

FINANCE COMMITTEE

REVISED AGENDA

December 23, 2020, 7:30 AM

Virtual Meeting Held in Accordance with Public Act 228 of 2020

Zoom Virtual Meeting

Meeting ID: 399-700-0062 / Password: LCBOC

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

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9. CLAIMS

Dated: December 23, 2020

10. PREAUTHORIZED

Dated: December 4 through December 17, 2020

11. CALL TO THE PUBLIC

12. ADJOURNMENT

FINANCE COMMITTEE

MEETING MINUTES

December 9, 2020, 7:30 a.m.

Virtual Meeting Held in Accordance with Public Act 228 of 2020

Zoom Virtual Meeting

Meeting ID: 399-700-0062 / Password: LCBOC

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

Members Present Kate Lawrence , Douglas Helzerman, William Green , Wes Nakagiri, Jay Drick,
Robert Bezotte, Carol Griffith, Jay Gross, Gary Childs

1. **CALL MEETING TO ORDER**

The meeting was called to order by Commissioner Lawrence at 7:30 a.m.

2. **ROLL CALL**

Indicated the presence of a quorum.

The following Board Members attended remotely from:

Carol Griffith, Genoa Township, Michigan
Kate Lawrence, City of Brighton, Michigan
William Green, Deerfield Township, Michigan
Wes Nakagiri, Hartland Township, Michigan
Douglas Helzerman, Handy Township, Michigan
Jay Drick, City of Howell, Michigan
Robert Bezotte, Marion Township, Michigan
Jay Gross, Green Oak Township, Michigan
Gary Childs, Green Oak Township, Michigan

3. **APPROVAL OF MINUTES**

Meeting minutes dated: November 18, 2020

Motion to approve the Agenda as presented.

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith,
J. Gross, and G. Childs

Motion Carried (9 to 0)

4. **TABLED ITEMS FROM PREVIOUS MEETINGS**

None.

5. APPROVAL OF AGENDA

Moved by: W. Green

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

6. CALL TO THE PUBLIC

None.

7. REPORTS

8. RESOLUTIONS FOR CONSIDERATION

8.1 Administration

Resolution Authorizing an Additional Contribution to MERS in Fiscal Year 2020

Recommend Motion to the Board of Commissioners.

Moved by: C. Griffith

Seconded by: G. Childs

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.2 Board of Commissioners

Resolution Setting Compensation for Livingston County Commissioners for Years 2021 and 2022

Discussion

Recommend Motion to the Board of Commissioners.

Moved by: G. Childs

Seconded by: J. Gross

Yes (4): K. Lawrence , W. Nakagiri, C. Griffith, and G. Childs

No (5): D. Helzerman, W. Green , J. Drick, R. Bezotte, and J. Gross

Motion Failed (4 to 5)

Amendment: to Set Compensation for Livingston County Commissioners for Years 2021 and 2022 as follows:

\$20000 chair
\$18500 vice chair
\$17000 member

Discussion.

Moved by: W. Green

Seconded by: R. Bezotte

Yes (4): W. Green , J. Drick, R. Bezotte, and J. Gross

No (5): K. Lawrence , D. Helzerman, W. Nakagiri, C. Griffith, and G. Childs

Amendment Failed (4 to 5)

Motion to Recommend Setting Compensation for Livingston County Commissioners for Years 2021 and 2022 to the Board of Commissioners, as follows:

\$19,000 - Board Chair
\$18,500 - Vice Chair
\$16,500 - Members

Discussion. Commissioner Lawrence, Childs, and Griffith recommended completing a position study.

Moved by: R. Bezotte

Seconded by: W. Green

Yes (5): D. Helzerman, W. Green , J. Drick, R. Bezotte, and J. Gross

No (4): K. Lawrence , W. Nakagiri, C. Griffith, and G. Childs

Motion Carried (5 to 4)

8.3 Human Resources

Resolution Authorizing an Agreement with Aon to Provide Employee Benefits Broker and Consulting Services

Recommend Motion to the Board of Commissioners.

Moved by: W. Green

Seconded by: C. Griffith

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.4 Car Pool

Resolution Authorizing an Increase in Total Authorized Vehicles in the Facilities Services Fleet

Recommend Motion to the Board of Commissioners.

Moved by: D. Helzerman

Seconded by: R. Bezotte

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.5 Equalization Department

Resolution Authorizing the Reorganization of the Equalization Department

Recommend Motion to the Board of Commissioners.

Moved by: W. Green

Seconded by: C. Griffith

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.6 Information Technology

Resolution Authorizing 2021 Renewal Software Maintenance and Services

Recommend Motion to the Board of Commissioners.

Moved by: J. Gross

Seconded by: G. Childs

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.7 MSU Extension

Resolution to Approve the 2021 Memorandum of Agreement (MOA) with MSU Extension as Determined by the 2021 MSUE Budget

Recommend Motion to the Board of Commissioners.

Moved by: R. Bezotte

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.8 Administration

Resolution Authorizing 2021 Non-Profit Contracts

Recommend Motion to the Board of Commissioners.

Moved by: W. Green

Seconded by: R. Bezotte

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.9 Administration

Resolution to Authorize a Contract with Plante Moran to Provide Professional Auditing Services

Recommend Motion to the Board of Commissioners.

Moved by: R. Bezotte

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.10 Fiscal Services

Resolution to Amend the Livingston County Procurement Card Policy

Recommend Motion to the Board of Commissioners.

Moved by: C. Griffith

Seconded by: W. Nakagiri

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.11 Fiscal Services

Resolution to Amend the Livingston County Procurement Policy

Recommend Motion to the Board of Commissioners.

Moved by: C. Griffith

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.12 Health Department

Resolution Accepting 2021 Grant Funding from the Department of Licensing and Regulatory Affairs, Bureau of Medical Marihuana Regulation

Discussion.

Recommend Motion to the Board of Commissioners.

Moved by: D. Helzerman

Seconded by: W. Nakagiri

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.13 Health Department

Resolution Authorizing an Agreement with the Michigan Department of Environment, Great Lakes, and Energy to Conduct Environmental Health Services

Recommend Motion to the Board of Commissioners.

Moved by: G. Childs

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.14 Health Department

COVID-19 Related Resolution Approving Temporarily Authorizing A Livingston County Health Department FLSA Exempt Employee To Accrue Temporary Special Flex Time And Additional Compensation For Hours Worked

Recommend Motion to the Board of Commissioners.

Moved by: W. Green

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.15 Health Department

Resolution Extending Authorization of Resolution 2020-03-079

Recommend Motion to the Board of Commissioners.

Moved by: W. Nakagiri

Seconded by: C. Griffith

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.16 LETS

Resolution Amending Resolution 2019-02-017 Authorizing Third-Party Contracts between Livingston County and Specialized Services Transportation Providers

Recommend Motion to the Board of Commissioners.

Moved by: J. Gross

Seconded by: D. Helzerman

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.17 LETS

Resolution Authorizing Sub-recipient Agreement for Transportation Services between Livingston County (LETS) and People's Express of Whitmore Lake for FY 2021 and Amendment to FY 2020 Agreement

Recommend Motion to the Board of Commissioners.

Moved by: W. Green

Seconded by: D. Helzerman

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.18 LETS

Resolution Authorizing the Reorganization of LETS to Fill the Full-Time Mobility Manager Position and Eliminate One Full-Time Driver Position

Recommend Motion to the Board of Commissioners.

Moved by: J. Gross

Seconded by: D. Helzerman

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.19 LETS

Resolution Approving the LETS Public Transportation Agency Safety Plan (PTASP)

Recommend Motion to the Board of Commissioners.

Moved by: W. Nakagiri

Seconded by: C. Griffith

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.20 Emergency Medical Services

Resolution Authorizing the Approval of the EMS Charges for 2021

Recommend Motion to the Board of Commissioners.

Moved by: J. Gross

Seconded by: D. Helzerman

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.21 Emergency Medical Services

Resolution Authorizing the Clinical/Internship contract with Lake Superior State University

8.22 Emergency Medical Service

Resolution Authorizing a Clinical Training Affiliation Agreement with Oakland Community College to Provide Clinical Internship Services

8.23 Emergency Medical Service

Resolution Authorizing a Clinical Training Affiliation Agreement with Dorsey Emergency Medical Academy to Provide Clinical Internship Services

Recommend Motion to the Board of Commissioners for items #8.21; 8.22; 8.23

Moved by: J. Gross

Seconded by: R. Bezotte

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.24 Emergency Medical Services

Resolution Authorizing Holiday Pay for Regular Part-Time Livingston County Medical Examiner Investigators

Recommend Motion to the Board of Commissioners.

Moved by: R. Bezotte

Seconded by: W. Green

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

8.25 Emergency Medical Services

Resolution Approving the Reorganization of the Emergency Medical Services Department

Recommend Motion to the Board of Commissioners.

Moved by: R. Bezotte

Seconded by: W. Green

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

9. CLAIMS

Dated: December 9, 2020

Recommend Motion to the Board of Commissioners.

Moved by: C. Griffith

Seconded by: J. Gross

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

10. PREAUTHORIZED

Dated: November 13 through December 3, 2020

Recommend Motion to the Board of Commissioners.

Moved by: R. Bezotte

Seconded by: G. Childs

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

11. CALL TO THE PUBLIC

None.

12. ADJOURNMENT

Motion to adjourn the meeting at 9:14 a.m.

Moved by: D. Helzerman

Seconded by: W. Nakagiri

Yes (9): K. Lawrence , D. Helzerman, W. Green , W. Nakagiri, J. Drick, R. Bezotte, C. Griffith, J. Gross, and G. Childs

Motion Carried (9 to 0)

Natalie Hunt, Recording Secretary

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution to Authorize a Fourth Quarter Budget Amendment to the Fiscal-Year 2020 Budget – Fiscal Services

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

WHEREAS, the proposed amendment recognizes actual expenditure activity for the fourth quarter of 2020 and includes:

- Increase/decreases in departmental expenditures to correspond to actual activity
 - Net-zero transfers to adjust to actuals expenses for several departments
 - Reduction of GF Facility Services for DHHS renovations
 - Increase in Drain for employee retirement payout offset by reimbursement from Drain funds
 - Transfers in Sheriff, Jail, Animal Control and Court Security to cover increases in overtime, part-time wages and inmate medical that have a net-zero effect for Sheriff Divisions
 - Reduction of the GF Health allocation for the intergovernmental transfer for My Community Dental Center contract
 - Increase in Medical Examiner for personnel costs
- Transfer out to the newly created F410 EMS Capital Replacement for future capital replacements
- Reduction of contract expenses in the amount for the FY20 Remon & Survey Plan
- Increase in CPL personnel costs due to in demand services offset by already adjusted revenue
- Increase in Sheriff grant revenue for Marine and Medical Marijuana programs
- Budget for transfer out of F261 911 Operating to F461 New 911 Facility Construction
- Reduction in Information Technology expenditure budget to align with actuals for software, contracted services, equipment and personnel costs

WHEREAS, the proposed amendment adjusts General Fund revenue to anticipated collection levels for:

- Adjust State Share revenue budget to revised annual amount
- Reduction in Court revenue for drug information management reimbursement, drunk driving case flow assessment, and juror compensation reimbursement
- Recognition of cell phone tower lease revenue
- Reduction of Sheriff special event reimbursement
- Increase in Jail US Marshall housing, bed rental, and phone commissions plus signing bonus

WHEREAS, the proposed amendment also includes Hazard Pay for employees who left employment where the State has determined them to be ineligible for reimbursement after the payment was made:

- Sheriff \$2,000
- Court Security \$1,000
- Jail \$3,000
- EMS \$8,000
- 911 Central Dispatch \$1,000

WHEREAS, resolution 2019-03-032 authorized the Microsoft Enterprise Agreement for the period of April 1, 2019 to March 31, 2022 with the intent of the expense being funded by Capital Improvement Funds. The proposed amendment includes a transfer from F403 Capital Improvement to F636 Information Technology in the amount of \$264,314; and

WHEREAS, the proposed amendment includes a transfer of expenses from the Public Safety Public Health Payroll Reimbursement Program to the original departments for positions deemed ineligible for the program.

THEREFORE BE IT RESOLVED that the Board of Commissioners authorizes the following budget amendment to the Fiscal-Year 2020 Budget as illustrated below:

| FUND | Approved 2020 budget | Proposed amendment | Amended 2020 budget |
|------------------------------|----------------------|--------------------|---------------------|
| 101 - General Fund | \$ 49,731,833 | \$ (82,798) | \$ 49,649,035 |
| 210 - EMS | \$ 10,542,142 | \$ 31,347 | \$ 10,573,489 |
| 221 - Health | \$ 4,423,077 | \$ 12,461 | \$ 4,435,538 |
| 245 - Remon & Survey | \$ 166,245 | \$ (83,115) | \$ 83,130 |
| 261 - 911 Central Dispatch | \$ 4,724,497 | \$ 443,245 | \$ 5,167,742 |
| 268 - CPL | \$ 73,240 | \$ 14,180 | \$ 87,420 |
| 282 - CARES PSPHP | \$ 3,303,899 | \$ (80,935) | \$ 3,222,964 |
| 581 - Airport | \$ 1,404,573 | \$ 49,700 | \$ 1,454,273 |
| 636 - Information Technology | \$ 5,753,636 | \$ (1,020,100) | \$ 4,733,536 |

BE IT FURTHER RESOLVED that the worksheet showing details of the above is available for review in the Fiscal Services office.

BE IT FURTHER RESOLVED that Livingston County Board of Commissioners authorizes the Livingston County Treasurer to transfer \$264,314 from F403 Capital Improvement to F636 Information Technology for the Microsoft Enterprise Agreement.

BE IT FURTHER RESOLVED that Livingston County Board of Commissioners authorizes the Livingston County Treasurer to transfer \$75,000 from 10135100-999519 to the DTRF for the first of three consecutive annual transfers to pay back the DTRF for the costs associated with refinancing the jail bonds.

BE IT FURTHER RESOLVED that Livingston County Board of Commissioners authorizes the Livingston County Treasurer to transfer \$285,000 from F210 EMS to F410 EMS Capital Replacement to be compliant with the practices identified in the plan to rebuild EMS working capital.

RESOLUTION NO:

PAGE: 3

MOVED:
SECONDED:
CARRIED:

| EXPENDITURES | | | | |
|--------------------------------------|--------------|------------|----|------------------------|
| | 2020 Amended | | | Proposed Amended |
| 10100001 GF TAXES | \$ | - | | |
| 10110100 GF BOARD OF COMMISSIO | \$ | 644,143 | \$ | 644,143 |
| 10113100 GF CIRCUIT COURT | \$ | 1,088,451 | \$ | 1,088,451 |
| 10113600 GF DISTRICT COURT | \$ | 2,096,576 | \$ | 2,096,576 |
| 10114800 GF PROBATE COURT | \$ | 796,097 | \$ | 796,097 |
| 10114900 GF JUVENILE COURT | \$ | 810,697 | \$ | 810,697 |
| 10115000 GF GUARDIANSHIP | \$ | 8,714 | \$ | 8,714 |
| 10115100 GF PROBATION | \$ | 75,014 | \$ | 75,014 |
| 10116700 GF APPELLATE COURT | \$ | 67,210 | \$ | 67,210 |
| 10116800 GF CENTRAL SERVICE JUDICIAL | \$ | 2,586,691 | \$ | 2,586,691 |
| 10117200 GF COUNTY ADMINISTRAT | \$ | 447,806 | \$ | 447,806 |
| 10119200 GF ERP PROJECT | \$ | - | \$ | - |
| 10121200 FISCAL SERVICES | \$ | 498,883 | \$ | 498,883 |
| 10121500 GF COUNTY CLERK | \$ | 408,164 | \$ | 408,164 |
| 10121599 GF COUNTY CLERK CIRCU | \$ | 884,833 | \$ | 884,833 |
| 10122300 GF INTERNAL / EXTERNA | \$ | 127,800 | \$ | 127,800 |
| 10124800 GF TAX ALLOCATION BOA | \$ | 1,495 | \$ | 1,495 |
| 10124900 GF PLAT BOARD | \$ | 500 | \$ | 500 |
| 10125300 GF COUNTY TREASURER | \$ | 1,043,651 | \$ | 1,043,651 |
| 10125700 GF EQUALIZATION | \$ | 519,066 | \$ | 519,066 |
| 10126100 GF COOPERATIVE EXTENS | \$ | 241,822 | \$ | 241,822 |
| 10126200 GF ELECTIONS | \$ | 385,799 | \$ | 385,799 |
| 10126500 GF FACILITIES SERVICE | \$ | 268,058 | \$ | 268,058 |
| 10126700 GF PROSECUTING ATTORN | \$ | 2,371,022 | \$ | 2,361,353 |
| 10126717 GF PROS. ATTY FAMILY | \$ | 103,885 | \$ | 103,885 |
| 10126800 GF REGISTER OF DEEDS | \$ | 704,101 | \$ | 704,101 |
| 10126900 GF CIVIL COUNSEL | \$ | 239,680 | \$ | 239,680 |
| 10127000 GF HUMAN RESOURCES | \$ | 711,817 | \$ | 711,817 |
| 10127500 GF DRAIN COMMISSIONER | \$ | 2,481,365 | \$ | 2,481,365 |
| 10130100 GF SHERIFF | \$ | 7,655,206 | \$ | 7,672,100 |
| 10130106 GF SHERIFF - TRAFFIC | \$ | 44,726 | \$ | 67,240 |
| 10130143 GF SHERIFF - ANIMAL CNTRL | \$ | 179,391 | \$ | 179,391 |
| 10130500 GF COURT SECURITY | \$ | 270,670 | \$ | 265,670 |
| 10135100 GF JAIL | \$ | 10,334,868 | \$ | 10,341,868 |
| 10142600 GF EMERGENCY MNGMT | \$ | 144,772 | \$ | 163,112 |
| 10143000 GF ANIMAL SERVICES | \$ | 614,000 | \$ | 620,241 |
| 10144100 GF DEPT OF PUBL WORKS | \$ | 242,468 | \$ | 242,468 |
| 10144500 GF - DRAINS PUBLIC BE | \$ | 235,000 | \$ | 235,000 |
| 10160100 GF HEALTH DEPARTMENT | \$ | 170,000 | \$ | 170,000 |
| 10160500 GF CONTAGIOUS DISEASE | \$ | 5,000 | \$ | (165,000) |
| 10164800 GF MEDICAL EXAMINER | \$ | 480,920 | \$ | 480,920 |
| 10164900 GF MENTAL HEALTH | \$ | 600,470 | \$ | 631,352 |
| 10167200 GF AGENCY ON AGING | \$ | 155,326 | \$ | 155,326 |
| 10172100 GF PLANNING | \$ | 414,139 | \$ | 414,139 |
| 10172800 GF ECONOMIC DEVELOPME | \$ | 175,000 | \$ | 175,000 |
| 10174700 GF COMMUNITY ACTION P | \$ | 934,207 | \$ | 934,207 |
| 10185100 GF INSURANCE POLICIES | \$ | 1,000,000 | \$ | 1,000,000 |
| 10186100 GF RETIREMENT COUNTY | \$ | 2,000,000 | \$ | 2,000,000 |
| 10187000 GF UNEMPLOYMENT INSUR | \$ | 22,544 | \$ | 22,544 |
| 10189900 GF CHARGEBACKS | \$ | 1,000 | \$ | 1,000 |
| 10196600 GF APPROPRIATIONS | \$ | 490,000 | \$ | 490,000 |
| 10196610 GF APPROPRIATIONS - Court | \$ | 2,458,277 | \$ | 2,458,277 |
| 10196631 GF APPROPRIATIONS - Other | \$ | 936,856 | \$ | 936,856 |
| 10196650 GF APPROPRIATIONS - Health | \$ | 430,000 | \$ | 430,000 |
| 10196800 GF CONTINGENCIES | \$ | 123,654 | \$ | 123,654 |
| General Fund Total | \$ | 49,731,833 | \$ | (82,798) \$ 49,649,035 |

| REVENUES | | | | |
|-----------------|--------------|-----------|----|------------------|
| | 2020 Amended | | | Proposed Amended |
| \$ (37,697,881) | \$ | (227,000) | \$ | (37,924,881) |
| | \$ | - | \$ | - |
| \$ (138,672) | \$ | 1,598 | \$ | (137,074) |
| \$ (2,492,195) | \$ | 8,599 | \$ | (2,483,596) |
| \$ (218,537) | \$ | - | \$ | (218,537) |
| \$ (221,264) | \$ | - | \$ | (221,264) |
| \$ (11,709) | \$ | - | \$ | (11,709) |
| | \$ | - | \$ | - |
| | \$ | - | \$ | - |
| \$ (509,600) | \$ | 20,177 | \$ | (489,423) |
| | \$ | - | \$ | - |
| | \$ | - | \$ | - |
| \$ (29,207) | \$ | - | \$ | (29,207) |
| \$ (212,000) | \$ | - | \$ | (212,000) |
| \$ (434,450) | \$ | - | \$ | (434,450) |
| \$ (5,000) | \$ | - | \$ | (5,000) |
| | \$ | - | \$ | - |
| | \$ | - | \$ | - |
| \$ (98,917) | \$ | - | \$ | (98,917) |
| \$ (32,000) | \$ | - | \$ | (32,000) |
| | \$ | - | \$ | - |
| \$ (194,581) | \$ | - | \$ | (194,581) |
| \$ (401,383) | \$ | (18,614) | \$ | (419,997) |
| \$ (6,918) | \$ | - | \$ | (6,918) |
| \$ - | \$ | - | \$ | - |
| \$ (2,377,215) | \$ | - | \$ | (2,377,215) |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ (1,377,055) | \$ | (16,894) | \$ | (1,393,949) |
| \$ (428,881) | \$ | 40,000 | \$ | (388,881) |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ (3,044,200) | \$ | (460,554) | \$ | (3,504,754) |
| \$ (34,019) | \$ | - | \$ | (34,019) |
| \$ (180,600) | \$ | - | \$ | (180,600) |
| \$ (64,200) | \$ | - | \$ | (64,200) |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ (8,800) | \$ | - | \$ | (8,800) |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ (265,166) | \$ | - | \$ | (265,166) |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ - | \$ | - | \$ | - |
| \$ (50,484,450) | \$ | (652,688) | \$ | (51,137,138) |

\$ (1,488,103)

| EXPENDITURES | | | | | REVENUES | | | | |
|------------------------|--------------------------------|----|------------|----------------|------------------|------------|----|--------------|----|
| 2020 Amended | | | | | Proposed Amended | | | | |
| Special Revenue Funds | | | | | | | | | |
| 21065100 | EMS | \$ | 10,542,142 | \$ 31,347 | \$ | 10,573,489 | \$ | (10,542,142) | \$ |
| 21110100 | CENSUS 2020 | \$ | 50,000 | \$ - | \$ | 50,000 | \$ | (50,000) | \$ |
| 21414100 | FOC Family Counseling | \$ | 14,000 | \$ - | \$ | 14,000 | \$ | (14,000) | \$ |
| 21514100 | FOC | \$ | 2,790,160 | \$ - | \$ | 2,790,160 | \$ | (2,619,177) | \$ |
| 21814900 | REDD Grant | \$ | 61,518 | \$ - | \$ | 61,518 | \$ | (61,518) | \$ |
| 21916800 | CESF Courts | \$ | 197,364 | \$ - | \$ | 197,364 | \$ | (197,364) | \$ |
| 21926700 | CESF Grant - Prosecutor | \$ | 49,078 | \$ - | \$ | 49,078 | \$ | (49,078) | \$ |
| 21930100 | CESF Grant - Sheriff | \$ | 166,592 | \$ - | \$ | 166,592 | \$ | (166,592) | \$ |
| 22160100 | Health | \$ | 4,423,077 | \$ 12,461 | \$ | 4,435,538 | \$ | (4,678,339) | \$ |
| 23030100 | Sheriff Donation Fund | \$ | 3,500 | \$ - | \$ | 3,500 | \$ | (500) | \$ |
| 23143000 | Animal Shelter Donations | \$ | 15,000 | \$ - | \$ | 15,000 | \$ | (6,352) | \$ |
| 23816800 | Courts FED Grants | \$ | 461,349 | \$ - | \$ | 461,349 | \$ | (461,349) | \$ |
| 23826717 | Family Support | \$ | 305,544 | \$ - | \$ | 305,544 | \$ | (305,544) | \$ |
| 23830100 | Sheriff - Federal Grants | \$ | 314,275 | \$ - | \$ | 314,275 | \$ | (314,275) | \$ |
| 23833100 | Sheriff Marine Safety | \$ | 5,600 | \$ - | \$ | 5,600 | \$ | (1,000) | \$ |
| 23842600 | FED Emergency Mngmnt | \$ | 176,862 | \$ - | \$ | 176,862 | \$ | (279,527) | \$ |
| 23872100 | Planning Federal Grants | \$ | 24,555 | \$ - | \$ | 24,555 | \$ | (24,555) | \$ |
| 23916800 | Courts STATE Grants | \$ | 537,580 | \$ - | \$ | 537,580 | \$ | (559,674) | \$ |
| 23926718 | Crime Victims Rights | \$ | 167,421 | \$ - | \$ | 167,421 | \$ | (167,421) | \$ |
| 23930100 | Sheriff State Grants | \$ | 12,000 | \$ - | \$ | 12,000 | \$ | (22,000) | \$ |
| 23930106 | Sheriff Traffic Secondary Road | \$ | 124,575 | \$ - | \$ | 124,575 | \$ | (132,446) | \$ |
| 23943000 | Animal Shelter State Grants | \$ | 33,605 | \$ - | \$ | 33,605 | \$ | (33,605) | \$ |
| 23944100 | DPW State Grants | \$ | 10,000 | \$ - | \$ | 10,000 | \$ | (10,000) | \$ |
| 24469000 | CDBG Grant | \$ | 17,355 | \$ - | \$ | 17,355 | \$ | (42,855) | \$ |
| 24527800 | ROD Survey & Remon | \$ | 166,245 | \$ (83,115) | \$ | 83,130 | \$ | (65,000) | \$ |
| 25522300 | Princ Res Exemption | \$ | 7,322 | \$ - | \$ | 7,322 | \$ | (6,150) | \$ |
| 25626801 | ROD Automation | \$ | 414,113 | \$ - | \$ | 414,113 | \$ | (204,000) | \$ |
| 26017200 | Indigent Defense | \$ | 2,532,119 | \$ - | \$ | 2,532,119 | \$ | (2,554,318) | \$ |
| 26132500 | 911 Central Dispatch | \$ | 4,724,497 | \$ 443,245 | \$ | 5,167,742 | \$ | (4,410,818) | \$ |
| 26132525 | 911 Enhanced | \$ | 370,878 | \$ - | \$ | 370,878 | \$ | (372,250) | \$ |
| 26132526 | 911 Training | \$ | 26,646 | \$ - | \$ | 26,646 | \$ | (26,646) | \$ |
| 26335100 | Sheriff CO Training | \$ | 30,000 | \$ - | \$ | 30,000 | \$ | (20,000) | \$ |
| 26530100 | Drug Law Enforcement | \$ | 4,500 | \$ - | \$ | 4,500 | \$ | (2,000) | \$ |
| 26630100 | DEA Equitable Sharing | \$ | 6,166 | \$ - | \$ | 6,166 | \$ | (3,000) | \$ |
| 26821500 | Concealed Pistol Licensing | \$ | 73,240 | \$ 14,180 | \$ | 87,420 | \$ | (180,784) | \$ |
| 26914500 | Law Library | \$ | 6,500 | \$ - | \$ | 6,500 | \$ | (6,500) | \$ |
| 27536200 | COMMUNITY CORRECTIONS | \$ | 85,168 | \$ - | \$ | 85,168 | \$ | (85,168) | \$ |
| 27774300 | MICHIGAN WORKS | \$ | 224,195 | \$ - | \$ | 224,195 | \$ | - | \$ |
| 27830100 | Sheriff Victim Svcs Unit | \$ | 1,075 | \$ - | \$ | 1,075 | \$ | (1,250) | \$ |
| 28200001 | CARES ACT | \$ | - | \$ - | \$ | - | \$ | (3,303,895) | \$ |
| 28230100 | CARES ACT - Sheriff | \$ | 1,148,008 | \$ (23,565) | \$ | 1,124,443 | \$ | - | \$ |
| 28230106 | CARES ACT - Sheriff Traffic | \$ | 8,871 | \$ - | \$ | 8,871 | \$ | - | \$ |
| 28230143 | CARES ACT - Sheriff Animal | \$ | 25,763 | \$ - | \$ | 25,763 | \$ | - | \$ |
| 28230500 | CARES ACT - Sheriff Court | \$ | 38,143 | \$ - | \$ | 38,143 | \$ | - | \$ |
| 28232500 | CARES ACT - 911 Central | \$ | 269,510 | \$ - | \$ | 269,510 | \$ | - | \$ |
| 28235100 | CARES ACT - Jail | \$ | 1,206,782 | \$ (13,289) | \$ | 1,193,493 | \$ | - | \$ |
| 28242600 | CARES ACT - Emergency | \$ | 6,241 | \$ (6,241) | \$ | - | \$ | - | \$ |
| 28260100 | CARES ACT - Health Dept | \$ | 13,028 | \$ (2,461) | \$ | 10,567 | \$ | - | \$ |
| 28264800 | CARES ACT - Medical | \$ | 12,032 | \$ (12,032) | \$ | - | \$ | - | \$ |
| 28265100 | CARES ACT - EMS | \$ | 569,738 | \$ (23,347) | \$ | 546,391 | \$ | - | \$ |
| 28285200 | CARES ACT - Benefits | \$ | 5,783 | \$ - | \$ | 5,783 | \$ | - | \$ |
| 29067000 | Social Welfare | \$ | 9,500 | \$ - | \$ | 9,500 | \$ | (9,000) | \$ |
| 29266200 | Child Care Juvenile | \$ | 2,041,993 | \$ - | \$ | 2,041,993 | \$ | (2,115,993) | \$ |
| 29266300 | Child Care Social Services | \$ | 1,065,000 | \$ - | \$ | 1,065,000 | \$ | (1,065,000) | \$ |
| 29568900 | Veteran Services | \$ | 1,038,133 | \$ - | \$ | 1,038,133 | \$ | (1,011,000) | \$ |
| 29630100 | Criminal Forfeiture | \$ | 3,000 | \$ - | \$ | 3,000 | \$ | - | \$ |
| 29768900 | CO Veterans SVS Fund | \$ | 108,015 | \$ - | \$ | 108,015 | \$ | (108,015) | \$ |
| Enterprise Funds | | | | | | | | | |
| 54237100 | Building & Safety | \$ | 3,282,146 | \$ - | \$ | 3,282,146 | \$ | (2,273,500) | \$ |
| 5780275 | Septic Receiving | \$ | 1,592,264 | \$ - | \$ | 1,592,264 | \$ | (2,150,414) | \$ |
| 58105400 | Airport | \$ | 1,404,573 | \$ 49,700 | \$ | 1,454,273 | \$ | (1,501,242) | \$ |
| 58853800 | LETS | \$ | 5,536,946 | \$ - | \$ | 5,536,946 | \$ | (5,273,608) | \$ |
| 59535100 | Jail Commissary | \$ | 175,765 | \$ - | \$ | 175,765 | \$ | (129,000) | \$ |
| Internal Service Funds | | | | | | | | | |
| 63126500 | Facility Services | \$ | 2,881,566 | \$ - | \$ | 2,881,566 | \$ | (2,646,720) | \$ |
| 63622800 | Information Technology | \$ | 5,753,636 | \$ (1,020,100) | \$ | 4,733,536 | \$ | 181,831 | \$ |
| 66126300 | Car Pool | \$ | 1,980,529 | \$ - | \$ | 1,980,529 | \$ | (1,579,550) | \$ |
| 67785200 | Benefit Fund | \$ | 10,948,386 | \$ - | \$ | 10,948,386 | \$ | (10,954,169) | \$ |

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Approving the Tentative Agreement between the Livingston County Board of Commissioners and the Michigan Association of Fire Fighters Representing Paramedics

WHEREAS, negotiations have resulted in a tentative agreement between the Livingston County Board of Commissioners and the Michigan Association of Fire Fighters (hereinafter referred to as “MAFF”), for the period of 1/1/21 through 12/31/21; and

WHEREAS, the Paramedics have ratified the tentative agreement; and

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

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

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the agreement reached with the MAFF and the Livingston County Board of Commissioners for the period of 1/1/21 through 12/31/21.

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

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**MOVED:
SECONDED:
CARRIED:**

98 11-30-2020

SS
11/25/2020

Livingston County EMS

Tentative Agreement

11/24/2020

NEW Section 12.0. Hospitalization Insurance

F. Effective 1/1/2021, consistent with Resolution 2019-08-121, elective abortion coverage is eliminated from all health plans.

Section 15.0. Classification and Rates.

Effective 1/1/2021, or upon ratification by all parties, whichever is later, the wage scales shall be increased 2.25%.

NEW SECTION PERSONAL LEAVE. Effective 1/1/2021, or upon ratification by all parties, whichever is later, employees shall receive eight (8) hours Personal Leave, deposited into a Personal Leave bank on January 1st of each year. Unused Personal Leave hours remaining at the end of each year will be forfeited. There shall be no payout of unused Personal Leave upon separation of employment with the County. Personal Leave time shall be approved as outlined in the contract Section 11.4. Paid Time Off, Section B, except that twelve (12) hour employees shall use all eight (8) hours at once.

Section 11.4. Paid Time Off

C. UNSCHEDULED PTO. Employees may use PTO for SICK leave for full or partial shift (tardiness), whether it be scheduled or unscheduled leave. However, unscheduled PTO usage shall be considered unapproved time off and shall be subject to discipline under this section. Unscheduled usage of PTO shall be deemed approved once such verification of illness or injury is provided, unless covered under FMLA or ADA leave. If an employee cannot provide proof of the illness or injury, said absence or tardy will not be approved by the Director or his/her designee and will be subject to discipline under this section. Proof / verification of illness or injury shall be in the form of a discharge summary from the health care provider.

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Authorizing the Reorganization of the Drain Department – Drain Commissioner

- WHEREAS,** the Drain Commissioner has evaluated the organizational structure of the Drain Department and wishes to make changes to that structure; and
- WHEREAS,** Livingston County, through its Department of Public Works (DPW), owns and operates the Livingston Regional Sanitary Sewer System (LRSS) and the Livingston County Septage Receiving Station (SRS), in addition to nine (9) sanitary sewer drains under the authority of the Drain Commissioner; and
- WHEREAS,** the current sanitary sewer operations structure includes five full time operators consisting of one Sanitary Facilities Superintendent and four Sanitary Facilities Operators who perform operation and maintenance on the wastewater systems spread throughout Livingston County; and
- WHEREAS,** the SRS was originally intended to receive 12 million gallons of septage annually, and is projected to exceed 35 million gallons this year with roughly the same staffing contingent it had at its opening in 2007; and
- WHEREAS,** an entirely new SRS dewatering facility (5,800 sq ft) has been constructed and is projected to commence operations by December 31, 2020; and
- WHEREAS,** a revised asset management plan has been prepared for the LRSS that identifies capital improvement projects and preventative maintenance required over the next ten years beginning in 2021; and
- WHEREAS,** the wastewater systems service approximately 2,500 customers throughout Livingston County; and
- WHEREAS,** the current staff structure will not be adequate to successfully and safely take on both the additional responsibilities of the new press facility and the projects identified in the asset management plan; and
- WHEREAS,** the DPW has assessed the operational needs of the department and determined that the greatest area of need is in the area of technical support, in addition to providing backup for current wastewater operations and;
- WHEREAS,** through resolution, the DPW strongly recommended the addition of a new Wastewater Technical Specialist that will contribute to operations while also bringing a new skill-set to the team through knowledge and experience related to graphical control interfaces, software administration, geospatial data management, system diagnostics, and development of standard operating procedures; and
- WHEREAS,** the cost of the new position will be \$86,789 which includes wages and benefits; and
- WHEREAS,** the entirety of the costs of this position incurred by Livingston County are reimbursed in full by the DPW enterprise funds of the SRS and Livingston Regional Sewer System, as well as nine (9) sanitary sewer drainage districts.

THEREFORE BE IT RESOLVED that the Board of Commissioners hereby approves reorganization of the Drain Department authorizing the addition of a Wastewater Technical Specialist as described in the position control chart below.

| Position # | Description | Group | Grade | FTE |
|------------|---------------------------------|-------|-------|------|
| 27500124 | WASTEWATER TECHNICAL SPECIALIST | NU | 8 | 1.00 |

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorize any necessary budget amendment to effectuate the above.

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MOVED:
SECONDED:
CARRIED:



LIVINGSTON COUNTY, MICHIGAN
OFFICE OF THE LIVINGSTON COUNTY DRAIN COMMISSIONER

2300 E. Grand River Avenue, Suite 105, Howell, MI 48843
Phone 517-546-0040 Fax 517-545-9658
Web Site: www.livgov.com/drain

Memorandum

To: Livingston County Board of Commissioners
From: Michelle LaRose, Deputy Drain Commissioner
Date: 12/16/2020
Re: Reorganization of the Drain Department

Honorable Commissioners:

On behalf of the Livingston County Board of Public Works (BPW), I am requesting a reorganization of the Drain Department that would include the addition of one full time employee to the sanitary sewer operation team in the form of a Wastewater Technical Specialist.

BACKGROUND

The BPW, in conjunction with the office of the drain commissioner, is responsible for the operation and maintenance of numerous wastewater systems throughout the County. The Drain Commissioner serves on the BPW as the Director of Public Works. The breadth of responsibilities includes operation and maintenance of the following systems:

- **Livingston Regional Sewer System (LRSS)**
The LRSS provides sanitary sewer service to approximately 2,400 customers throughout Tyrone and Hartland Townships. Approximately 60% of these customers are serviced by a grinder pump or septic tank effluent pump, which require added maintenance. Utilizing state grant funding, a comprehensive asset management plan (AMP) was developed and adopted by the BPW. The AMP identifies preventative maintenance and long-term capital improvement needs over the next 10 years and will continue to be updated annually. Implementation of the AMP projects will begin in 2021. Each project will be evaluated on an individual basis to determine the most cost-effective path forward, which may include contracting services, completing the work with internal staff, or a combination of both.
- **Septage Receiving Station (SRS)**
The SRS was constructed in 2007 and was initially projected to accept 12 million gallons of septage. In 2020, the flows are projected to reach over 33 million gallons. This

substantial volume results in an increase in waste strength at Genesee County's Water Resource Recovery Facility (WRRF) in Linden where the waste is treated, which causes problems with their plant operation and the SRS permit limits. Consequently, the BPW was issued a corrective action plan to construct a dewatering facility that would remove solids and bring the WRRF into compliance. Despite the enormous success of the station, which one of our consultants estimates is one of the busiest septage stations in the United States, we have maintained nearly identical staffing to what we started with when the station initially opened.

- **Septage Dewatering Station (SDS)**

The SDS is currently under construction and is expected to be in operation by December 31, 2020. The SDS is a new facility constructed at the site of the existing SRS where a press machine will be installed along with another bay for trucks to offload. The septage flows received by the SRS and the SDS will run through the press to remove solids and bring the SRS/SDS into compliance by meeting permit limits. As we learned through operation of a similar temporary press over the last several months, these press machines require significant operational oversight.

- **Community Wastewater Sites**

The Drain Commissioner's office is also responsible for the operation and maintenance of nine community wastewater systems spread throughout Livingston County. These systems are established as drainage districts through the Michigan Drain Code (Act 40 of 1956) and service nearly 200 customers. The systems include a variety of operational components such as grinder pumps, septic fields, and advanced filtration systems.

NEW POSITION DESCRIPTION

The job description for the Wastewater Technical Specialist is attached. The intent of this position is to develop internal technical expertise along with operational experience that will allow the operations team to stay on top of changing technologies and streamline our operations. Several of the specific tasks of this new position will include:

- Improve internal troubleshooting capabilities on mechanical and electrical control systems.
- Install/upgrade/maintain SCADA systems used for operational control, system reporting, and identification of system deficiencies.
- Serve as administrator to update and maintain the work order management system used for tracking routine maintenance and inspections, recording service requests and corresponding work, and reporting.
- Develop and maintain standard operating procedures to ensure consistency and improve operational efficiencies.

BOARD OF PUBLIC WORKS RECOMMENDATION

The BPW has extensively evaluated and discussed our operational needs based on our current systems, the addition of the Septage Dewatering Facility, and the implementation of maintenance and capital improvement projects identified in the LRSS asset management plan. The consensus of the board was that more than one position is warranted at this point, however, they felt that the addition of a single position and evaluation of our needs over the

next year was the wisest approach. As indicated in the attached resolution, the BPW recommends the addition of a Technical Specialist to the sanitary operations crew. (Please note the attached version has been approved by the DPW Board in December and is awaiting signature.)

BUDGET IMPLICATIONS

The County would be fully reimbursed the cost of this position through the sanitary sewer system operating budgets.

Based on the information presented, we respectfully request passage of the attached resolution for reorganization of the Drain Department.

LIVINGSTON COUNTY JOB DESCRIPTION

WASTEWATER TECHNICAL SPECIALIST

Supervised By: Wastewater Superintendent

Supervises: No supervisory responsibility

FLSA Status: Non-Exempt

Position Summary:

Under the supervision of the Wastewater Superintendent is responsible for serving as the technical expert on software and critical sanitary sewer system components, including system diagnostics, implementing and troubleshooting asset management software and SCADA systems and pump station control systems. Also assists with sanitary sewer system maintenance and repairs, performing any and all of the duties of a Wastewater Operator as needed.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties, which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Operates and maintains sanitary sewer collection system, treatment facilities, and onsite community wastewater systems.
2. Performs any and all of the duties of a Wastewater Operator as needed.
3. Communicates professionally with landowners, regulatory agencies, developers, septic haulers, local units of government, and the general public with questions or concerns regarding the County's sanitary sewer systems.
4. Develops sampling protocol to comply with state and local requirements.
5. Serves as a lead responder to emergency requests on a 24-hour basis.
6. Locates and flags underground utilities in response to MISS DIG design and construction staking requests.
7. Conducts pump station drawdown tests to evaluate pump performance.
8. Stays up-to-date on industry trends to learn the latest technology as it relates to sanitary system equipment and repair options and researches various technologies for system improvements.

9. Reviews and analyzes operational data collected through SCADA systems and troubleshoots, and reports concerns to the Wastewater Superintendent and Deputy Drain Commissioner.
10. Assists the Wastewater Superintendent in developing and updating standard operating procedures (SOPs).
11. Trains field personnel on utilizing various technologies such as GPS, GIS, SCADA and asset management software.
12. Installs operational controls and instrumentation for integration with SCADA systems in a variety of control schemes that monitor and control the sanitary sewer systems.
13. Serves as safety representative for sanitary sewer operations, including implementation of job hazard analysis, OSHA compliance, safety training, and recommending the purchase of safety-related equipment and supplies.
14. Troubleshoots issues with sanitary sewer control systems and communicates necessary repairs to the Wastewater Superintendent and Deputy Drain Commissioner.
15. Collects GPS data for new infrastructure and updates existing GIS maps.
16. Functions as asset management software administrator responsible for implementing software upgrades and other improvements as needed.
17. Reviews and recommends plans and specifications for instrumentation, computer programs, and other systems.
18. Complies with State of Michigan reporting requirements for sanitary sewer overflows as required under Part 31 of Public Act 451, as amended.
19. Assists with data collection, software administration, and technical training for the Drain Commissioner's Office's maintenance workers as needed.
20. Performs other duties as directed.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

Requirements include the following:

- Associate's Degree in applied science, water/wastewater environmental technology or a related technology field with five years of experience. Or, a high school diploma/GED and ten years of experience. Acceptable experience includes working as a wastewater

collection systems operator directly involved with software programs and control systems.

- The County, at its discretion, may consider an alternative combination of formal education and work experience.
- Ability to obtain and keep current all applicable certifications and training, including forklift, vactor, overhead crane, confined space, first aid, and any other requirements necessary to perform the job duties.
- Michigan Commercial Driver's License Class A with tanker endorsement or the ability to obtain within a reasonable timeframe.
- Ability to establish effective working relationships and use good judgment, initiative and resourcefulness when dealing with County employees, contractors, landowners, representatives of other governmental units, professional contacts, elected officials, and the public.
- Ability to assess situations, solve problems, work effectively under stress, within deadlines, and in emergency situations.
- Skill in the use of underground line locating equipment, confined space meters, toxic gas data loggers, electrical testing equipment, and sewage sampling meters.
- Mechanical aptitude with knowledge of mechanical and electrical equipment.
- Ability to follow verbal and written instructions and pay explicit attention to detail.
- NASSCO Pipeline Assessment and Manhole Assessment Certifications.
- Advanced skills in Microsoft Word, Excel, and database management, and the ability to learn department-specific software.
- Experience collecting data using a GPS unit.
- Ability to analyze, interpret and operate various complex software programs.
- Knowledge of ArcGIS software and experience creating or modifying basic maps, including representation of geospatial data.
- Ability to respond to emergencies or service needs on a 24-hour basis

Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable

individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, sit, walk, climb, use hands and fingers, talk, hear, and view and create written documents. The employee uses hand strength to grasp tools and may climb ladders or uneven terrain. The employee is frequently required to reach with hands and arms, such as to operate and repair vibrating machinery, use wrenches, hand tools, etc., and operate motorized equipment and vehicles. The employee must lift or push/pull objects of up to 75 lbs. without assistance. Accommodation will be made, as needed, for employees required to lift or move objects that exceed this weight.

While performing the duties of this job, the employee frequently works near moving mechanical parts and is exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock. The noise level in the work environment is usually moderate to loud.



Livingston County
Department of Public Works
2300 E. Grand River, Suite 105
Howell, Michigan 48843-7581
Phone (517) 546-7150 Fax (517) 545-9658



Board of Public Works

Livingston County, Michigan

RESOLUTION No. 2020-

APPROVED:

Resolution Requesting the Addition of a Sixth Operator in the Form of a Technical Specialist to the Sanitary Sewer Operations Team

At a meeting of the Department of Public Works of the County of Livingston (the "LCDPW") held via Zoom on December 3, 2020, at 8:00 a.m., there were

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____ and supported by _____

WHEREAS, the Board of Public Works has authority over the Livingston County Department of Public Works under Act 185 of 1957; and

WHEREAS, Livingston County, through its Department of Public Works (DPW), owns and operates the Livingston Regional Sanitary Sewer System (LRSS) and the Livingston County Septage Receiving Station (SRS), in addition to 9 sanitary sewer drains under the authority of the Drain Commissioner; and

WHEREAS, the current sanitary sewer operations structure includes five full time operators consisting of one Sanitary Facilities Superintendent and four Sanitary Facilities Operators who perform operation and maintenance on 10 wastewater systems and a septage receiving station spread throughout Livingston County; and

WHEREAS, the SRS was originally intended to receive 12 million gallons of septage annually, and is projected to exceed 35 million gallons this year with roughly the same staffing contingent it had at its opening in 2007; and

WHEREAS, an entirely new press facility (5,800 sq ft) has been constructed and is projected to commence operations by December 31, 2020; and

WHEREAS, a revised asset management plan has been prepared for the LRSS that identifies capital improvement projects and preventative maintenance required over the next ten years beginning in 2021; and

WHEREAS, the current staff structure will not be adequate to successfully and safely take on both the additional responsibilities of the new press facility and the asset management plan; and

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Approving the Creation of a Full-Time Assistant Public Defender II Position in the Public Defender Department

WHEREAS, the Public Defender Department has a need for a Public Defender II Position; and

WHEREAS, the Assistant Public Defender II position has previously been evaluated by Municipal Consulting Services, LLC., who classified the position at Grade 13; and

WHEREAS, funding for same is available in the Michigan Indigent Defense Commission's FY 2021 Grant; and,

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby establish an Assistant Public Defender II Position in the Public Defender Department.

| Position # | Description | Group | Grade | FTE |
|------------|------------------------------|-------|-------|------|
| 17290111 | ASSISTANT PUBLIC DEFENDER II | NU | 13 | 1.00 |

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorize any necessary supplemental appropriation to effectuate the above.

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MOVED:
SECONDED:
CARRIED:



1221 Byron Rd., Suite 1, Howell, MI 48843
Phone (517) 540-8745

Memorandum

To: Livingston County Board of Commissioners
From: Karen Groenhout, Livingston County Public Defender
Date: November 10, 2020
Re: Resolution Authorizing the Creation of a Public Defender II Position.

The Livingston County Public Defender's Office has been operational approximately one year. At the time of the original organization of the office the number of attorneys and hearings were unknown. Since that time, it is clear that we require a full time attorney to cover arraignments. Therefore, at this time the Public Defender's Office is requesting approval to hire a full time Public Defender II. This change was built into our request for grant funding through the Michigan Indigent Defense Commission and was approved in the annual grant.

Thank you in advance for your consideration. If you have any questions regarding this matter, please feel free to contact me directly.



CONTACT INFORMATION

Requester: Karen E. Groenhout Title of Requester: Chief Public Defender
Dept. Phone Number/Extension: 260 Date Requested: 11/23/2020

POSITION INFORMATION

Position Title: Assistant Public Defender II Supervisor: Karen E. Groenhout

1. Is the purpose of this request to fill a position as a result of a **vacancy**? Yes ☐ No ☒

If so, name of person last holding this position: _____

2. Is the purpose of this request to **reclassify** a current position? Yes ☐ No ☒

3. Is the purpose of this request to change the scheduled hours of an existing position? Yes ☐ No ☒ From: _____ To: _____

If so, name of current incumbent: _____

4. Is the purpose of this request to transfer a current position? Yes ☐ No ☒

If so, Current Department: _____ Proposed Department: _____

Position Type: Regular ☒ Term/Grant ☐ Temp. ☐ Unpaid ☐ Special ☐

Position Status: Full Time (30+) ☒ Part-Time (21-29) ☐ Part-Time (20 or Less) ☐ Number of hours per week: 40

Justification of request / change of position **(REQUIRED)**: When the PD Office was established in Jan. 2020
It was not clear how many arraignments were going to be handled by the office as it had never been done before.
Our office handled approximately 1,000 arraignments this year and the position requires a full time attorney.

FUNDING INFORMATION

Base Annual Salary: \$78,574/yr./\$37,7758 hr. This position is funded in whole or in part by a grant: Yes ☒ No ☐ % Funded: 100

Allocation **(Required)**: Current: Org. 26017200 % 100 Proposed (If changing): Org. _____ % _____

Position will be funded by: General Fund ☐ Enterprise Fund ☐ Special Revenue Fund ☐ Internal Service Fund ☐

REQUIRED APPROVALS

Supervisor (if applicable) _____ Date _____ Karen E. Groenhout 11/23/2020
Department Head _____ Date _____

HR OFFICE ONLY

Job Class: 6095 Job Title: Assistant Public Defender II Grade/Step: 13S / 1
FTE: 1.0 Employee Group: NU HR Reviewed: Amy Hill Date: 11/23/2020

BUDGET OFFICE ONLY

Position Control # _____ Org. 26017200

Funds Available: Yes ☐ No ☐ Object Code: 704000 ☐ 706000 ☐ 706001 ☐

Comments: requires BOC approval

Budget Reviewed: _____ Date: _____

Resolution #: _____ Board Authorized on Date: _____

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Authorizing the Reorganization of the Public Defender's Office

WHEREAS, the Public Defender has evaluated the organizational structure of the Public Defender's Office and wishes to make changes to that structure; and

WHEREAS, the Public Defender's Office, when formed, was anticipated to need two Administrative Aides and one Administrative Specialist; and

WHEREAS, the Public Defender's Office is currently operating with three administrative staff all working within the job description of Administrative Specialist; and

WHEREAS, the two positions of Administrative Aide should be reclassified to Administrative Specialists; and

WHEREAS, the Administrative Specialist position has previously been evaluated by Municipal Consulting Services, LLC., who classified the positions at Grade 5; and

WHEREAS, the intent of the Public Defender is to consider potential promotion of both Administrative Aides (Grade 3) to Administrative Specialists (Grade 5) ; and

WHEREAS, the funds for the proposed changes to the organizational structure of the Public Defender's Office are accounted for in the current budget.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the reorganization of the Public Defender's Office changing the two Administrative Aide Positions to Administrative Specialist Positions as described in the position control chart below.

CURRENT:

| Position # | Description | Status | Group | Grade | FTE |
|------------|-------------|--------|-------|-------|------|
| 17290109 | ADMIN AIDE | A | NU | 3 | 1.00 |
| 17290110 | ADMIN AIDE | A | NU | 3 | 1.00 |

PROPOSED:

| Position # | Description | Status | Group | Grade | FTE |
|------------|------------------|--------|-------|-------|------|
| 17290109 | ADMIN SPECIALIST | A | NU | 5 | 1.00 |
| 17290110 | ADMIN SPECIALIST | A | NU | 5 | 1.00 |

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorize any necessary supplemental appropriation to effectuate the above.

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MOVED:

SECONDED:

CARRIED:



1221 Byron Rd., Suite 1, Howell, MI 48843
Phone (517) 540-8745

Memorandum

To: Livingston County Board of Commissioners
From: Karen Groenhout, Livingston County Public Defender
Date: November 10, 2020
Re: Resolution Authorizing the Reorganization of the Public Defender's Office

The Livingston County Public Defender's Office has been operational approximately one year. At the time of the original organization of the office the administrative needs and duties were unknown. Since that time, the job duties have been divided amongst the administrative staff and it is clear that the two positions that were originally classified as Administrative Aide positions are actually carrying out the duties of an Administrative Specialist. Based upon the division of duties and the skill level needed to fulfil these duties, the Public Defender's Office would like to change its structure from having two Administrative Aides and one Administrative Specialist Position to having all three administrative positions classified as Administrative Specialists. This change was built into our request for grant funding through the Michigan Indigent Defense Commission and was approved in the annual grant. Further, the change in salary was included in the 2021 Public Defender's budget request to Livingston County.

Thank you in advance for your consideration. If you have any questions regarding this matter, please feel free to contact me directly.

POSITION 1729010 JOB DUTIES

- **Front Desk/Receptionist**
 - Answer phones
 - take detailed messages for staff and relay in writing.
 - Greet the public and assist in answering questions regarding public defender services
 - Complete Court appointed attorney Petitions over the phone and in person with prospective clients
 - US Mail and interoffice mail
 - Open all interoffice and US mail and disperse to the right person or scan in the right client file
 - Maintain outside mailbox
 - Maintain Keys on bulletin board
 - Maintain/send out all outgoing mail
- **Office Supply Inventory**
 - Track office supply inventories – maintain supply closet
 - Check supplies on weekly basis and re-order as necessary
 - Maintain a list of supplies
 - Open deliveries of supplies and place in supply closet
- **Monitor office machines (postage/copy machine/label maker) and their necessary supplies.**
 - Replace cartridges
 - answer any questions from staff regarding procedures or problems
 - Contact companies regarding issues with postage or copy machine
 - Place requisition within MUNIS to acquire needed supplies.
- **Invoicing/PCARD**
 - Track incoming invoices by keeping paper copies in our binder
 - Make sure contracts and/or vendors are up to date as well as budgets.
 - Input invoices into MUNIS for AP to approve and pay.
 - Responsible for PCard check in and out.
 - Complete PCard Statement every month in MUNIS by allocating and attaching backup receipt documentation.
- **Expense Claims**
 - Review expense claims entered by our employees to assure proper documentation has been attached and Fiscal Services guidelines have been met.
 - Allocate the line item to the proper project string.
 - Release into workflow for approval in MUNIS.

- **Budget**
 - Budget Transfers
 - Monitor budget on a timeline to assure proper funds for incoming invoices and upcoming payment dates.
 - Track budget transfers on our spreadsheet.

- **Budget Reporting To MIDC**
 - Run YTD budget reports for Karen every week.
 - Run Project Ledger and General Ledger reports monthly to reconcile.
 - Gather backup invoices from Account Inquiry and Spending Reports for FSR submission.
 - Assist Karen and Hilery completing and submitting the FSR quarterly.
 - Track Continuing Education Credits for Attorneys for MIDC reporting

- **Maintain the Outlook Calendar**
 - Schedule on calendar and Send out meeting invites
 - Keep scheduled meetings up to date on calendar
 - Maintain special events for the office

- **Maintain the white boards (calendar/in-out) at office**
 - Place daily assignments of Judges and Attorneys on board
 - Schedule PV Arraignments with Judge's staff and place time on board
 - Request PV report from Judge's Staff or Circuit Court Administration
 - Contact on call attorney to notify of schedule Probation Violation Arraignement
 - Put on Outlook calendar

- **Miscellaneous**
 - Liaison between county departments, attorneys, and clients via email and telephone.
 - Meeting Minute Taker.
 - Familiar with anything Fiscal Services/Admin such as where county policies and documents are located etc.
 - Responsible for completing IT Help Desk Tickets
 - Maintain and Update all policy/procedure binders and folders on the S drive
 - Serve as backup for Amanda and Jenny as needed
 - Closing files PD Files – scan closing document, add to Defender data and put in file, then file in closed
 - Back up Jenny and Amanda
 - Other duties as assigned

17290110 JOB RESPONSIBILITIES

- **Monitor the Public Defender email - AS**
 - Notices
 - Misc follow up emails
 - Police Reports/Complaints/Evidence List
 - Pictures
 - Restitution
 - Judgment of sentence
 - PLEA forms from attorneys
 - Emails from retained attorneys (sub of attorney forms)
 - Emails from clients

- **Process every document that we receive from email/interoffice mail into Defendant DD file and alert attorneys -AS**
 - Notices
 - Restitution Documents
 - Lab reports
 - Probation reports
 - Violation Reports
 - Bond Violation Reports
 - Client documentation provided to office
 - Check probation drive daily – if reports are in file, put in DD and alert attorney

- **Open new files - AS**
 - Print Complaints and Staple onto inside of file
 - Save Discovery in Defender Data/Alert Attorneys
 - Make files folders
 - Place Court dates on calendar
 - File in Drawer

- **Send out supplemental discovery requests - AS**
 - Photographs
 - In Car Videos
 - Store Videos
 - Body Cams
 - Lab reports
 - Supplemental Police Reports

- **Send out all motions, subpoenas, and appellate paperwork. - AS**
 - Attach all exhibits

- Proof of Service
- Review for all legal filing requirements
- Contact attorney for missing documentation
- Request hearing date
- Coordinate with Prosecuting Attorney's Office and Court

- **Maintaining weekly dockets/files - AS**
 - Reschedule Court Dates - Daily
 - Cross check office calendar with Court dockets
 - Pull cases for the following week
 - If files don't have reports, request reports at this time

- **Contact clients - AS**
 - Request new addresses and email
 - Inform them of adjournments of court dates
 - Send out notices to Clients by mail or email
 - Mail or email police reports to Defendants (mostly police reports to lodged clients)

- **Main point person for all attorney requests for all regarding files - AS**
 - Contact court Staff to request missing notices, clarify court dates
 - Contact Prosecutor's office for missing discovery

- **Other Duties as assigned**



CONTACT INFORMATION

Requester: Karen E. Groenhout Title of Requester: Chief Public Defender
Dept. Phone Number/Extension: 517-540-8929 Date Requested: 11/23/20

POSITION INFORMATION

Position Title: Administrative Specialist Supervisor: Karen E. Groenhout

1. Is the purpose of this request to fill a position as a result of a **vacancy**? Yes ☐ No ☒

If so, name of person last holding this position: Darla Hibbard

2. Is the purpose of this request to **reclassify** a current position? Yes ☒ No ☐

3. Is the purpose of this request to change the scheduled hours of an existing position? Yes ☐ No ☒ From: _____ To: _____

If so, name of current incumbent: _____

4. Is the purpose of this request to transfer a current position? Yes ☐ No ☒

If so, Current Department: _____ Proposed Department: _____

Position Type: Regular ☒ Term/Grant ☐ Temp. ☐ Unpaid ☐ Special ☐

Position Status: Full Time (30+) ☒ Part-Time (21-29) ☐ Part-Time (20 or Less) ☐ Number of hours per week: 40

Justification of request / change of position **(REQUIRED)**: The position is currently classified as an Administrative Aide but does job duties of an Administration Specialist.

FUNDING INFORMATION

Base Annual Salary: \$19.31/hr/\$40,185 yr. This position is funded in whole or in part by a grant: Yes ☒ No ☐ % Funded: 100

Allocation **(Required)**: Current: Org. 26017200 % 100 Proposed (If changing): Org. _____ % _____

Position will be funded by: General Fund ☐ Enterprise Fund ☐ Special Revenue Fund ☒ Internal Service Fund ☐

REQUIRED APPROVALS

Supervisor (if applicable) _____ Date _____ Karen Groenhout _____ 11/23/2020
Department Head _____ Date _____

HR OFFICE ONLY

Job Class: 1074 Job Title: Administrative Specialist Grade/Step: 5 / 1

FTE: 1.0 Employee Group: NU HR Reviewed: Amy Hill Date: 11/23/2020

BUDGET OFFICE ONLY

Position Control # 17290109 Org. 26017200

Funds Available: Yes ☐ No ☐ Object Code: 704000 ☐ 706000 ☐ 706001 ☐

Comments: requires BOC approval

Budget Reviewed: _____ Date: _____

Resolution #: _____ Board Authorized on Date: _____



CONTACT INFORMATION

Requester: Karen E. Groenhout Title of Requester: Chief Public Defender
Dept. Phone Number/Extension: 517-540-8929 Date Requested: 11/23/20

POSITION INFORMATION

Position Title: Administrative Specialist Supervisor: Karen E. Groenhout

1. Is the purpose of this request to fill a position as a result of a **vacancy**? Yes ☐ No ☒

If so, name of person last holding this position: Jennifer Wagner

2. Is the purpose of this request to **reclassify** a current position? Yes ☒ No ☐

3. Is the purpose of this request to change the scheduled hours of an existing position? Yes ☐ No ☒ From: _____ To: _____

If so, name of current incumbent: _____

4. Is the purpose of this request to transfer a current position? Yes ☐ No ☒

If so, Current Department: _____ Proposed Department: _____

Position Type: Regular ☒ Term/Grant ☐ Temp. ☐ Unpaid ☐ Special ☐

Position Status: Full Time (30+) ☒ Part-Time (21-29) ☐ Part-Time (20 or Less) ☐ Number of hours per week: 40

Justification of request / change of position **(REQUIRED)**: The position is currently classified as an Administrative Aide but does job duties of an Administration Specialist.

FUNDING INFORMATION

Base Annual Salary: \$19.31/hr/\$40,185 yr. This position is funded in whole or in part by a grant: Yes ☒ No ☐ % Funded: 100

Allocation **(Required)**: Current: Org. 26017200 % 100 Proposed (If changing): Org. _____ % _____

Position will be funded by: General Fund ☐ Enterprise Fund ☐ Special Revenue Fund ☒ Internal Service Fund ☐

REQUIRED APPROVALS

Supervisor (if applicable) _____ Date _____ Karen Groenhout 11/23/2020
Department Head _____ Date _____

HR OFFICE ONLY

Job Class: 1074 Job Title: Administrative Specialist Grade/Step: 5 / 1
FTE: 1.0 Employee Group: NU HR Reviewed: Amy Hill Date: 11/23/2020

BUDGET OFFICE ONLY

Position Control # 17290110 Org. 26017200

Funds Available: Yes ☐ No ☐ Object Code: 704000 ☐ 706000 ☐ 706001 ☐

Comments: requires BOC approval

Budget Reviewed: _____ Date: _____

Resolution #: _____ Board Authorized on Date: _____

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Amending Resolution 2020-12-276 Authorizing an Additional Contribution to MERS in Fiscal Year 2020 - County Administration

WHEREAS, a fundamental objective of the Livingston County Board of Commissioners as an employer that offers pension benefits, is to fund the long term cost of the benefits promised to our employees: and

WHEREAS, eliminating or reducing long term liabilities by making additional payments to MERS is a priority as it affects both the financial health and sustainability of Livingston County; and

WHEREAS, there are several advantages to making additional payments to MERS including: 1) reducing our total unfunded pension liability 2) potential to reduce our future annual required contributions (ARC) and 3) additional assets to invest with the potential of a greater return than one would expect to earn in a traditional municipal operating investment; and

WHEREAS, MERS of Michigan allows employers making additional voluntary contributions to the Defined Benefit Plan to accelerate the funding by allocating the additional funds to a surplus division that is not associated with any particular employee group: and

WHEREAS, by allocating voluntary contributions in excess of the annual required contribution to a surplus division these funds will not be included in determining the annual Employer Contribution requirement for any employee group but will be included in determining the Employers overall funded status; and

WHEREAS, \$500,000 is included in the Benefit Fund 2020 budget and \$1 million is included in the General Fund Budget for an additional payment to MERS.; and

WHEREAS, Building Inspection has sufficient fund balance to make an additional payment in the amount of \$28,457 to cover the total unfunded liability for the closed Building Inspection group.

THEREFORE BE IT RESOLVED that the Board of Commissioners hereby authorize an additional payment in the amount of \$1,528,457 \$1 million be made to MERS prior to 2020 year-end, of which \$500,000 will be from F677 Benefit Fund and \$1 million will be from General Fund to fund the overall County pension liability. and \$28,457 will be from F542 Building Inspection Fund to fully fund the closed Building Inspection Union group's liability.

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorize any budget amendment to effectuate the above.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Reauthorizing and Modifying Emergency Temporary COVID-19 Leave Benefits For Eligible County Employees--County Administration

WHEREAS, in response to COVID-19 Pandemic, in March and April 2020 the Board of Commissioners proactively authorized and, to comply with law, subsequently modified the provision of emergency temporary COVID-19 leave benefits for certain classes of eligible County employees which:

- (i). were afforded statutory coverage under the Emergency Paid Sick Leave Act (“EPSLA”) and/or,
- (ii) are classified as Livingston County Emergency Responders and/or Healthcare Providers excluded from coverage of the EPSLA (“County EPSLA Exempt Employees”)

See, Resolutions 2020-03-80 (superseded), 2020-04-83 and 2020-04-84; and

WHEREAS, unless extended by an act of Congress, the statutory EPSLA benefit is set to expire on December 31, 2020. By law, EPSLA eligible employees may not carry over EPSLA leave from one year to the next and are not entitled to reimbursement for unused EPSLA leave upon termination, resignation, retirement, or other separation from employment. It is possible that Congress may act to extend EPSLA leave benefits past December 31 or provide a replacement COVID leave law, but it has not yet done so; and

WHEREAS, the additional non-statutory emergency temporary COVID-19 leave benefits authorized by the Board of Commissioners in 2020 to be provided to County EPSLA Exempt Employees under the terms of the Temporary Emergency COVID-19 Leave Policy Applicable to Exempted/Excluded Emergency Responders and HealthCare Providers likewise expires on December 31, 2020. Under this authorized policy, County EPSLA Exempt Employees may likewise not carry over County emergency temporary COVID-19 leave from one year to the next and are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment; and,

WHEREAS, County Administration is recommending the reauthorization of a emergency temporary COVID-19 leave benefit due to: i. the continuation of the COVID-19 pandemic; ii. the fact that Congress has to reauthorize or extend the EPSLA; iii. in recognition of the efforts and needs of the County Emergency Responders and Healthcare Providers; iv. to foster and support prudent decisions by staff to treat or quarantine; and,

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners hereby reauthorizes for 2021 the grant of up to fourteen (14) calendar day regularly scheduled work period of paid COVID-19 leave Temporary Emergency COVID-19 to Exempted/Excluded Emergency Responders and HealthCare Providers. This leave is non-cumulative with leave granted or utilized in calendar year 2020 and is further subject to the terms and conditions Temporary Emergency COVID-19 Leave Policy Applicable to

Exempted/Excluded Emergency Responders and HealthCare Providers which is likewise extended. These authorizations shall automatically terminate when the COVID-19 Pandemic is over, or December 31, 2021, or upon action by the Board of Commissioners terminating or amending this Resolution, whichever date is soonest.

BE IT FURTHER RESOLVED, that application of the Temporary Emergency COVID-19 Leave Policy Applicable to Exempted/Excluded Emergency Responders and HealthCare Providers shall be extended, on a temporary basis, to provide coverage to eligible County employees who were afforded statutory EPSLA benefit coverage prior to December 31, 2020. This authorization shall automatically terminate when the COVID-19 Pandemic is over, or December 31, 2021, upon Congress extending/reauthorizing or providing a replacement to, in whole or in part, the expiring leave provisions of the EPSLA, or upon action by the Board of Commissioners terminating or amending this Resolution, whichever date is soonest.

If Congress does act to provide extended or replacement COVID leave benefits to eligible County employees, then the provision of leave for eligible County employees shall be exclusively governed by and subject to the requirements, terms, conditions and procedures provided by applicable law and/or appropriate collective bargaining agreement leave provisions (for unit employees) or County leave policies (for non-unit employees).

BE IT FURTHER RESOLVED that the eligibility for, application of, or procedures for grant or compensation of COVID-19 related compensation or leave may be modified by Administration to comply with changing circumstance, staffing requirements, and/or to comply with applicable law.

BE IT FURTHER RESOLVED that the Board of Commissioners authorize any budget amendment to effectuate the above.

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MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution Authorizing the 2021 State Grant Agreement, Grant Administrator, County Representative and Surveyor Contracts for the Remonumentation and State Plane Coordinate Determination of the Public Land Survey Corners in Livingston County – Register of Deeds

WHEREAS, under Public Act 345 of 1990 and the approved Livingston County Survey Plan, the need has been determined for the Monumentation or Remonumentation of all the public land survey corners in Livingston County; and

WHEREAS, funding for the Monumentation or Remonumentation of all the public land survey corners in Livingston County has been provided by Public Act 346 of 1990 through a Grant Agreement with the State of Michigan in the amount of \$52,883; and

WHEREAS, the State Survey and Remonumentation Commission requires that a Grant Administrator is appointed. The recommendation is to appoint Brandon Denby as Grant Administrator. The program budget includes an annual payment of \$7,500 and funds for associated fringes; and

WHEREAS, the State Survey and Remonumentation Commission requires that a County Representative is appointed. The recommendation is to appoint Jack Smith for these services; and

WHEREAS, surveyor services are needed to carry out the activities of remonumentaion and coordinate determination of corners. The grant budget includes \$43,000 to be shared among several surveyors; and

WHEREAS, the Livingston County Survey Plan established a Remonumentation Peer Group that shall not exceed 11 members. The Peer Group convenes during the period of February through October as necessary. A per diem in the amount of \$50 per meeting is being requested. The list below indicates the individuals that are being recommended to fulfill the duties of the Remonumentation Peer Group; and

Bill Strebbling

Chris Fergus

Allan Pruss

Jennifer Defenderfer, Alternate

Jack Smith, County Representative

Mariusz Lukowicz

Brad Thompson

Walton Newton, Alternate

WHEREAS, The cost of the 2021 monumentation or Remonumentation activities exceeds the State grant amount of \$52,883 and the use of fund balance in an amount not to exceed \$19,131 is needed to complete these activities, for a total program cost of \$72,014.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners authorizes entering into a Grant Agreement with the State of Michigan in the amount of \$52,883.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes the use of Fund 245 Survey and Remonumentation fund balance in an amount not to exceed \$19,131, for a total program cost not to exceed \$72,014.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners appoints Brandon Denby as Grant Administrator and authorizes an annual payment amount of \$7,500.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners appoints Jack Smith as County Representative for the Livingston County Survey and Remonumentation Plan and authorizes a contract commencing January 1, 2021 and terminating December 31, 2021 in the amount of \$16,000.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes entering into four (4) surveyor contracts with Desine Inc., Monument Engineering, Livingston Engineering, and Boss Engineering commencing January 1, 2020 and terminating December 31, 2020 in an amount not to exceed \$43,000 shared among the four (4) contracts.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners appoints the above mentioned individuals to the Remonumentation Peer Group.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners and the Grant Administrator are hereby authorized to sign all forms, assurances, supporting documents, and contracts/agreements related to the grant application, and subsequent award or future amendments upon review and approval of Civil Counsel.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes any budget amendment to effectuate the above.

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MOVED:
SECONDED:
CARRIED:

GRANT NO. **BCC 21-47**

GRANT BETWEEN
THE STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
AND
LIVINGSTON COUNTY

GRANTEE/ADDRESS:

Brandon Denby
County of Livingston
200 East Grand River Avenue, Suite 3
Howell, MI 48843
(517) 546-0270
(517) 546-5966

STATE GRANT ADMINISTRATOR/ADDRESS:

Michael C. Barger, P.S., Director
Office of Land Survey and Remonumentation
Department of Licensing and Regulatory Affairs
P.O. Box 30254
Lansing, MI 48909
Phone: (517) 241-6321
Email: bargerm@michigan.gov

GRANT PERIOD:

From: **01-01-2021** To: **12-31-2021**

TOTAL AUTHORIZED BUDGET: **\$52,883.00**

SIGMA Vendor ID: CV0048182
SIGMA Payment Address Code: 003

ACCOUNTING TEMPLATE: 6415137T002

GRANT

This is Grant No. **BCC 21-47** between the Department of Licensing and Regulatory Affairs (Grantor), and **Livingston County** (Grantee), is entered into pursuant to the State Survey and Remonumentation Act, 1990 PA 345 (SSRA) and is subject to the terms and conditions of this Agreement (Agreement).

1.0 Statement of Purpose

This Grant is offered annually to the Grantee in accordance with the requirements of the SSRA. The SSRA establishes the State Survey and Remonumentation Fund which supports a program for the monumentation and remonumentation and perpetual monument maintenance of original public land survey corners, protracted public land survey corners and property controlling corners throughout the State.

This Grant is offered to the Grantee to carry out its annual work program as set forth and approved by the Grantor in the Grantee's Survey and Remonumentation Grant Application, made part of this Agreement as "Attachment A."

In accordance with the terms and conditions of this Grant, the Grantor will reimburse the eligible expenses incurred by the Grantee to carry out the annual work program as set forth and approved by the Grantor in "Attachment A."

1.1 Statement of Work

The Grantee agrees to undertake, perform, and complete the project described in the Grantee's Proposal, Attachment A, file a Land Corner Recordation Certificate (LCRC) pursuant to the Corner Recordation Act, 1970 PA 74 (CRA) with the addition of a geodetic coordinate value, the peer group date, and county representative's signature on said LCRC for each corner identified in Attachment A under the requirements of the SSRA.

The Grantee must submit a Completion Report as specified in this Agreement, may submit a Work Progress Report as specified in this Agreement and provide any other reports or forms requested by the Grantor.

1.2 Detailed Budget

- A. This Agreement does not commit the State of Michigan (State) or the Department of Licensing and Regulatory Affairs (LARA) to approve requests for additional funds at any time.
- B. If applicable, travel expenses will not be reimbursed at rates greater than the State Travel Rates, Attachment B, without the prior written consent of the Grant Administrator.
- C. Attachment A includes the Budget. The Grantee agrees that all funds shown in Attachment A are to be spent as detailed in Attachment A.

- D. Changes in the Budget of less than 5 percent of the total line item amount do not require prior written approval, but Grantee must provide notice to the Grant Administrator.
- E. Changes in the Budget equal to or greater than 5 percent of the total line item amount will be allowed only upon prior review and written approval by the State Grant Administrator. A formal grant amendment must be signed by both the Grantor and Grantee.

1.3 Payment Schedule

- A. The maximum amount of grant assistance offered is **\$52,883.00**. An initial payment of **\$21,153.20** (40 percent of the State Grant Amount) shall be made to the Grantee upon submittal of the previous Grant Year Completion Report and all required documentation to the State Grant Administrator.
- B. Progress payments up to a total of 85 percent of the Total Authorized Budget may be made upon submission of a Grantee request indicating the grant funds received, project expenditures incurred, and objectives completed to date, as well as backup documentation for all expenditures. Backup documentation must include a printout of the 245 grant account, invoice copies, and a payroll printout for any county costs supported with the grant, and be maintained for audit purposes in order to comply with this Agreement.
- C. Payment of the final 15 percent of the grant amount shall be made after completion of the project and after the State Grant Administrator has received and approved the Completion Report and supporting documentation as specified in this Agreement.

1984 PA 279 states that the State shall take all steps necessary to assure that payment for goods or services is mailed within 45 days after receipt of the goods or services, a complete invoice for goods or services, or a complete contract for goods or services, whichever is later.

1.4 Program Performance - Monitoring, Reporting and Documentation

- A. Monitoring. The Grantee shall monitor performance to assure that time schedules are being met and projected work by time period is being accomplished and provide a status report to the State Grant Administrator upon request.
- B. Reporting (**see 1.4.C. for documentation requirements**):
 - 1. The Grantee **may submit** to the State Grant Administrator a Progress Report as soon as July 1 of the grant year but no later than September 30 of the grant year with backup documentation for work completed and expenditures incurred during the reporting period
 - 2. The Grantee **must submit** to the State Grant Administrator a Completion Report no later than February 1 following the close of the grant year accompanied by all documentation for work completed and expenditures incurred during the reporting period.

C. Documentation. Backup documentation must include the following, as applicable:

1. A written narrative of the total work accomplished during the grant year, including an explanation for any additional work completed that was not specified in the approved "Attachment A," any work not completed that was specified in the approved "Attachment A," and any changes in an approved line item of the budget approved in "Attachment A" (submit for **Completion Report only**).
2. A narrative of any coordinated efforts with other organizations to complete the project (submit for **Completion Report only**).
3. Invoices:
 - a. An invoice from all Peer Review Group members, each surveyor or any other service provider for all services provided to the Grantee under this Agreement, and other supplies and purchases, as outlined in the approved "Attachment A" (submit for **Progress Report and Completion Report**).
 - b. A detailed breakdown and backup documentation for any county costs charged to the program as outlined in the approved "Attachment A" (submit for **Progress Report and Completion Report**).
4. General Ledger: The County Treasurer's print-out of the State Survey and Remonumentation grant account or equivalent ledger providing a detailed history of each transaction occurring within the account, including all payroll, indirect and/or overhead expenses. If not itemized in the ledger, a salary and fringe benefits breakdown must also be submitted for all administrative staff (submit for **Progress Report and Completion Report**).
5. A recorded LCRC prepared in compliance with the CRA and SSRA for each corner shall be submitted through the Accela Citizen Access (ACA) portal. The LCRC shall include geodetic coordinate values for each corner recorded, signed by the county representative and reflect the date of the peer review group meeting at which the corner was reviewed. The county representative will notify the State Grant Administrator when all the contract corners are entered through ACA for the grant year.

PART II - GENERAL PROVISIONS

2.1 Project Changes

Grantee must obtain prior written approval for project changes from the Grant Administrator. See **Section 1.2. Detailed Budget**.

2.2 Delegation

Grantee may not delegate any of its obligations under the Grant without the prior written approval of the State. Grantee must notify the State at least 90 calendar days before the proposed delegation and provide the State any information it requests to determine whether the delegation is in its best interest. If approved, Grantee must: (a) be the sole point of contact regarding all project matters, including payment and charges for all Grant Activities; (b) make all payments to the subgrantee; and (c) incorporate the terms and conditions contained in this Grant in any subgrant with a subgrantee. Grantee remains responsible for the completion of the Grant Activities, compliance with the terms of this Grant, and the acts and omissions of the subgrantee. The State, in its sole discretion, may require the replacement of any subgrantee.

2.3 Project Income

To the extent that it can be determined that interest was earned on advances of funds, such interest shall be remitted to the Grantor. All other program income shall either be added to the project budget and used to further eligible program objectives or deducted from the total program budget for the purpose of determining the amount of reimbursable costs. The final determination shall be made by the Grant Administrator.

2.4 Share-in-savings

The Grantor expects to share in any cost savings realized by the Grantee. Therefore, final Grantee reimbursement will be based on actual expenditures. Exceptions to this requirement must be approved in writing by the Grant Administrator.

2.5 Order of Spending

Unless otherwise required, Grantee shall expend funds in the following order: (1) private or local funds, (2) federal funds, and (3) state funds. Grantee is responsible for securing any required matching funds from sources other than the State.

2.6 Purchase of Equipment

The purchase of equipment not specifically listed in the Budget, "Attachment A," must have prior written approval of the Grant Administrator. Equipment is defined as non-expendable personal property having a useful life of more than one year. In its request for approval of the State Grant Administrator, Grantee must include the following: (1) a definition of the specific equipment Grantee wishes to purchase; (2) an explanation for why the equipment is necessary to complete the Statement of Work; (3) an explanation of why Grantee could not complete the Statement of Work by renting comparable equipment rather than purchasing it; (4) the anticipated life of the equipment; (5) the amount of anticipated maintenance fees required to maintain the equipment and the length of time those fees will need to be paid; (6) whether Grantee intends to pay maintenance fees using current and/or future grant awards; (7) explanation of any housing requirements for the equipment; (8) whether Grantee intends to rent out to a third party; (9) and the agreement by Grantee that, if it rents or sells the equipment, Grantee will remit any and all rental or sale proceeds to the State.

2.7 Accounting

The Grantee shall adhere to the Generally Accepted Accounting Principles and shall maintain records which will allow, at a minimum, for the comparison of actual outlays with budgeted amounts. The Grantee's overall financial management system must ensure effective control over and accountability for all funds received. Accounting records must be supported by source documentation including, but not limited to, balance sheets, general ledgers, time sheets and invoices. The expenditure of state funds shall be reported by line item and compared to the Budget.

2.8 Records Maintenance, Inspection, Examination, and Audit

The State or its designee may audit Grantee to verify compliance with this Grant. Grantee must retain, and provide to the State or its designee upon request, all financial and accounting records related to the Grant through the term of the Grant and for 7 years after the latter of termination, expiration, or final payment under this Grant or any extension ("Audit Period"). If an audit, litigation, or other action involving the records is initiated before the end of the Audit Period, Grantee must retain the records until all issues are resolved.

Within 10 calendar days of providing notice, the State and its authorized representatives or designees have the right to enter and inspect Grantee's premises or any other places where Grant Activities are being performed, and examine, copy, and audit all records related to this Grant. Grantee must cooperate and provide reasonable assistance. If any financial errors are revealed, the amount in error must be reflected as a credit or debit on subsequent invoices until the amount is paid or refunded. Any remaining balance at the end of the Grant must be paid or refunded within 45 calendar days.

This Section applies to Grantee, any parent, affiliate, or subsidiary organization of Grantee, and any subgrantee that performs Grant Activities in connection with this Grant.

If the Grantee is a governmental or non-profit organization and expends the minimum level specified in OMB Uniform Guidance (\$750,000 as of December 26, 2013) or more in total federal funds in its fiscal year, then Grantee is required to submit an Audit Report to the Federal Audit Clearinghouse (FAC) as required in 200.36.

2.9 Competitive Bidding

The Grantee agrees that all procurement transactions involving the use of state funds shall be conducted in a manner that provides maximum open and free competition. When competitive selection is not feasible or practical, the Grantee agrees to obtain the written approval of the Grant Administrator before making a sole source selection. Sole source contracts should be negotiated to the extent that such negotiation is possible.

The Grantee agrees that all procurement of Professional Services will be conducted using Quality Based Selection (QBS). The Grantee may use QBS scores to assign work based on complexity.

3.0 Liability

The State is not liable for any costs incurred by the Grantee before the start date or after the end date of this Agreement. Liability of the State is limited to the terms and conditions of this Agreement and the grant amount.

3.1 Reserved

3.2 Safety

The Grantee, and all subgrantees are responsible for ensuring that all precautions are exercised at all times for the protection of persons and property. Safety provisions of all Applicable Laws and building and construction codes shall be observed. The Grantee, and every subgrantee are responsible for compliance with all federal, state and local laws and regulations in any manner affecting the work or performance of this Agreement and shall at all times carefully observe and comply with all rules, ordinances, and regulations. The Grantee, and all subgrantees shall secure all necessary certificates and permits from municipal or other public authorities as may be required in connection with the performance of this Agreement.

3.3 General Indemnification

Inasmuch as each party to this grant is a governmental entity of the State of Michigan, each party to this grant must seek its own legal representation and bear its own costs, including judgments, in any litigation which may arise from the performance of this grant. It is specifically understood and agreed that neither party will indemnify the other party in such litigation.

3.4 Termination

A. Termination for Cause

The State may terminate this Grant for cause, in whole or in part, if Grantee, as determined by the State: (a) endangers the value, integrity, or security of any location, data, or personnel; (b) becomes insolvent, petitions for bankruptcy court proceedings, or has an involuntary bankruptcy proceeding filed against it by any creditor; (c) engages in any conduct that may expose the State to liability; (d) breaches any of its material duties or obligations; or (e) fails to cure a breach within the time stated in a notice of breach. Any reference to specific breaches being material breaches within this Grant will not be construed to mean that other breaches are not material.

If the State terminates this Grant under this Section, the State will issue a termination notice specifying whether Grantee must: (a) cease performance immediately, or (b) continue to perform for a specified period. If it is later determined that Grantee was not in breach of the Grant, the termination will be deemed to have been a Termination for Convenience, effective as of the same date, and the rights and obligations of the parties will be limited to those provided in Subsection B, Termination for Convenience.

The State will only pay for amounts due to Grantee for Grant Activities accepted by the State on or before the date of termination, subject to the State's right to set off any

amounts owed by the Grantee for the State's reasonable costs in terminating this Grant. The Grantee must pay all reasonable costs incurred by the State in terminating this Grant for cause, including administrative costs, attorneys' fees, court costs, transition costs, and any costs the State incurs to procure the Grant Activities from other sources.

B. Termination for Convenience

The State may immediately terminate this Grant in whole or in part without penalty and for any reason, including but not limited to, appropriation or budget shortfalls. If the State terminates this Grant for convenience, the State will pay all reasonable costs, as determined by the State, for State approved Grant Responsibilities.

3.5 Conflicts and Ethics

Grantee will uphold high ethical standards and is prohibited from: (a) holding or acquiring an interest that would conflict with this Grant; (b) doing anything that creates an appearance of impropriety with respect to the award or performance of the Grant; (c) attempting to influence or appearing to influence any State employee by the direct or indirect offer of anything of value; or (d) paying or agreeing to pay any person, other than employees and consultants working for Grantee, any consideration contingent upon the award of the Grant. Grantee must immediately notify the State of any violation or potential violation of these standards. This Section applies to Grantee, any parent, affiliate, or subsidiary organization of Grantee, and any subgrantee that performs Grant Activities in connection with this Grant.

3.6 Non-Discrimination

Under the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2101, et seq., and the Persons with Disabilities Civil Rights Act, 1976 PA 220, MCL 37.1101, et seq., Grantee and its subgrantees agree not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position. Breach of this covenant is a material breach of this Grant.

3.7 Unfair Labor Practices

Under MCL 423.324, the State may void any Grant with a Grantee or subgrantee who appears on the Unfair Labor Practice register compiled under MCL 423.322.

3.8 Force Majeure

Neither party will be in breach of this Grant because of any failure arising from any disaster or acts of god that are beyond their control and without their fault or negligence. Each party will use commercially reasonable efforts to resume performance. Grantee will not be relieved of a breach or delay caused by its subgrantees. If immediate performance is necessary to ensure public health and safety, the State may immediately Grant with a third party.

3.9 Media Releases

News releases (including promotional literature and commercial advertisements) pertaining to the Grant or project to which it relates must not be made without prior written State approval, and then only in accordance with the explicit written instructions of the State.

4.0 Website Incorporation

The State is not bound by any content on Grantee's website unless expressly incorporated directly into this Grant.

4.1 Certification Regarding Debarment

The Grantee certifies, by signature to this Agreement, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any federal or State department or agency. If the Grantee is unable to certify to any portion of this statement, the Grantee shall attach an explanation to this Agreement.

4.2 Illegal Influence

The Grantee certifies, to the best of his or her knowledge and belief that:

- A. No federal appropriated funds have been paid nor will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this grant, the Grantee shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The Grantee shall require that the language of this certification be included in the award documents for all grants or subcontracts and that all subrecipients shall certify and disclose accordingly.

The State has relied upon this certification as a material representation. Submission of this certification is a prerequisite for entering into this Agreement imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Grantee certifies, to the best of his or her knowledge and belief that no state funds have been paid nor will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of any State agency, a member of the Legislature, or an employee of a member of the Legislature in connection with the awarding of any state contract, the making of any state grant, the making of any state loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any state contract, grant, loan or cooperative agreement.

4.3 Governing Law

This Grant is governed, construed, and enforced in accordance with Michigan law, excluding choice-of-law principles, and all claims relating to or arising out of this Grant are governed by Michigan law, excluding choice-of-law principles. Any dispute arising from this Grant must be resolved in Michigan Court of Claims. Grantee consents to venue in Ingham County, and waives any objections, such as lack of personal jurisdiction or forum non conveniens. Grantee must appoint agents in Michigan to receive service of process.

4.4 Compliance with Laws

Grantee must comply with all federal, state and local laws, rules and regulations.

Grantee is required to possess in order to perform under this Grant.

4.5 Disclosure of Litigation, or Other Proceeding

Grantee must notify the State within 14 calendar days of receiving notice of any litigation, investigation, arbitration, or other proceeding (collectively, "Proceeding") involving Grantee, a subgrantee, or an officer or director of Grantee or subgrantee, that arises during the term of the Grant, including: (a) a criminal Proceeding; (b) a parole or probation Proceeding; (c) a Proceeding under the Sarbanes-Oxley Act; (d) a civil Proceeding involving: (1) a claim that might reasonably be expected to adversely affect Grantee's viability or financial stability; or (2) a governmental or public entity's claim or written allegation of fraud; or (e) a Proceeding involving any license that Grantee is required to possess in order to perform under this Grant.

4.6 Assignment

Grantee may not assign this Grant to any other party without the prior approval of the State. Upon notice to Grantee, the State, in its sole discretion, may assign in whole or in part, its rights or responsibilities under this Grant to any other party. If the State determines that a novation of the Grant to a third party is necessary, Grantee will agree to the novation, provide all necessary documentation and signatures, and continue to perform, with the third party, its obligations under the Grant.

4.7 Entire Grant and Modification

This Grant is the entire agreement and replaces all previous agreements between the parties for the Grant Activities. This Grant may not be amended except by signed agreement between the parties.

4.8 Grantee Relationship

Grantee assumes all rights, obligations and liabilities set forth in this Grant. Grantee, its employees, and agents will not be considered employees of the State. No partnership or joint venture relationship is created by virtue of this Grant. Grantee, and not the State, is responsible for the payment of wages, benefits and taxes of Grantee's employees and any subgrantees. Prior performance does not modify Grantee's status as an independent Grantee.

4.9 Dispute Resolution

The parties will endeavor to resolve any Grant dispute in accordance with this provision. The dispute will be referred to the parties' respective Grant Administrators or Program Managers. Such referral must include a description of the issues and all supporting documentation. The parties must submit the dispute to a senior executive if unable to resolve the dispute within 15 business days. The parties will continue performing while a dispute is being resolved, unless the dispute precludes performance. A dispute involving payment does not preclude performance.

Litigation to resolve the dispute will not be instituted until after the dispute has been elevated to the parties' senior executive and either concludes that resolution is unlikely or fails to respond within 15 business days. The parties are not prohibited from instituting formal proceedings: (a) to avoid the expiration of statute of limitations period; (b) to preserve a superior position with respect to creditors; or (c) where a party makes a determination that a temporary restraining order or other injunctive relief is the only adequate remedy. This Section does not limit the State's right to terminate the Grant.

5.0 Severability

If any part of this Grant is held invalid or unenforceable, by any court of competent jurisdiction, that part will be deemed deleted from this Grant and the severed part will be replaced by agreed upon language that achieves the same or similar objectives. The remaining Grant will continue in full force and effect.

5.1 Waiver

Failure to enforce any provision of this Grant will not constitute a waiver.

5.2 Signatories

The signatories warrant that they are empowered to enter into this Agreement and agree to be bound by it.

E-SIGNED by LeAnn Droste
on 2020-11-04 19:31:01 EST

LeAnn Droste, Director
Bureau of Finance and Administrative Services
Department of Licensing and Regulatory Affairs
State of Michigan

2020-11-04 19:31:01 UTC

Date

E-SIGNED by Brandon Denby
on 2020-11-05 10:48:09 EST

Brandon Denby
County Grant Administrator
County of Livingston

2020-11-05 10:48:09 UTC

Date

Robert Townsend
Attorney
Cohl, Stoker & Toskey, P.C.

Date

Carol Griffith
Chairperson
Livingston County Board of Commissioners

Date

GRANT NO. **BCC 21-47**

SURVEY & REMONUMENTATION APPLICATION / PROGRESS / COMPLETION REPORT

Michigan Department of Licensing & Regulatory Affairs
 Bureau of Construction Codes
 Office of Land Survey & Remonumentation
 PO Box 30254, Lansing, MI 48909
 1st Floor Ottawa Building
 611 West Ottawa Street, Lansing, MI 48933
 Phone 517-241-6321
 E-Mail: bccolstr@michigan.gov
www.Michigan.gov/bcc

Grantee/County:

--Section below for OLSR staff use only--

Grant #
 VCUST#
 Address Code
 GG #
 Template:

Grant Year: 2021

| | | | |
|--|--|---|---|
| <u>52,883</u> | State Grant Award | | |
| Grant Application Payment Request | | Grant Application Proposed Corners | |
| <u>21,153.20</u> | Start-Up Payment (40% of Grant Award) | <u>26</u> | Corners anticipated to be paid with funds |
| <u>31,729.80</u> | Balance after Start-Up Payment | Corners Completed | |
| Progress Report Payment Request | | | Corners completed & paid with grant funds |
| | Amount Requested (up to 85% of Grant) | | Corners completed & paid by others |
| | Grant Balance after Progress Report | | Corners revisited & paid with grant funds |
| Completion Report Payment Request | | | Corners revisited & paid by others |
| | Amount Requested (up to 100% of Grant) | | Common corners entered into Accela twice |
| | Grant Balance after Completion Report | | Number of records entered into Accela |
| | | | Corners revisited without record |

I certify to the best of my knowledge and belief that this report is correct and complete, and all expenditures are for the purposes set forth in and comply with the annual grant agreement.

Is this county on an approved Maintenance Plan during this contract? ☒ Yes ☐ No



 County Grant Administrator

12-7-2020

 Date

--Section below for OLSR staff use only--

Payment Authorized: \$ _____ Records completed by County in current Grant Year: _____
 Grant Balance: \$ _____ Records remaining to be completed in County Plan: _____

 Michael C. Barger, PS
 Director, Office of Land Survey & Remonumentation

 Date

| Administrator | |
|--|----------------------------|
| Name: BRANDON DENBY | Phone: 517.540.8823 |
| Email Address: B DENBY@LIVGov.com | |
| Physical Address: 200 E GRAND RIVER | |
| City, State, Zip: Howell MI 48843 | |
| Representative | |
| Name: Jack Smith | Phone: 517.546.3340 |
| Email Address: GarlockSmith@Comcast.net | |
| Physical Address: 516 E GRAND RIVER | |
| City, State, Zip: Howell MI 48843 | |
| Address for Payments | |
| Name: LIVINGSTON County Treasurer | Phone: 517 546 7010 |
| Physical Address: 200 E GRAND RIVER | |
| City, State, Zip: Howell MI 48843 | |

The following section is divided into columns corresponding to the stages of the yearly Remonumentation Grant program, from left to right. Fill out the sections within the column of the current stage, while leaving the information from the previous stages in place. If the county does not submit a Progress Report, leave that column blank.

Budget (Grant Application) column refers to the estimated costs set forth by the County in the Grant Application.

Progress Report column will include any expenditures by the County up to that point. Expenditures must exceed the amount received by the county in the 40% Start-up Payment. Any amount in this column must have receipts or invoices listing completed corners attached for reimbursement.

Completion Report column will include all reimbursable expenditures by the County during the Grant Year. Any amount in this column must have receipts or invoices listing completed corners attached for reimbursement.

County must provide copies of all invoices, receipts, payment vouchers, etc. for any expenditures being submitted for reimbursement under the Remon Grant program. Invoices must be itemized (where applicable) and should not include costs outside of the Remonumentation program. A county requesting payment for a Cost Allocation Program or similar policy must have a complete copy of the Cost Allocation Plan on file with OLSR before payment is made.

County must provide a detailed, itemized budget report for all expenditures under the Remon program. Any payment amount that does not appear on the budget report cannot be considered for reimbursement under the Remon Grant program.

**Remonumentation Program
County Expenditure Detail**

| Work Program Expenditures by Line Item | Budget (Grant Application) | Progress Report Expenditures | Completion Report Expenditures |
|---|-------------------------------|---------------------------------|-----------------------------------|
| Item A Remonumentation Services | \$20,000 | | |
| Item B Monument Maintenance Services | \$23,000 | | |
| Item C Remonumentation Supplies & Materials | | | |
| Item D Geodetic Control Maintenance & Operations | | | |
| Item E Grant Administrator Fees/Wages | | | |
| Item F County Representative Fees/Wages | \$9,883 | | |
| Item G Additional Administrative Staff Fees/Wages | | | |
| Item H Peer Group | | | |
| Item I Administrative Supplies & Indirect Costs | | | |
| Totals | \$52,883 | | |

2021 Survey & Remonumentation

| | Program | Funding | |
|---------------------------|------------------|------------------|------------------|
| | | Grant | County |
| Surveyors | \$ 43,000 | \$ 43,000 | \$ - |
| Grant Administrator | \$ 10,271 | \$ - | \$ 10,271 |
| County Representative | \$ 16,000 | \$ 9,883 | \$ 6,117 |
| Meeting Per Diem | \$ 200 | \$ - | \$ 200 |
| Cost Allocation | \$ 2,543 | \$ - | \$ 2,543 |
| Total Program Cost | \$ 72,014 | \$ 52,883 | \$ 19,131 |
| | | | \$ 72,014 |

Fund Balance as of 12/10/2020

| | | |
|-------------------------|------------|--------------------------------------|
| 2019 End of Year | \$ 180,845 | |
| 2020 Actual Revenue | \$ 64,801 | |
| 2020 Estimated Expenses | \$ 83,130 | reflects Q4 budget reduction request |
| 2020 End of Year | \$ 162,516 | |
| 2021 Estimated Revenue | \$ 52,883 | |
| 2021 Estimated Expenses | \$ 72,014 | |
| 2021 End of Year | \$ 143,385 | |