	
After Hour Fees	No Charge	
Oral Swab	\$20.00	
Other: Swab Screen Positive Confirmation		\$30.00
Other: Synthetic Marijuana		\$35.00
Other: Bath Salts		\$35.00
Oher: Soma		\$35.00
Other: Other Deser Drugsig		\$35.00
Other: Sweat patch w/GC/MS Confirmation		\$90.00
Other: Swab Screening thru Forensic Fluid		\$25.00
Other: Hair Testing		\$60.00
Other: Onsite Nicotine Test		\$10.00
Subcontractors	None	None

Comments:		A free PBT will be included with a 10 panel drug screen if requested
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RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO AWARD A CONTRACT FOR SOBER LIVING SERVICES, FULLY FUNDED BY GRANT PROGRAMS, TO “IT IS POSSIBLE, INC.”- CIRCUIT COURT /FINANCE COMMITTEE / FULL BOARD

WHEREAS, Participants in Livingston County’s Specialty Courts and Specialty Programs, including Adult Drug Treatment Court, Intensive Treatment Mental Health Court, Family Treatment Court, and Swift and Sure Sanctions Probation Program frequently need to access sober living services, otherwise known as “three-quarter houses” where they can establish stability in their sobriety in a supportive environment; and

WHEREAS, Rent for sober living is an allowable expense under the grant funding received for these programs and is included in the approved budgets; and

WHEREAS, The Court worked with County Purchasing to issue a Request for Proposal seeking providers of sober living services and received only one bid, which was from “It Is Possible, Inc.”, and

WHEREAS, The bid was to provide sober living services that met the specifications provided in the RFP at a rate of \$600 per participant per month; and

WHEREAS, Total budget for sober living services for all Specialty Courts and Specialty Programs will not exceed \$40,000; and

WHEREAS, It is reasonable to enter into this non-exclusive contract for the remainder of the current grant fiscal year, with the option of renewing it, providing grant funding is available, for up to two additional years at the discretion of the Court; and

THEREFORE, BE IT RESOLVED that the Chair of the Livingston County Board of Commissioners be authorized to sign a contract with It is Possible, Inc., for a monthly rate of \$600 per participant, for no more than \$40,000 for the period March 1, 2014 through September 30, 2014, which will be fully funded by Adult Drug Court grant funds and renewable for up to two full additional years at the discretion of the Court and provided grant funding is available, and

THEREFORE, BE IT FURTHER RESOLVED that the Chair of the Livingston County Board of Commissioners be authorized to sign the contracts and contract extensions referenced above and any future amendments for monetary and contractual language upon review by Civil Counsel.

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MOVED:

SECONDED:

CARRIED:



LIVINGSTON COUNTY, MICHIGAN
LIVINGSTON COUNTY TRIAL COURTS

204 S. Highlander Way Suite 3 Howell, MI 48843
Phone 517-540-7789 Fax 517-546-3731
Web Site: livgov.com

Memorandum

To: Livingston County Board of Commissioners

From: Carole Church, Court Programs Administrator

Date: February 17, 2014

Re: RESOLUTION TO ENTER INTO A CONTRACT FOR SOBER LIVING SERVICES, FULLY FUNDED BY GRANT PROGRAMS, WITH "IT IS POSSIBLE, INC."- CIRCUIT COURT /FINANCE COMMITTEE / FULL BOARD

Participants in Livingston County's Specialty Courts and Specialty Programs need sober living services. Generally, these are referred to as "three-quarter houses" and rent includes a room in a house that has other individuals who are in recovery living on site. There are house rules to be followed and limited on-site supervision and support to sustain recovery. Typically, the service would be paid for 1-3 months for a participant.

The Court worked with County Purchasing to issue a RFP, but only one bid was received. It was from It Is Possible. The bid price was for \$600 per month, and the bidder met the requirements of the RFP.

The grant budgets for Adult Drug Treatment Court, Intensive Treatment (Mental Health) Court, Family Treatment Court, and Swift and Sure Sanctions all support use of sober living services, with potential for up to approximately \$40,000 for the entire grant year. The contract would be from March 1, 2014 through the end of the grant year, September 30, 2014, with the option to renew for up to two full years at the discretion of the Court and only if funding is available.

Thank you for your consideration in this matter.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING THE SIGNING OF THE 2014 SCHEDULE A - RENEWAL TERM JANUARY 2014 to DECEMBER 2014 WITH BLUE CROSS BLUE SHIELD OF MICHIGAN - Human Resources / Personnel Committee / Finance / Full Board

WHEREAS, Livingston County contracts with Blue Cross Blue Shield of Michigan to administer health, dental, and vision benefits to its employees and retirees; and

WHEREAS, Livingston County has received the 2014 Schedule A to renew Livingston County's contract with Blue Cross Blue Shield of Michigan for Administrative Services; and

WHEREAS, starting in 2013, Blue Cross Blue Shield of Michigan discontinued paying agent commissions out of the administrative fee thereby significantly reducing the fee; and

WHEREAS, agent commissions will be paid by Blue Cross Blue Shield of Michigan on stop-loss coverage only; and

WHEREAS, the remaining agent commissions will be paid from the savings in the reduction of the administrative fee which will be itemized separately on Quarterly Statements, and paid through normal weekly wire payments to Blue Cross Blue Shield by separate professional services agreement; and

WHEREAS, the separate professional services agreement with Blue Cross Blue Shield of Michigan is for the processing of all agent fee payments on a pass-through basis for no additional charge.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the Board Chair to sign the attached Schedule A - Renewal Term January 2014 - December 2014, after review by legal counsel.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby authorizes the Board Chair to sign the professional services agreement with Blue Cross Blue Shield of Michigan and Brown & Brown Insurance for processing of the agent fees, after review by legal counsel.

BE IT FINALLY RESOLVED that that the Livingston County Board of Commissioners hereby authorizes the Board Chair to sign any and all documents related to the 2014

renewal of benefits between Livingston County and Blue Cross Blue Shield of Michigan, after review by legal counsel, in order to provide benefits to employees and retirees in the 2014 plan year. # #

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MOVED:
SECONDED:
CARRIED:

Livingston County 2012 to 2014 Commission Comparison

	2012 Commissions And BCBS Administrative Fee	2013 Commissions, Agent Fee & BCBS Administrative Fee	2014 Commissions, Agent Fee & BCBS Administrative Fee
2012 BCBSM Monthly Administrative Fee (Based on 492 Employees)	\$33,711.84	\$30,853.32	\$32,736.78
Monthly Orphan Commissions Paid on BCBSM's Behalf	\$3,965	N/A	N/A
Monthly Commission on Stop Loss Specific Paid by BCBSM	N/A	\$1,020.80	\$1,122.92
Monthly Commission on Aggregate Stop Loss Paid by BCBSM	N/A	\$99.36	\$85.07
Monthly Add On Fee	N/A	\$2,844.84	\$2,752.17
Total Monthly Commissions/Fee	\$3,965	\$3,965	\$3,960
Commission and Administrative Fee Monthly Totals	\$37,677	\$34,818	\$36,697

*Monthly add-on fee per employee per month is \$5.59 based on 492 employees.

**BCBSM pays 3.5% commissions to BBCM on specific and aggregate stop loss fees.

PROFESSIONAL SERVICES AGREEMENT

This agent fee processing agreement ("Agreement") is effective January 1, 2014, and is made among Blue Cross Blue Shield of Michigan, a Michigan non-profit corporation with offices at 600 Lafayette East, Detroit, Michigan 48226 ("BCBSM"), Livingston County with offices at 304 East Grand River Ave., Suite 205, Howell, MI 48843 ("Group") and Brown & Brown of Central Michigan, Inc. with offices at 1605 Concentric Blvd. Suite 1, Saginaw, MI 48604 ("Agent").

Whereas, Group and Agent have negotiated an agent fee ("Agent Fee") that Group will pay Agent;

Whereas, BCBSM is willing to assist Group with the payment process of the Agent Fee;

Now therefore, in consideration of the mutual promises set forth below, the parties agree as follows:

1. Group and Agent have negotiated and agreed to the following Agent Fee for the period beginning January 1, 2014 until terminated by any party as set forth below:
 - a. \$2,752.17 per month; or
 - b. \$N/A per contract per month (only for non-quarterly settled Groups)
2. Group and Agent acknowledge and agree that such Agent Fee is reasonable compensation for Agent's services.
3. In addition to the services that BCBSM performs pursuant to an administrative services contract ("ASC") with Group, BCBSM is willing to assist Group with the payment process for the Agent Fee.
4. BCBSM will add the Agent Fee to Group's ASC invoice as follows:
 - a. If Group's ASC is a weekly or monthly invoice program, the Agent Fee will be added to the invoice that contains the ASC administrative fee;
 - b. If Group's ASC is a quarterly settled weekly or quarterly settled monthly invoice program, each month the Agent Fee will be set forth on BCBSM's eBookshelf or eBilling website (Note: Group's Quarterly Payment Schedule will not reflect the Agent Fee, however, the Group's quarterly reconciliation will include a separate line item for the Agent Fee payments that were made in the previous quarter);
 - c. If Group's ASC is an advance deposit program or monthly cap program, each month the Agent Fee will be set forth on BCBSM's eBookshelf or eBilling website;
5. Group will pay BCBSM the Agent Fee in addition to Group's required ASC payments and on the same schedule, terms and conditions as set forth in the ASC.
6. BCBSM will process all Agent Fee payments on a pass-through basis and BCBSM will only pay the Agent if BCBSM receives such amount from Group. BCBSM will report the Agent Fee to Group for Group's Form 5500. BCBSM will also report the Agent Fee to the Internal Revenue Service and issue Form 1099s to the Agent.
7. Group may change the Agent and/or Agent Fee by completing and giving BCBSM a new, fully executed Agent Fee Agreement 30 days prior to the 1st of the month in which the new Agent and/or Agent Fee will be payable.
8. Group and Agent acknowledge that BCBSM's process does not allow for any retro-changes to the Agent or Agent Fee.
9. This Agreement may be terminated by any party by giving the other parties 30 days prior written notice.
10. The terms and conditions of this Agreement shall be confidential and shall not be disclosed or released to any third party without the prior written consent of all parties.
11. General Terms.
 - a. Waiver. The failure of any party at any time to require performance of any provision of this Agreement shall not affect in any way that party's full right to require such performance at any time thereafter.

- b. Compliance with Laws. Agent shall comply with all state and federal laws and regulations applicable to Agent's representation of BCBSM. Agent shall also comply with all rules and instructions issued by BCBSM, including but not limited to underwriting rules, regarding the marketing, sale and servicing of any Products offered through BCBSM
- c. Severability. If any provision of this Agreement is invalid, illegal, or unenforceable for any reason, that provision shall be severed from this Agreement and the other provisions shall remain in full force and effect.
- d. Merger Clause. This Agreement and the application to which it is attached and any addenda, schedules, rules or other agreements provided for in this Agreement or incorporated hereunder, shall be the entire agreement of the parties and supersedes all previous agreements whether oral or written, among BCBSM, Group, and Agent.
- e. Assignment. The Agent Fee shall not be assignable to any third party without the prior written consent of all parties.
- f. Law. This Agreement is entered into in the State of Michigan and shall be construed according to the laws of Michigan.
- g. Amendment. This Agreement may be amended only by a written amendment duly executed by authorized representatives of each party.
- h. Warranties. BCBSM MAKES NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO ANY OF ITS SERVICES OR DELIVERABLES UNDER THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO, ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ITS PERFORMANCE.
- i. Indemnification. Group and Agent shall indemnify, defend, and hold BCBSM harmless from and against any and all claims, actions, loss, damage, liability, cost or expense resulting from Group or Agent's acts or omission with respect to this Agreement, unless caused by BCBSM's gross or willful misconduct. In addition, BCBSM shall not be liable for any indirect, incidental, reliance, special, consequential or punitive damages (including lost revenue, lost profit, or loss of business opportunity) of any Party, including third parties, whether or not such damages are foreseen or unforeseen.

Group

Agent

Signature

Signature

Print Name and Title

Angela L. Garner, Executive Vice President
Print Name and Title

Date: _____

Date: _____

Blue Cross Blue Shield of Michigan

Signature

Print Name and Title

Date: _____

SCHEDULE A-Renewal Term (Effective January 2014 through December 2014)
Administrative Services Contract (ASC)

1. Group Name: Livingston County
 2. Group Number: 007001809
 3. Contract Effective Date: October 1, 1983
 4. ASC Funding Arrangement: Weekly Wire
 5. Line(s) of Business:
 Facility
 Facility Foreign
 Facility Domestic
 Physician
 Master Medical

- Prescription Drugs
 Dental
 Vision
 [Hearing]

*Domestic Facility Code(s):

6. Administrative Fees:

	<u>Cost Per Contract</u>	<u>Monthly Contracts</u>	<u>Monthly Premium</u>
A. Administrative Fee	\$64.90	491	\$31,866
B. Wellness Program Fee (divisions 0002, 0030, 0060)	\$3.99	202	\$806
TOTAL			<u>\$32,672</u>
C. Additional Administrative Compensation: Zero			

7. Stop-loss Coverage(s):

- A. Stop-loss Coverage Purchased
 Standard Specific Only
 Specific and Aggregate Aggregate Only
 None
- B. Coverage Lines of Business
 Facility Master Medical
 Facility Foreign Payment Prescription Drugs
 Facility Domestic Charge All Lines of Business (Aggregate Only)
 Physician

C. Attachment Point(s) (per contract) Specific: \$150,000 125% Aggregate: \$11,406

	<u>Cost Per Contract</u>	<u>Monthly Contracts</u>	<u>Monthly Fee</u>
D. Total Stop-loss Fee	\$70.15	491	\$34,444

Blue Cross Blue Shield of Michigan is an independent licensee of the Blue Cross and Blue Shield Association.

- 8. Late Payment Charges/Interest:
 - A. Late Payment Charge 2%
 - B. Yearly Statutory Interest Charge (Simple Interest) 12%
 - C. Provider Contractual Interest

9. BCBSM Account: 1840-09397-3 Comerica 0720-00096
Wire Number Bank American Bank Assoc

10. The Group acknowledges that BCBSM or a Blue Cross and Blue Shield Plan may have compensation arrangements with providers in which the provider is subject to performance or risk-based compensation, including but not limited to withholds, bonuses, incentive payments, provider provider credits and member management fees. Often the compensation amount is determined after the medical service has been performed and after the Group has been invoiced.

11. In the event the Schedule A in the form as submitted to Group by BCBSM ("this Schedule A") is not signed by Group and delivered to BCBSM on or before the 15th day after the Renewal Date, Group's administrative fee shall increase by \$2 per contract per month during the Term until the first day of the month following BCBSM's receipt of this Schedule A as signed by Group. Notwithstanding the foregoing, Group's total increase in its administrative fee shall not exceed \$10,000 per month.

12. BCBSM will charge an additional administrative fee of \$4.00 per contract per month if an ASC customer obtains stop-loss coverage from a third-party stop-loss vendor.

13. Your rate does not include taxes or assessments under consideration by federal and state governments that, if enacted, would be added to your bill.

BCBSM:
 BY: _____
(Signature)

NAME: _____
(Print)

TITLE: _____

DATE: _____

BY: _____
(Signature)

NAME: _____
(Print)

TITLE: _____

DATE: _____

THE GROUP:
 BY: _____
(Signature)

NAME: _____
(Print)

TITLE: _____

DATE: _____

BY: _____
(Signature)

NAME: _____
(Print)

TITLE: _____

DATE: _____

Blue Cross Blue Shield of Michigan is an independent licensee of the Blue Cross and Blue Shield Association.

Livingston County

Group Number - 007001809

RESOLUTION

NO.:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO TRANSFER LUTZ PARK AND FILLMORE PARK FUNDS FROM COUNTY FUNDS TO THE LIVINGSTON COUNTY FOUNDATION AND AUTHORIZE THE COUNTY TO ESTABLISH A REIMBURSEMENT PROCESS FOR EXPENSES INCURRED IN THE UPKEEP OF THE COUNTY PARKS - COUNTY ADMINISTRATION

WHEREAS, the Livingston County Foundation Board met on January 2, 2014 to discuss the Livingston County Lutz Park and Fillmore Parks: and,

WHEREAS, the Foundation Board was advised that the funds being maintained in the County Special Revenue Funds for the upkeep of the parks should be administered by the Foundation; and

WHEREAS, the Foundation Board approved a motion to have these funds immediately moved from the County funds to the Foundation Account: and

WHEREAS, the County Facility Services Department currently oversees and will continue to provide maintenance to both parks and will establish a process to bill the Foundation monthly for reimbursement for expenses incurred in the upkeep of the parks.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the transfer of all existing Lutz Park and Fillmore Park funds to the Livingston County Foundation.

THEREFORE BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes County Facility Services to continue to oversee the upkeep of the parks, perform Foundation authorized improvements to the parks, including land and structures, and bill the Foundation for actual expenses incurred in doing so.

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MOVED:

SECONDED:

CARRIED:



LIVINGSTON COUNTY ADMINISTRATION

LIVINGSTON COUNTY, MICHIGAN

304 E. Grand River Avenue - Suite 203 - Howell MI 48843

February 25, 2014

TO: LIVINGSTON COUNTY BOARD OF COMMISSIONERS

FROM: CINDY CATANACH, FINANCIAL OFFICER

SUBJECT: LIVINGSTON COUNTY FOUNDATION

Livingston County has two county parks, the Lutz Park and the Fillmore Park. The parks were left to the County by Owen Lutz and Raymond Fillmore and trusts were set up for the upkeep and development of the parks. Beginning in 2005 the County established in the County general ledger, a Special Revenue Fund for the Lutz Park (Fund 156) followed by the creation of the Fillmore Park Fund (Fund 157) in 2006, to record the revenues generated from rental income and expenses incurred for the upkeep of the park. Both parks are currently maintained by the County Facility Services Department staff.

At the December 18, 2013 Livingston County Foundation meeting the Foundation Board discussed several decisions to be made regarding the Livingston County Foundation and the Fillmore Trust. During the meeting the Foundation Board was informed that the revenue generated by the Fillmore Park and Lutz Park, mainly from rentals, as well as approval of all expenses associated with the upkeep of the County parks should be going through the Foundation and not the County.

On January 2, 2014 the Foundation Board met again and, in relation to this topic, made a motion that if the County legal counsel concurred with this opinion all park funds should be transferred from the County to the Foundation. The Board also agreed that they would work together with the County to establish a process to get the expenses incurred for the upkeep of the parks paid or reimbursed.

Legal Counsel did verbally concur that the Foundation has the fiduciary responsibility for both parks and that revenue generated from leases at both parks should be going to the Foundation and not the County.

Based on the opinion received by legal counsel and the motion approved by the Livingston County Foundation Board, the parks funds must be transferred from the County over to the Foundation immediately. County Facility Services will continue to provide maintenance and improvement to the park, as authorized by the Foundation, and will bill the Foundation for reimbursement of expenses incurred.
