



# Finance and Asset Management Committee Meeting Agenda

March 20, 2023

7:00 p.m.

Board of Commissioners Meeting Location

304 E. Grand River Ave., Board Chambers, Howell, Michigan

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

<https://us02web.zoom.us/j/3997000062>

*A quorum of the Board of Commissioners may be in attendance at this meeting.*

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1. Call Meeting to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Approval of Agenda
5. Approval of Minutes
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7. Discussion
  - 7.1 Revenue and Expense Status
  - 7.2 Pension Liability
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  - 8.2 Drain Commissioner Brian Jonckheere 10  
Resolution Authorizing Improvements to Handy No. 7 & 13 County Drain and Distribution of American Rescue Plan Act (ARPA) Funding



<b>8.3</b>	<b>Drain Commissioner</b>	Brian Jonckheere	25
	Resolution Authorizing Improvements to Ocoola No. 1 Branch 2 County Drain and Distribution of American Rescue Plan Act (ARPA) Funding		
<b>8.4</b>	<b>Emergency Medical Services</b>	David Feldpausch	40
	Resolution Authorizing the Replacement of Two Overhead Doors		
<b>8.5</b>	<b>Emergency Medical Services</b>	David Feldpausch	45
	Resolution Authorizing the Acceptance of the Bids for Overhead Door Replacement		
<b>8.6</b>	<b>Sheriff</b>	Mike Murphy	48
	Resolution Authorizing the Purchase a Trimble X7 3D Scanner and Distribution of American Rescue Plan Act (ARPA) Funding		
<b>8.7</b>	<b>Sheriff</b>	Mike Murphy	62
	Resolution Approving the Purchase of a Mobile Fingerprint Readers and Distribution of American Rescue Plan Act (ARPA) Funding		
<b>9.</b>	<b>Closed Session (2/3 Roll Call Vote)</b>		
	Consider the Purchase of Real Property [MCL 15.268(d)]		
<b>10.</b>	<b>Adjournment</b>		



## Finance and Asset Management Committee

### Meeting Minutes



February 21, 2023, Immediately Following the CPSID Committee Meeting.

Board of Commissioners Meeting Location

304 E. Grand River Ave., Board Chambers, Howell, Michigan

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

<https://us02web.zoom.us/j/3997000062>

Members Present: Nick Fiani, Douglas Helzerman, David Domas, Frank Sample, Wes Nakagiri, Jay Drick, Roger Deaton, Martin Smith, Jay Gross

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#### 1. Call Meeting to Order

The meeting was called to order by the Committee Chair, Commissioner Fiani, at 6:45 p.m.

#### 2. Pledge of Allegiance to the Flag

#### 3. Roll Call

Roll call by the recording secretary indicated the presence of a quorum.

#### 4. Approval of Agenda

Motion to approve the agenda as presented.

It was moved by J. Drick

Seconded by F. Sample

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross

**Motion Carried (9-0-0)**

#### 5. Approval of Minutes

##### 5.1 Meeting Minutes dated: January 23, 2023

Motion to approve the Minutes as presented.

It was moved by J. Gross

Seconded by W. Nakagiri

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross

**Motion Carried (9-0-0)**

#### 6. Call to the Public

Nathan Burd, County Administrator, Hartland Township, addressed the members of the Committee.

#### 7. Tabled Items from Previous Meetings: None.

##### 7.1 Board of Commissioners

Resolution Providing Commissioners with Full Access to Livingston County Financial Records.

Recommend motion to the Board of Commissioners.



Moved by: J. Drick  
Seconded by: W. Nakagiri

Motion referred by the Finance & Asset Management Committee on January 23, 2023.

Commissioner Nakagiri presented the resolution.

Discussion amongst members.

Yes (5): N. Fiani, D. Helzerman, W. Nakagiri, J. Drick, and R. Deaton;  
No (4): D. Domas, F. Sample, M. Smith, and J. Gross; Absent (0):

**Motion Carried (5-4-0)**

## **8. Discussion**

### **8.1 Revenue & Expense Status**

Cindy Arbanas, Finance Officer, reviewed YTD reports for 2022 and 2023, noting this time of year is difficult to report as the prior year's budget is closing.

### **8.2 Pension Liability**

Nathan Burd, County Administrator, discussed the Inclement Weather Policy with Commissioners. An update to the Policy may be helpful to address remote work that was not addressed in the current policy.

No Pension Liability updates.

Answered question regarding the 2022 pre-audit showing the actual is less than the budget. Nathan explained these funds would be returned to the fund balance and could be considered for an additional payment to MERS.

### **8.3 Capital Improvement Plan Update**

Nathan Burd, County Administrator, provided this report and answered questions from Commissioners.

- East Complex roof 95% complete
- Next month Kevin Eggleston, Facility Services Department Director, will provide a Q1 update on Facility Services capital improvement projects.
- In about 1 month Rob Stanford, Principal Planner, will begin the annual CIP process.

### **8.4 American Rescue Plan Act (ARPA)**

Nathan Burd, County Administrator, addressed the Work Session requested by Commissioners. The meeting was scheduled for March 2, 2023 at 5:30 p.m. in Board Chambers, by consensus of Commissioners. Commissioner Drick requested a rough draft of the ARPA contract or agreement that recipients are going to receive.

Kris Tobbe, Information Technology Department Director, reviewed events and progress since 12.27.2022

- Meetings have taken place with the contracting firm awarded with this project.
- Large scale RFP for public private partnerships has been posted, internal employees and Callahan Consulting developed the high quality RFP, responses were due yesterday at 4 p.m.
- Kris answered questions from Commissioners regarding ROBIN Grant limitations and selling in the future. Guide House will be investigating this question.
- Discussed added burden of maintaining the additional miles of fiber.
- Commissioner Drick suggested adding a non-compete clause.
- March 14<sup>th</sup> is the deadline for the ROBIN Grant application.



## **8.5 Strategic Plan Update**

Nathan Burd, County Administrator, reported that a progressing 2022 Goal is web redesign. Within a couple of months we should have a new site design to share.

A summer work session with Lou Bender has been suggested to review the Strategic Plan.

## **8.6 Delinquent Tax Revolving Fund (DTRF)**

Jennifer Nash, County Treasurer, presented slides explaining the Delinquent Tax Revolving Fund and report of the fund dating back to Levy year 2005.

Chairman Fiani recessed the meeting for ten (10) minutes at 8:32 p.m.

Chairman Fiani reconvened the meeting at 8:43 p.m.

## **9. Resolutions for Consideration**

### **9.1 Fiscal Services**

Resolution Authorizing a Budget Amendment to Carry Forward Approved Prior Year Projects into the Fiscal Year 2023 Budget

Recommend motion to the Board of Commissioners.

Moved by: D. Domas

Seconded by: J. Gross

Cindy Arbanas, Finance Officer, presented the resolution and answered questions from committee members.

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross

**Motion Carried (9-0-0)**

### **9.2 Board of Commissioners**

Resolution Authorizing a Classification and Compensation Study for Union Employees of the Livingston County Courts

Recommend motion to the Board of Commissioners.

Moved by: D. Helzerman

No support for the motion.

**Motion Failed**

## **10. Adjournment**

Motion to adjourn the meeting at 8:48 p.m.

It was moved by M. Smith

Seconded by D. Helzerman

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross

**Motion Carried (9-0-0)**

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Natalie Hunt, Recording Secretary



**RESOLUTION**

**NO:** [Title]

**LIVINGSTON COUNTY**

**DATE:** Click or tap to enter a date.

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**Resolution to submit the Estimated 2024 General Fund Budget to the Tax Allocation Board – Fiscal Services**

**WHEREAS,** the Tax Allocation Board meets yearly to review the proposed budgets of each respective township, school district and the County; and

**WHEREAS,** in compliance with statutory requirement, the Tax Allocation Board will meet on Monday, April 17, 2023.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the submission of the attached Estimated 2024 General Fund Budget for Livingston County, by activity, to the Tax Allocation Board.

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**MOVED:**

**SECONDED:**

**CARRIED: Roll Call Vote:**





# LIVINGSTON COUNTY

## Estimated 2024 General Fund Budget

REVENUES	ACTUAL 2021	ACTUAL 2022 (PRE-AUDIT)	BUDGET 2023	ESTIMATED 2024
<b><u>Judicial</u></b>				
FINES AND FORFEITURE	205,087	186,924	225,000	205,670
CHARGES FOR SERVICE	2,309,388	1,936,238	2,163,145	2,136,257
RENTAL INCOME	-	3,456	3,456	2,304
OTHER REVENUE	190,036	159,900	185,247	178,394
STATE SOURCES	958,836	846,730	1,056,822	954,129
TRANSFERS IN	-	22,792	-	-
<b>Subtotal: Judicial</b>	<b>3,663,347</b>	<b>3,156,040</b>	<b>3,633,670</b>	<b>3,476,755</b>
Percent of Total General Fund	6.8%	5.8%	6.4%	6.0%
<b><u>Sheriff</u></b>				
FINES AND FORFEITURE	2,864	5,593	3,000	3,819
LICENSE & PERMITS	-	2,500	-	-
CHARGES FOR SERVICE	439,613	646,945	991,887	692,815
RENTAL INCOME	2,203,500	2,473,165	2,184,075	2,286,913
OTHER REVENUE	766,333	802,014	725,300	764,549
FEDERAL SOURCES	26,940	30,697	48,800	35,479
STATE SOURCES	4,180	17,924	16,000	12,702
TRANSFERS IN	460,019	23,832	-	-
<b>Subtotal: Sheriff</b>	<b>3,903,449</b>	<b>4,002,670</b>	<b>3,969,062</b>	<b>3,796,277</b>
Percent of Total General Fund	7.2%	7.4%	7.0%	6.5%
<b><u>Other Public Safety</u></b>				
TRANSFERS IN	61,782	53,032	41,500	41,500
<b>Subtotal: Other Public Safety</b>	<b>61,782</b>	<b>53,032</b>	<b>41,500</b>	<b>41,500</b>
Percent of Total General Fund	0.1%	0.1%	0.1%	0.1%
<b><u>Infrastructure &amp; Development</u></b>				
LICENSE & PERMITS	457,835	489,705	350,000	432,513
CHARGES FOR SERVICE	43,301	33,989	27,305	34,865
OTHER REVENUE	1,129,918	1,348,415	1,385,735	1,288,023
STATE SOURCES	30,538	4,795	-	11,778
CONT FROM LOCAL UNIT	22,940	19,587	30,624	24,384
CAPITAL GRANTS/CONTRIBUTIONS	36,160	-	-	12,053
<b>Subtotal: I&amp;D</b>	<b>1,720,691</b>	<b>1,896,491</b>	<b>1,793,664</b>	<b>1,803,615</b>
Percent of Total General Fund	3.2%	3.5%	3.2%	3.1%
<b><u>Health &amp; Human Services</u></b>				
FINES & FORFEITURES	6,124	4,019	-	3,381
LICENSE & PERMITS	141,167	138,307	158,000	145,824
CHARGES FOR SERVICE	80,153	83,995	66,200	76,783
OTHER REVENUE	2,970	750	2,500	2,073
<b>Subtotal: H&amp;HS</b>	<b>230,413</b>	<b>227,071</b>	<b>226,700</b>	<b>228,061</b>
Percent of Total General Fund	0.4%	0.4%	0.4%	0.4%
<b><u>General Government</u></b>				
TAXES	32,890,640	34,509,555	36,509,000	37,596,176
FINES AND FORFEITURE	132,652	48,218	35,000	71,957
LICENSE & PERMITS	5,645	5,885	5,000	5,510
CHARGES FOR SERVICE	4,230,861	3,615,273	3,298,000	3,564,712
RENTAL INCOME	232,340	254,531	261,740	249,537
INTEREST	2,569	(819,616)	265,000	265,000
OTHER REVENUE	1,473,953	1,693,573	1,372,600	1,513,375
FEDERAL SOURCES	311,775	-	-	-
STATE SOURCES	5,147,495	5,307,182	5,342,772	5,448,215
TRANSFERS IN	6,888	18,379	81,100	81,100
<b>Subtotal</b>	<b>44,434,819</b>	<b>44,632,981</b>	<b>47,170,212</b>	<b>48,795,582</b>
Percent of Total General Fund	82.3%	82.7%	83.0%	83.9%
<b>TOTAL REVENUE</b>	<b>54,014,501</b>	<b>53,968,285</b>	<b>56,834,808</b>	<b>58,141,790</b>



EXPENDITURES	ACTUAL 2021	ACTUAL 2022 (PRE-AUDIT)	BUDGET 2023	ESTIMATED 2024
<b><u>Judicial</u></b>				
PERSONNEL	7,495,884	7,164,088	7,319,665	7,643,050
SUPPLIES	206,140	206,550	226,946	213,212
CONTRACTUAL SERVICES	96,470	82,794	106,136	95,133
PROFESSIONAL SERVICE	291,397	326,879	453,115	357,130
OTHER EXPENSE AND CHARGES	81,763	141,985	236,720	153,489
COMPUTER AND PHONE	771,607	943,451	1,013,473	1,043,877
FACILITIES MANAGEMENT	763,497	833,216	828,403	853,255
VEHICLE	5,554	5,247	6,202	6,264
MAINTENANCE & REPAIR	15,840	18,879	21,000	18,573
TRAVEL	8,354	12,734	29,876	16,988
TRAINING	5,198	3,940	12,210	7,116
TRANSFER OUT	1,761,520	1,832,947	1,954,472	1,954,472
<b>Subtotal: Judicial</b>	<b>11,503,225</b>	<b>11,572,708</b>	<b>12,208,218</b>	<b>12,362,560</b>
<i>Percent of Total General Fund</i>	<i>21.8%</i>	<i>23.1%</i>	<i>21.5%</i>	<i>21.3%</i>
<b><u>Sheriff Department</u></b>				
PERSONNEL	15,212,739	15,907,346	15,385,921	16,696,681
SUPPLIES	357,978	515,892	648,268	507,379
CONTRACTUAL SERVICES	1,852,642	1,966,097	2,482,423	2,100,387
PROFESSIONAL SERVICE	1,178	3,110	4,000	2,763
OTHER EXPENSE AND CHARGES	59,391	47,447	46,147	50,995
COMPUTER AND PHONE	562,648	713,491	907,599	934,827
FACILITIES MANAGEMENT	1,001,633	1,146,080	1,178,865	1,214,231
VEHICLE	1,016,516	869,590	930,088	957,991
MAINTENANCE & REPAIR	67,368	83,473	80,184	77,008
TRAVEL	29,046	40,275	61,960	43,760
TRAINING	28,714	54,792	90,790	58,099
CAPITAL EQUIPMENT	372,085	23,832	-	-
TRANSFER OUT	155,369	77,713	84,184	89,235
<b>Subtotal: Sheriff Dept</b>	<b>20,717,306</b>	<b>21,449,139</b>	<b>21,900,429</b>	<b>22,733,356</b>
<i>Percent of Total General Fund</i>	<i>39.3%</i>	<i>42.8%</i>	<i>38.5%</i>	<i>39.1%</i>
<b><u>Other Public Safety</u></b>				
PERSONNEL	126,514	136,131	247,676	258,437
SUPPLIES	808	1,079	2,750	2,750
CONTRACTUAL SERVICES	-	-	-	-
OTHER EXPENSE AND CHARGES	4,583	4,100	6,150	6,150
COMPUTER AND PHONE	15,345	9,604	17,717	9,892
FACILITIES MANAGEMENT	2,819	2,850	4,995	5,145
VEHICLE	4,920	2,135	3,844	3,882
TRAVEL	-	16	1,700	1,700
TRAINING	-	325	2,700	2,700
TRANSFER OUT	701,965	927,689	945,000	944,190
<b>Subtotal: Other Public Safety</b>	<b>856,954</b>	<b>1,083,929</b>	<b>1,232,532</b>	<b>1,234,846</b>
<i>Percent of Total General Fund</i>	<i>1.6%</i>	<i>2.2%</i>	<i>2.2%</i>	<i>2.1%</i>



**Infrastructure/Development:**

PERSONNEL	2,850,492	3,138,038	3,302,327	3,444,663
SUPPLIES	11,366	20,832	23,039	18,413
CONTRACTUAL SERVICES	1,185,021	1,142,294	1,177,762	1,168,359
PROFESSIONAL SERVICE	91,042	66,769	67,960	75,257
OTHER EXPENSE AND CHARGES	48,627	55,189	66,902	56,906
COMPUTER AND PHONE	113,378	143,908	181,545	186,991
FACILITIES MANAGEMENT	40,005	41,307	42,539	43,390
VEHICLE	2,693	2,435	16,070	16,231
MAINTENANCE & REPAIR	3,979	4,582	9,500	6,021
TRAVEL	5,417	7,348	12,675	8,480
TRAINING	2,836	5,290	6,750	4,959
TRANSFER OUT	1,368	5,528	-	2,299
<b>Total: Infrastructure/Dvlpmnt</b>	<b>4,356,224</b>	<b>4,633,522</b>	<b>4,907,069</b>	<b>5,031,968</b>
<i>Percent of Total General Fund</i>	<i>8.3%</i>	<i>9.3%</i>	<i>8.6%</i>	<i>8.7%</i>

**Health & Human Services:**

PERSONNEL	598,461	598,199	745,674	787,046
SUPPLIES	46,050	51,906	89,450	62,469
CONTRACTUAL SERVICES	1,174,151	1,253,489	1,389,553	1,272,398
OTHER EXPENSE AND CHARGES	246	218	6,000	2,155
COMPUTER AND PHONE	39,470	50,272	57,395	59,117
FACILITIES MANAGEMENT	53,711	60,300	58,329	59,496
VEHICLE	17,455	20,612	20,829	21,037
MAINTENANCE & REPAIR	-	1,800	-	-
TRAVEL	522	1,523	3,150	1,732
TRAINING	2,119	1,580	3,500	2,400
TRANSFER OUT	738,000	600,000	500,000	500,000
<b>Total: Health &amp; Human Svcs</b>	<b>2,670,187</b>	<b>2,639,899</b>	<b>2,873,880</b>	<b>2,767,847</b>
<i>Percent of Total General Fund</i>	<i>5.1%</i>	<i>5.3%</i>	<i>5.1%</i>	<i>4.8%</i>

**General Government:**

PERSONNEL	8,973,235	4,904,640	4,941,467	6,159,179
SUPPLIES	66,456	175,485	106,259	116,067
CONTRACTUAL SERVICES	391,814	437,895	368,662	399,457
PROFESSIONAL SERVICE	60,281	69,338	151,490	93,703
OTHER EXPENSE AND CHARGES	1,071,512	1,347,835	5,928,193	4,895,653
COMPUTER AND PHONE	247,682	277,986	313,185	322,581
FACILITIES MANAGEMENT	409,378	427,165	445,042	458,393
VEHICLE	473	1,771	3,675	3,712
MAINTENANCE & REPAIR	19,673	19,802	25,485	21,653
TRAVEL	5,728	15,454	32,958	18,047
TRAINING	22,835	16,208	44,264	27,769
TRANSFER OUT	1,285,000	995,000	1,352,000	1,495,000
<b>Total: General Government</b>	<b>12,554,065</b>	<b>8,688,580</b>	<b>13,712,680</b>	<b>14,011,213</b>
<i>Percent of Total General Fund</i>	<i>23.8%</i>	<i>17.4%</i>	<i>24.1%</i>	<i>24.1%</i>

<b>TOTAL EXPENDITURES</b>	<b>52,657,961</b>	<b>50,067,778</b>	<b>56,834,808</b>	<b>58,141,790</b>
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Fund Balance at Year End (estimated for 2022-2024)	\$	32,768,265	\$	36,668,772	\$	36,668,772	\$	36,668,771
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I hereby certify that I have received the 2024 Estimated Tax Allocation Board budget and found it to be in good order and an appropriate representation.

Nicholas J. Fiani  
Finance/Asset Management Committee Chair

Cynthia Arbanas  
Deputy County Administrator/Financial Officer



RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

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**Resolution Authorizing Improvements to Handy No. 7 & 13 County Drain and Distribution of American Rescue Plan Act (ARPA) Funding – Drain Commissioner’s Office**

**WHEREAS,** Resolution 2022-12-192 outlined a plan for the strategic use and distribution of American Rescue Plan Act (ARPA) funding; and

**WHEREAS,** a total of \$6,175,870 of ARPA funding was identified for the Drain Commissioner’s Office for water infrastructure projects; and

**WHEREAS,** the Drain Commissioner’s Office is requesting \$165,000 of this allocation for the purpose of conducting maintenance and improvement on the Handy No. 7 & 13 County Drain. Historical problems with this system have resulted in a loss of farmland within the district and have negatively affected planting and harvesting schedules within the agricultural community. Improvements aim to address historically undersized and failing drainage tile that serves 1,200 acres of land and 105 individual properties within Handy Township; and

**WHEREAS,** this is an eligible use of ARPA funding and will be listed under the *Expenditure Category: 5.6 Clean Water: Stormwater* for federal reporting purposes.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the amount of \$165,000 in ARPA funding for drain maintenance and improvements, to be provided by Bob Myers Excavating, for the purpose of maintaining the County’s subsurface water drainage infrastructure to the Drain Commissioner’s Office for the Handy No. 7 & 13 Drainage District.

**BE IT FURTHER RESOLVED** that the Chair of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, and future amendments with contract language adjustments related to above upon review and/or preparation by Civil Counsel.

**BE IT FURTHER RESOLVED** that the Board of Commissioners authorizes any budget amendments need to effectuate this project.

**BE IT FURTHER RESOLVED** that from the date of approval of this resolution until the project is completed, as outlined in Resolution 2022-12-192, the Drain Commissioner’s Office shall provide a written update on the status of the project every three (3) months and shall present, in person, to the Finance and Asset Management Committee every six (6) months until the project is complete.

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**MOVED:  
SECONDED:  
CARRIED:**





Last updated 1/22/2023

## Livingston County

# ARPA Local Fiscal Recovery Fund Project Information Form

## Local Fiscal Recovery Fund Resources

- [Final Rule](#), January 2022, effective April 2022: Finalized version of the interim final rule, with amendments. Implements the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act.
- [Compliance and Reporting Guidance](#), version 4.2, updated August 2022: Guidance that reflects the Final Rule, as opposed to the Interim Final Rule (May 2021) and provides clarity on recipient's compliance and reporting responsibilities, such as statutory eligible uses and award terms and conditions.
- [Overview of the Final Rule](#), January 2022: Provides a summary of major provisions of the final rule and should be used as a simplified user guide; does not include all funding requirements.
- [Project and Expenditure Report User Guide](#), version 3.1, updated July 2022: Provides information on using the Treasury's Portal to submit SFRF Project and Expenditure Reports; supplement to the Compliance and Reporting Guidance. Guidehouse is primarily responsible for understanding this user guide, but FAQs on page 106 may be of general interest.
- [Frequently Asked Questions](#), updated July 2022: Based on final rule and offers guidance on eligible uses.

## Definitions

- **Project:** A project is a grouping of closely related activities that together are intended to achieve a specific goal or directed toward a common purpose. Recipients have the flexibility to define their projects in a way that provides the greatest clarity on the work which will be performed.
- **Expenditure Category:** Each project for which SFRF funds were used should be scoped to align to a single Expenditure Category. There may be multiple projects assigned to a single Expenditure Category. Required programmatic data varies based on the project's assigned Expenditure Category.
- **Obligations:** An obligation is an order placed - such as a contract - and similar transactions that require payment (e.g., grant, loan, or other arrangement).
- **Expenditures:** An expenditure is the amount that has been incurred as a liability of the entity (the service has been rendered or the good has been delivered to the entity and payment is due)
- **Subaward:** An award provided by the Recipient to a subrecipient for the subrecipient to carry out part of a Federal award received by the Recipient. A subaward may be provided through any form of legal agreement, including an agreement that the Recipient





Last updated 1/22/2023

considers a contract. For reporting purposes, subaward types include contracts, grants, loans, direct payments, or government transfers.

**Project Name:** Handy No. 7 & 13 County Drain

**County Department or Organization Making Request:** Livingston County Drain Commissioner

**Primary Contact/Project Owner**

Name: Kenneth E. Recker II  
 Title: Chief Deputy Drain Commissioner  
 Email: krecker@livgov.com  
 Phone: 517-552-6772

**Estimated Cost:** \$165,000

**Estimated Project Timeline**

March 9 – April 30, 2023

**Implementing Entity (Department, Agency, Organization):** Livingston County Drain Commissioner and Handy No. 7 & 13 Drainage District

**Project Description to include impact of COVID-19, intended impact of project, and general description of services** (50-250 words) (Project leaders are encouraged to provide the County with any additional materials to describe their projects)

*Address historically undersized and failing drainage tile that serves 1200 acres of land and 105 individual properties within Handy Township. Historical problems with this system have resulted in a loss of farmland within the district, and have negatively affected planting and harvesting schedules within the agricultural community. Handy Township has passed a resolution authorizing our office to temporarily exceed the maintenance limits of the Michigan Drain Code (MCL 280.196(5), to facilitate this application.*

**What was the harm caused by COVID to justify this project?**

Not Applicable for Infrastructure Projects

**How does this project address the impact from COVID-19?**

Not Applicable for Infrastructure Projects

**Describe who the beneficiaries of this project are perceived to be.**

*Lands within the Handy No. 7 & 13 Drainage District. This would include properties (and the owners of these properties), and public roads within the Drainage District. The district comprises both farmland and residential land uses.*

**Is this a new project or an expansion of an existing project? If existing, please explain the purpose of the expansion.**





Last updated 1/22/2023

*This is maintenance of an existing drainage system, by replacing two smaller decaying pipes with a single larger pipe.*

**Describe the structure of the program (i.e. what is the flow of the funding, are there any contractors/subrecipients/beneficiaries?)** (see Appendix C for information on non-Federal entities)

*The Michigan Drain Code (Act 40 of the Public Acts of 1956, as amended), is the governing law for Drains in the State of Michigan. It dictates the structure for maintenance and improvement of established county drains. In this case, bids were received for the project in January of 2023. Based on bid results Bob Myers Excavating of Brighton, Michigan, has been contracted for the project.*

**Will this project involve capital expenses?**

Yes ☒

No ☐

Describe how the investment creates a lasting impact to improve economic, environmental, social and health outcomes for residents.

**Approximately \$42,000 has been expended over the last twenty years applying “band aids” to the existing system (part installed in 1905, part in 1948) to keep it operating. At the time of the last significant work on this drain in 1948 there were 37 properties in the district, as opposed to 105 properties today. This comprehensive maintenance will improve the reliability of the system to serve both agricultural and residential property within the Drainage District.**

Describe how this project will leverage funds from other public, private, and non-profit sources. (if applicable)

**ARPA funds are to provide 50% of the project cost. Remaining funds will be assessed to the Drainage District in accordance with the Michigan Drain Code, Act 40 of the Public Acts of 1956, as amended. This will include apportionments to properties, Handy Township, and Livingston County.**

Describe the financial sustainability plan for the years beyond County funding. (if applicable)

**MCL 280.196 (Section 196 of the Michigan Drain Code) addresses maintenance parameters for county drains under the Michigan Drain Code. Necessary maintenance will be assessed to the drainage district by law as has been historically done.**

### **Accountability Measures**

What are the performance indicators (inputs, outputs, outcomes) that the project would track to measure impact?

**Work orders for drain maintenance, when compared against historical maintenance within the area work is proposed, would help establish the success or failure of the repairs. We anticipate the elimination of annual (or in some years twice annual) calls for repairs on the tile section to be replaced. Worked performed by Bob Myers Excavating**





Last updated 1/22/2023

**will be inspected by Livingston County Drain Commissioner Staff. Work orders on this drain will be tracked through a program called Cityworks.**

Describe the internal controls (e.g., process documentation, procurement) that will be used to ensure use of funds is consistent with SLFRF guidance. Who will be responsible for data collection, compliance, and reporting for this project?

**The Drain Commissioner is the chief executive officer for the Drain, per the Michigan Drain Code, Act 40 of the Public Acts of 1956, as amended. As such, Brian Jonckheere (the elected Drain Commissioner) is formally responsible for maintaining compliance with internal controls outlined in the Michigan Drain Code. Pay requests will be prepared by Bob Myers Excavating, and reviewed by Livingston County Drain Commissioner Staff for accuracy prior to authorizing payment.**

For projects addressing negative economic impacts and serving impacted or disproportionately impacted communities, as defined in the Final Rule ([see Appendices A and B](#)).

Does the project target any populations, demographics, and/or geographic regions presumed to be *impacted* by COVID-19?

**Not applicable for infrastructure projects.**

- (a) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 300 percent of the Federal Poverty Guidelines, or (2) at or below 65 percent of the AMI for Livingston County?  
**Not applicable for infrastructure projects.**

- (b) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix B, number 2?  
**Not applicable for infrastructure projects.**

Does the project target any populations, demographics, and/or geographic regions presumed to be *disproportionately impacted* by COVID-19?

**Not applicable for infrastructure projects.**

- (c) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 185 percent of the Federal Poverty Guidelines, or (2) at or below 40 percent of the AMI for Livingston County?  
**Not applicable for infrastructure projects.**

- (d) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix C, number 2?  
**Not applicable for infrastructure projects.**





Last updated 1/22/2023

## Appendix A: Guidelines for Identifying *Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>1</sup> is at or below 65 percent of Livingston County's Area Median Income or at or below 300 percent of the Federal Poverty Guidelines.<sup>2</sup>

Size of household	Moderate income		
	65% AMI	300% FPG	Threshold
1	45,435	38,640	38,640
2	51,935	52,260	52,260
3	58,435	65,880	65,880
4	64,870	79,500	79,500
5	70,070	93,120	93,120
6	75,270	106,740	106,740
7	80,470	120,360	120,360
8	85,670	133,980	133,980

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Children's Health Insurance Program (CHIP)
  - b. Childcare Subsidies through the Child Care and Development Fund (CCDF) Program
  - c. Medicaid
  - d. National Housing Trust Fund (HTF), for affordable housing programs only
  - e. Home Investment Partnerships Program (HOME), for affordable housing programs only

<sup>1</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 17. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>2</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





Last updated 1/22/2023

## Appendix B: Guidelines for Identifying *Disproportionately Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was disproportionately impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>3</sup> is at or below 40 percent of Muskegon County's Area Median Income or at or below 185 percent of the Federal Poverty Guidelines.<sup>4</sup>

Size of household	Low income		
	40% AMI	185% FPG	Threshold
1	27,960	23,828	27,960
2	31,960	32,227	32,227
3	35,960	40,626	40,626
4	39,920	49,025	49,025
5	43,120	57,424	57,424
6	46,320	65,823	65,823
7	49,520	74,222	74,222
8	52,720	82,621	82,621

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Temporary Assistance for Needy Families (TANF)
  - b. Supplemental Nutrition Assistance Program (SNAP)
  - c. Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs
  - d. Medicare Part D Low-income Subsidies Supplemental Security Income (SSI)
  - e. Subsidies Supplemental Security Income (SSI)
  - f. Head Start and/or Early Head Start
  - g. Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - h. Section 8 Vouchers
  - i. Low-Income Home Energy Assistance Program (LIHEAP)
  - j. Pell Grants

<sup>3</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 19. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>4</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





Last updated 1/22/2023

3. The primary intended beneficiaries live in a Qualified Census Tract (QCT) (Low-Income Housing Tax Credit Qualified Census Tracts must have 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more.) **Note – there are no QCTs in Livingston County, MI** (<https://www.huduser.gov/portal/datasets/qct.html#2022>)





Last updated 1/22/2023

## Appendix C: Non-Federal Entities

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

A key part of compliance with Uniform Guidance is subrecipient monitoring. As part of administering SLFRF, it is critical that non-Federal entities<sup>5</sup> are properly identified. Appropriate classification is important as it impacts procurement and subrecipient monitoring requirements. If you are unsure of a non-Federal entity's classification, please contact Guidehouse for additional resources.

In determining whether an agreement between the County and a non-Federal entity casts the latter as a subrecipient, contractor, or beneficiary, the substance of the relationship is more important than the form of the agreement. *All of the characteristics listed below may not be present in all cases, and the County must use judgment in classifying each agreement as a subaward or a procurement contract.*

The three classifications of recipients are as follows:

**Subrecipient:** A subaward for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship. Characteristics include:

- (1) Determines who is eligible to receive Federal assistance;
- (2) Has its performance measured in relation to whether objectives of a federal program were met;
- (3) Has responsibility of programmatic decision-making;
- (4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; **and**
- (5) In accordance with it's agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the [County].<sup>6</sup>

**Contractor:** A contract is for the purpose of obtaining goods and service for the non-Federal entity's own use and creates a procurement relationship. Characteristics include:

- (1) Provides the goods and services within normal business operations;
  - (2) Provides similar goods or services to many different purchasers;
  - (3) Normally operates in a competitive environment;
  - (4) Provides goods or services that are ancillary to the operation of the Federal program;
- and**

<sup>5</sup> Note: Non-Federal entity refers to subrecipients, contractors, and beneficiaries. Final Rule generally refers to anyone receiving a payment from the County as a "subrecipient." In the Public Health and Economic Impacts sections, the Final Rule does identify eligible beneficiaries as part of the distinctions between the general public, impacted, and disproportionately impacted. In the reporting guidance and reports, all non-Federal entities are jointly referred to as "subrecipients."

<sup>6</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>





Last updated 1/22/2023

- (5) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.<sup>7</sup>

**Beneficiaries:** Households, small businesses, or nonprofits that receive assistance based on impacts of the pandemic that they experienced.<sup>8</sup> Beneficiaries are not subject to audit pursuant to the Single Audit Act and 2 C.F.R. Part 200, Subpart F.

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<sup>7</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>

<sup>8</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>





Last updated 1/22/2023

## Appendix D: Capital Expenditures

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

The SLFRF Final Rule adopts several definitions from the Uniform Guidance including for capital expenditures, capital assets, equipment, and supplies. These definitions are noted below:<sup>9</sup>

- **Capital expenditure:** Expenditure to acquire capital assets or to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life
- **Capital asset:** Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with Generally Accepted Accounting Principles (GAAP); includes lands, facilities, equipment, and intellectual property
- **Equipment:** Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000

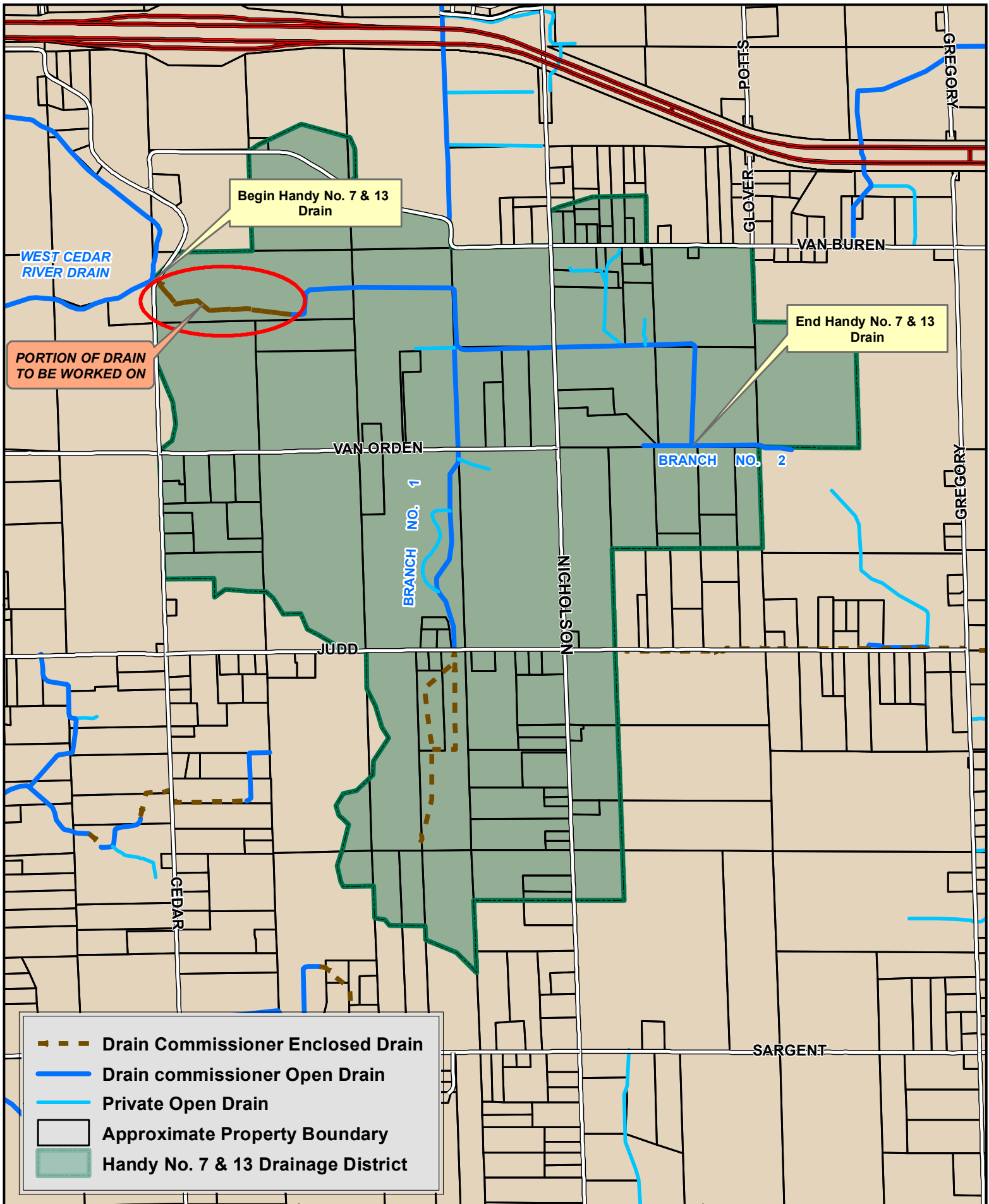
*Supplies, meaning all tangible personal property other than those included as "equipment," are not considered capital expenditures.*

Recipients may also use SLFRF funds for pre-project development costs that are tied to or reasonably expected to lead to an eligible capital expenditure. For example, pre-project costs associated with planning and engineering for an eligible project are considered an eligible use of funds.

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<sup>9</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>





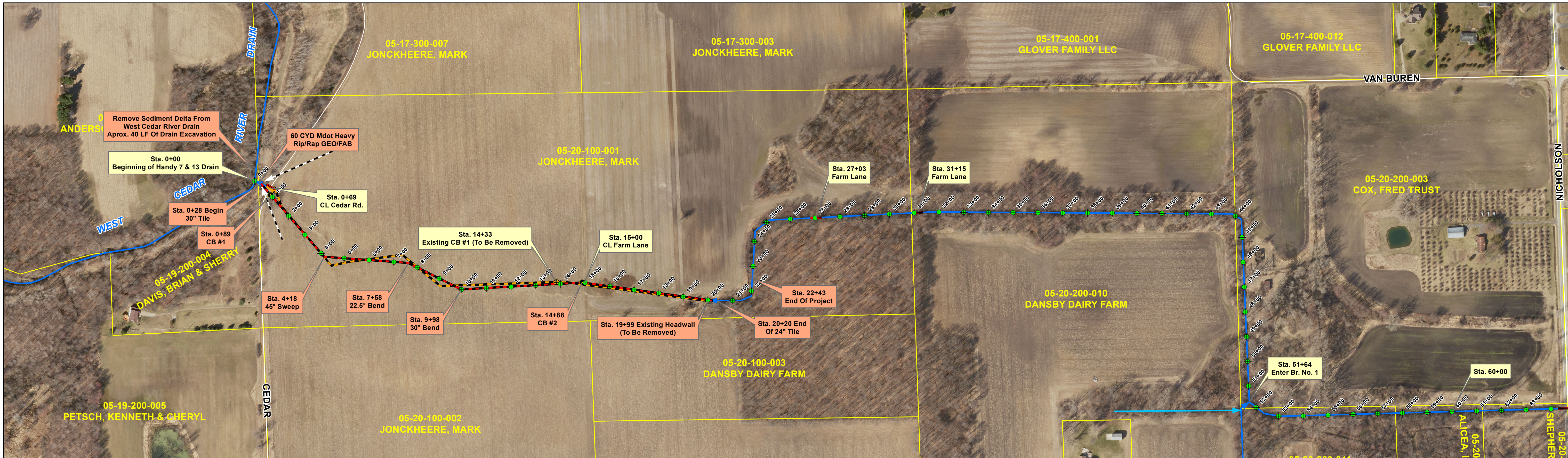
Livingston County Drain Commissioner  
2300 E Grand River  
Howell, MI. 48843  
Printed February 13, 2023


**Handy No. 7 & 13 Drain Drainage District**  
A part of Sections 16,17,20,21,28 and 29  
Agricultural Area



1 inch = 1,600 feet







Livingston County Drain Commissioner

2300 E. Grand River

Howell, Mi. 48843

Orthophoto Flown 2020

Printed January 5, 2023

Existing Elevation

886.24

Proposed Elevation

885.74

Handy 7 & 13

Drain Commissioner Enclosed Drain

Private Enclosed Drain

Proposed 24" & 30" HPPP

Existing Culvert

Drain Commissioner Open Drain

Private Open Drain

Drain Stations

Approx. Property Line

1 inch = 200 feet

N

ADDENDUM DATED 2-1-2023:		
REMOVAL ITEMS:		ADDITIONAL ITEMS:
Sta. 0+29: Remove 30" End Section & Grate		Sta. 0+29: Add 24" End Section & Grate
Sta. 0+29 - 0+89: Remove 30" HP Pipe		Sta. 0+29 - 0+89: Add 24" HP Pipe
Sta. 0+89: Remove Catchbasin		
Sta. 20+40 - 22+43: Remove Open Ditching		
Restoration Of Surface LS Amount? (Shortened Open Ditching)		

Brian Jonckheere

Livingston County Drain Commissioner

2300 E Grand River

Howell, Michigan 48843

(517) 546-0040

Fax: (517) 545-9658

HANDY 7 & 13

PROJECT

STA. 0+00 - 60+00

NO BY CK

DESIGNED BY:

DRAWN BY:

CHECKED BY:

SCALE

HORIZ 1" = 200'

VERT 1" = 5'

DATE

1-5-2023

SHEET NO.

R-2

ADDENDUM 2-1-2023

Agenda Page 22 of 75



## GUIDEHOUSE ELIGIBILITY ASSESSMENT

<b>Project Name</b>	Handy No. 7 & 13 County Drain
<b>Estimated Cost</b>	\$165,000
<b>Risk Level (for non-revenue loss categories)</b>	Low
<b>LFRF Supporting Guidance</b>	<p><b><i>“Publicly and privately owned, permitted and unpermitted projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water are eligible.”</i></b>  <a href="#">(Final Rule</a>, p. 276-277).</p> <p><i>“The CWSRF includes a broad range of stormwater infrastructure projects, and as such these projects were eligible under the interim final rule and continue to be eligible under the final rule. These projects include gray infrastructure projects, such as traditional pipe, storage, and treatment systems. <b>Projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water are also eligible</b>, including real-time control systems for combined sewer overflow management, and sediment control.....In addition to the eligible uses under the CWSRF, Treasury is expanding the eligible uses under the final rule to include stormwater system infrastructure projects regardless of whether there is an expected water quality benefit from the project. <a href="#">(Final Rule</a>, p. 281-282).</i></p>
<b>Proposed Expenditure Category</b>	EC 5.6 Clean Water: Stormwater
<b>Disadvantaged Communities Requirement?</b>	N/A
<b>Other potential reporting requirements</b>	<ul style="list-style-type: none"> <li>• Obligations and Expenditures</li> <li>• Project Status <ul style="list-style-type: none"> <li>○ Not Started</li> <li>○ Completed less than 50 percent</li> <li>○ Completed 50 percent or more</li> <li>○ Completed</li> </ul> </li> <li>• Project Description</li> <li>• Projected/actual construction start date (month/year)</li> <li>• Projected/actual initiation of operations date (month/year)</li> <li>• Location</li> <li>• National Pollutant Discharge Elimination System (NPDES) Permit Number <i>(if applicable)</i></li> <li>• Public Water System (PWS) ID number <i>(if applicable)</i></li> <li>• Median Household Income of service area</li> <li>• Lowest Quintile Income of the service area</li> <li>• Subaward Information</li> <li>• Subrecipient/Contractor Information</li> </ul>



Livingston County | Planning and Implementation of ARPA Projects  
Date: 3/12/23

Recommendations/Concerns	<ul style="list-style-type: none"><li>• Be that federal procurement guidelines have been followed if the County moves forward with classifying this project under EC 5.6</li><li>• Let work on getting these reporting requirements triaged as soon as possible given it sounds like the project may have or is ready to begin.</li></ul>
Additional information requests	n/a



RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

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**Resolution Authorizing Improvements to Oceola No. 1 Branch 2 County Drain and Distribution of American Rescue Plan Act (ARPA) Funding – Drain Commissioner**

**WHEREAS,** Resolution 2022-12-192 outlined a plan for the strategic use and distribution of American Rescue Plan Act (ARPA) funding; and

**WHEREAS,** a total of \$6,175,870 of ARPA funding was identified for the Drain Commissioner’s Office for water infrastructure projects; and

**WHEREAS,** the Drain Commissioner’s Office is requesting \$80,000 of this allocation for the purpose of conducting maintenance and improvement on the Oceola No. 1 Branch 2 County Drain. Historical problems with this system have resulted in a loss of farmland within the district and have negatively affected planting and harvesting schedules within the agricultural community. Improvements aim to address historically undersized and failing drainage tile that serves 4,346 acres of land and 650 individual properties within Oceola Township; and

**WHEREAS,** this is an eligible use of ARPA funding and will be listed under the *Expenditure Category: 5.6 Clean Water: Stormwater* for federal reporting purposes.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the amount of \$80,000 of ARPA funds for drain maintenance and improvements, to be provided by J. Sebastian Trucking & Excavating, for the purpose of maintaining the County’s subsurface water drainage infrastructure to the Drain Commissioner’s Office for the Oceola No. 1 Branch 2 County Drain.

**BE IT FURTHER RESOLVED** that the Chair of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, and future amendments with contract language adjustments related to above upon review and/or preparation by Civil Counsel.

**BE IT FURTHER RESOLVED** that the Board of Commissioners authorizes any budget amendments needed to effectuate this project.

**BE IT FURTHER RESOLVED** that from the date of approval of this resolution until the project is completed, as outlined in Resolution 2022-12-192, the Drain Commissioner’s Office shall provide a written update on the status of the project every three (3) months and shall present, in person, to the Finance and Asset Management Committee every six (6) months until the project is complete.

#

#

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**MOVED:  
SECONDED:  
CARRIED:**



## GUIDEHOUSE ELIGIBILITY ASSESSMENT

<b>Project Name</b>	Oceola No. 1 Branch 2 County Drain
<b>Estimated Cost</b>	\$80,000
<b>Risk Level (for non-revenue loss categories)</b>	Low
<b>LFRF Supporting Guidance</b>	<p><b><i>“Publicly and privately owned, permitted and unpermitted projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water are eligible.”</i></b>  <a href="#">(Final Rule</a>, p. 276-277).</p> <p><i>“The CWSRF includes a broad range of stormwater infrastructure projects, and as such these projects were eligible under the interim final rule and continue to be eligible under the final rule. These projects include gray infrastructure projects, such as traditional pipe, storage, and treatment systems. <b>Projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water are also eligible</b>, including real-time control systems for combined sewer overflow management, and sediment control.....In addition to the eligible uses under the CWSRF, Treasury is expanding the eligible uses under the final rule to include stormwater system infrastructure projects regardless of whether there is an expected water quality benefit from the project. <a href="#">(Final Rule</a>, p. 281-282).</i></p>
<b>Proposed Expenditure Category</b>	EC 5.6 Clean Water: Stormwater
<b>Disadvantaged Communities Requirement?</b>	N/A
<b>Other potential reporting requirements</b>	<ul style="list-style-type: none"> <li>• Obligations and Expenditures</li> <li>• Project Status <ul style="list-style-type: none"> <li>○ Not Started</li> <li>○ Completed less than 50 percent</li> <li>○ Completed 50 percent or more</li> <li>○ Completed</li> </ul> </li> <li>• Project Description</li> <li>• Projected/actual construction start date (month/year)</li> <li>• Projected/actual initiation of operations date (month/year)</li> <li>• Location</li> <li>• National Pollutant Discharge Elimination System (NPDES) Permit Number <i>(if applicable)</i></li> <li>• Public Water System (PWS) ID number <i>(if applicable)</i></li> <li>• Median Household Income of service area</li> <li>• Lowest Quintile Income of the service area</li> <li>• Subaward Information</li> <li>• Subrecipient/Contractor Information</li> </ul>



Livingston County | Planning and Implementation of ARPA Projects  
Date: 3/12/23

Recommendations/Concerns	<ul style="list-style-type: none"><li>• Be sure to follow federal procurement guidelines (sounds like you did from the bid language)</li><li>• Let work on getting these reporting requirements triaged as soon as possible given it sounds like the project may have or is ready to begin.</li></ul>
Additional information requests	n/a





Last updated 1/22/2023

## Livingston County

# ARPA Local Fiscal Recovery Fund Project Information Form

### Local Fiscal Recovery Fund Resources

- [Final Rule](#), January 2022, effective April 2022: Finalized version of the interim final rule, with amendments. Implements the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act.
- [Compliance and Reporting Guidance](#), version 4.2, updated August 2022: Guidance that reflects the Final Rule, as opposed to the Interim Final Rule (May 2021) and provides clarity on recipient's compliance and reporting responsibilities, such as statutory eligible uses and award terms and conditions.
- [Overview of the Final Rule](#), January 2022: Provides a summary of major provisions of the final rule and should be used as a simplified user guide; does not include all funding requirements.
- [Project and Expenditure Report User Guide](#), version 3.1, updated July 2022: Provides information on using the Treasury's Portal to submit SFRF Project and Expenditure Reports; supplement to the Compliance and Reporting Guidance. Guidehouse is primarily responsible for understanding this user guide, but FAQs on page 106 may be of general interest.
- [Frequently Asked Questions](#), updated July 2022: Based on final rule and offers guidance on eligible uses.

### Definitions

- **Project:** A project is a grouping of closely related activities that together are intended to achieve a specific goal or directed toward a common purpose. Recipients have the flexibility to define their projects in a way that provides the greatest clarity on the work which will be performed.
- **Expenditure Category:** Each project for which SFRF funds were used should be scoped to align to a single Expenditure Category. There may be multiple projects assigned to a single Expenditure Category. Required programmatic data varies based on the project's assigned Expenditure Category.
- **Obligations:** An obligation is an order placed - such as a contract - and similar transactions that require payment (e.g., grant, loan, or other arrangement).
- **Expenditures:** An expenditure is the amount that has been incurred as a liability of the entity (the service has been rendered or the good has been delivered to the entity and payment is due)
- **Subaward:** An award provided by the Recipient to a subrecipient for the subrecipient to carry out part of a Federal award received by the Recipient. A subaward may be provided through any form of legal agreement, including an agreement that the Recipient





Last updated 1/22/2023

considers a contract. For reporting purposes, subaward types include contracts, grants, loans, direct payments, or government transfers.

**Project Name:** Oceola No. 1 Branch 2 County Drain

**County Department or Organization Making Request:** Livingston County Drain Commissioner

**Primary Contact/Project Owner**

Name: Kenneth E. Recker II  
 Title: Chief Deputy Drain Commissioner  
 Email: krecker@livgov.com  
 Phone: 517-552-6772

**Estimated Cost:** \$80,000

**Estimated Project Timeline**

April 15 – May 15, 2023

**Implementing Entity (Department, Agency, Organization):** Livingston County Drain Commissioner and Oceola No. 1 Drainage District

**Project Description to include impact of COVID-19, intended impact of project, and general description of services** (50-250 words) (Project leaders are encouraged to provide the County with any additional materials to describe their projects)  
*Address historically undersized and failing drainage tile that is part of a system serving 4,346 acres of land and 650 individual properties within Oceola Township (see attached district map). Historical problems with this tile branch have resulted in a loss of farmland, negatively affecting planting and harvesting schedules within the agricultural community. Oceola Township has passed a resolution authorizing our office to temporarily exceed the maintenance limits of the Michigan Drain Code (MCL 280.196(5), to facilitate this application.*

**What was the harm caused by COVID to justify this project?**

Not Applicable for Infrastructure Projects

**How does this project address the impact from COVID-19?**

Not Applicable for Infrastructure Projects

**Describe who the beneficiaries of this project are perceived to be.**

*Lands within the Oceola No. 1 Drainage District. This would include properties (and the owners of these properties), and public roads within the Drainage District. The district comprises both farmland and residential land uses.*

**Is this a new project or an expansion of an existing project? If existing, please explain the purpose of the expansion.**





Last updated 1/22/2023

*This is maintenance of an existing drainage system, by replacing an older decaying pipe with a new pipe.*

**Describe the structure of the program (i.e. what is the flow of the funding, are there any contractors/subrecipients/beneficiaries?)** (see Appendix C for information on non-Federal entities)

*The Michigan Drain Code (Act 40 of the Public Acts of 1956, as amended), is the governing law for Drains in the State of Michigan. It dictates the structure for maintenance and improvement of established county drains. In this case, following passage of the resolution by Oceola Township, bids were received for the project in February of 2023. Based on bid results J. Sebastian Trucking and Excavating of Springport, Michigan, will be contracted for the project.*

**Will this project involve capital expenses?**

Yes ☒

No ☐

Describe how the investment creates a lasting impact to improve economic, environmental, social and health outcomes for residents.

**The tile on the upper end of this system has been in poor condition for several years, with maintenance crews fixing holes on the existing system (tile branch installed in 1915) to keep it operating. At the time of the last significant work on this drain in 1915 there were 99 properties in the district, as opposed to 650 properties today. This comprehensive maintenance will improve the reliability of the system to serve both agricultural and residential property within the Drainage District.**

Describe how this project will leverage funds from other public, private, and non-profit sources. (if applicable)

**ARPA funds are to provide 50% of the project cost. Remaining funds will be assessed to the Drainage District in accordance with the Michigan Drain Code, Act 40 of the Public Acts of 1956, as amended. This will include apportionments to properties, Oceola Township, and Livingston County.**

Describe the financial sustainability plan for the years beyond County funding. (if applicable)

**MCL 280.196 (Section 196 of the Michigan Drain Code) addresses maintenance parameters for county drains under the Michigan Drain Code. Necessary maintenance will be assessed to the drainage district by law as has been historically done.**

### **Accountability Measures**

What are the performance indicators (inputs, outputs, outcomes) that the project would track to measure impact?

**Work orders for drain maintenance, when compared against historical maintenance within the area work is proposed, would help establish the success or failure of the repairs. We anticipate the elimination of annual (or in some years twice annual) calls for repairs on the tile section to be replaced. Work orders on this drain will be tracked**





Last updated 1/22/2023

**through a program called Cityworks. Worked performed by J. Sebastian Trucking and Excavating will be inspected by Livingston County Drain Commissioner Staff.**

Describe the internal controls (e.g., process documentation, procurement) that will be used to ensure use of funds is consistent with SLFRF guidance. Who will be responsible for data collection, compliance, and reporting for this project?

**The Drain Commissioner is the chief executive officer for the Drain, per the Michigan Drain Code, Act 40 of the Public Acts of 1956, as amended. As such, Brian Jonckheere (the elected Drain Commissioner) is formally responsible for maintaining compliance with internal controls outlined in the Michigan Drain Code. Pay requests will be prepared by J. Sebastian Trucking & Excavating, and reviewed by Livingston County Drain Commissioner Staff for accuracy prior to authorizing payment.**

For projects addressing negative economic impacts and serving impacted or disproportionately impacted communities, as defined in the Final Rule ([see Appendices A and B](#)).

Does the project target any populations, demographics, and/or geographic regions presumed to be *impacted* by COVID-19?

**Not applicable for infrastructure projects.**

- (a) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 300 percent of the Federal Poverty Guidelines, or (2) at or below 65 percent of the AMI for Livingston County?  
**Not applicable for infrastructure projects.**

- (b) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix B, number 2?  
**Not applicable for infrastructure projects.**

Does the project target any populations, demographics, and/or geographic regions presumed to be ***disproportionately impacted*** by COVID-19?

**Not applicable for infrastructure projects.**

- (c) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 185 percent of the Federal Poverty Guidelines, or (2) at or below 40 percent of the AMI for Livingston County?  
**Not applicable for infrastructure projects.**

- (d) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix C, number 2?  
**Not applicable for infrastructure projects.**





Last updated 1/22/2023

## Appendix A: Guidelines for Identifying *Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>1</sup> is at or below 65 percent of Livingston County's Area Median Income or at or below 300 percent of the Federal Poverty Guidelines.<sup>2</sup>

Size of household	Moderate income		
	65% AMI	300% FPG	Threshold
1	45,435	38,640	38,640
2	51,935	52,260	52,260
3	58,435	65,880	65,880
4	64,870	79,500	79,500
5	70,070	93,120	93,120
6	75,270	106,740	106,740
7	80,470	120,360	120,360
8	85,670	133,980	133,980

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Children's Health Insurance Program (CHIP)
  - b. Childcare Subsidies through the Child Care and Development Fund (CCDF) Program
  - c. Medicaid
  - d. National Housing Trust Fund (HTF), for affordable housing programs only
  - e. Home Investment Partnerships Program (HOME), for affordable housing programs only

<sup>1</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 17. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>2</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





Last updated 1/22/2023

## Appendix B: Guidelines for Identifying *Disproportionately Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was disproportionately impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>3</sup> is at or below 40 percent of Muskegon County's Area Median Income or at or below 185 percent of the Federal Poverty Guidelines.<sup>4</sup>

Size of household	Low income		
	40% AMI	185% FPG	Threshold
1	27,960	23,828	27,960
2	31,960	32,227	32,227
3	35,960	40,626	40,626
4	39,920	49,025	49,025
5	43,120	57,424	57,424
6	46,320	65,823	65,823
7	49,520	74,222	74,222
8	52,720	82,621	82,621

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Temporary Assistance for Needy Families (TANF)
  - b. Supplemental Nutrition Assistance Program (SNAP)
  - c. Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs
  - d. Medicare Part D Low-income Subsidies Supplemental Security Income (SSI)
  - e. Subsidies Supplemental Security Income (SSI)
  - f. Head Start and/or Early Head Start
  - g. Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - h. Section 8 Vouchers
  - i. Low-Income Home Energy Assistance Program (LIHEAP)
  - j. Pell Grants

<sup>3</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 19. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>4</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





Last updated 1/22/2023

3. The primary intended beneficiaries live in a Qualified Census Tract (QCT) (Low-Income Housing Tax Credit Qualified Census Tracts must have 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more.) **Note – there are no QCTs in Livingston County, MI** (<https://www.huduser.gov/portal/datasets/qct.html#2022>)





Last updated 1/22/2023

## Appendix C: Non-Federal Entities

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

A key part of compliance with Uniform Guidance is subrecipient monitoring. As part of administering SLFRF, it is critical that non-Federal entities<sup>5</sup> are properly identified. Appropriate classification is important as it impacts procurement and subrecipient monitoring requirements. If you are unsure of a non-Federal entity's classification, please contact Guidehouse for additional resources.

In determining whether an agreement between the County and a non-Federal entity casts the latter as a subrecipient, contractor, or beneficiary, the substance of the relationship is more important than the form of the agreement. *All of the characteristics listed below may not be present in all cases, and the County must use judgment in classifying each agreement as a subaward or a procurement contract.*

The three classifications of recipients are as follows:

**Subrecipient:** A subaward for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship. Characteristics include:

- (1) Determines who is eligible to receive Federal assistance;
- (2) Has its performance measured in relation to whether objectives of a federal program were met;
- (3) Has responsibility of programmatic decision-making;
- (4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; **and**
- (5) In accordance with it's agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the [County].<sup>6</sup>

**Contractor:** A contract is for the purpose of obtaining goods and service for the non-Federal entity's own use and creates a procurement relationship. Characteristics include:

- (1) Provides the goods and services within normal business operations;
  - (2) Provides similar goods or services to many different purchasers;
  - (3) Normally operates in a competitive environment;
  - (4) Provides goods or services that are ancillary to the operation of the Federal program;
- and**

<sup>5</sup> Note: Non-Federal entity refers to subrecipients, contractors, and beneficiaries. Final Rule generally refers to anyone receiving a payment from the County as a "subrecipient." In the Public Health and Economic Impacts sections, the Final Rule does identify eligible beneficiaries as part of the distinctions between the general public, impacted, and disproportionately impacted. In the reporting guidance and reports, all non-Federal entities are jointly referred to as "subrecipients."

<sup>6</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>





Last updated 1/22/2023

- (5) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.<sup>7</sup>

**Beneficiaries:** Households, small businesses, or nonprofits that receive assistance based on impacts of the pandemic that they experienced.<sup>8</sup> Beneficiaries are not subject to audit pursuant to the Single Audit Act and 2 C.F.R. Part 200, Subpart F.

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<sup>7</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>

<sup>8</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>





Last updated 1/22/2023

## Appendix D: Capital Expenditures

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

The SLFRF Final Rule adopts several definitions from the Uniform Guidance including for capital expenditures, capital assets, equipment, and supplies. These definitions are noted below:<sup>9</sup>

- **Capital expenditure:** Expenditure to acquire capital assets or to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life
- **Capital asset:** Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with Generally Accepted Accounting Principles (GAAP); includes lands, facilities, equipment, and intellectual property
- **Equipment:** Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000

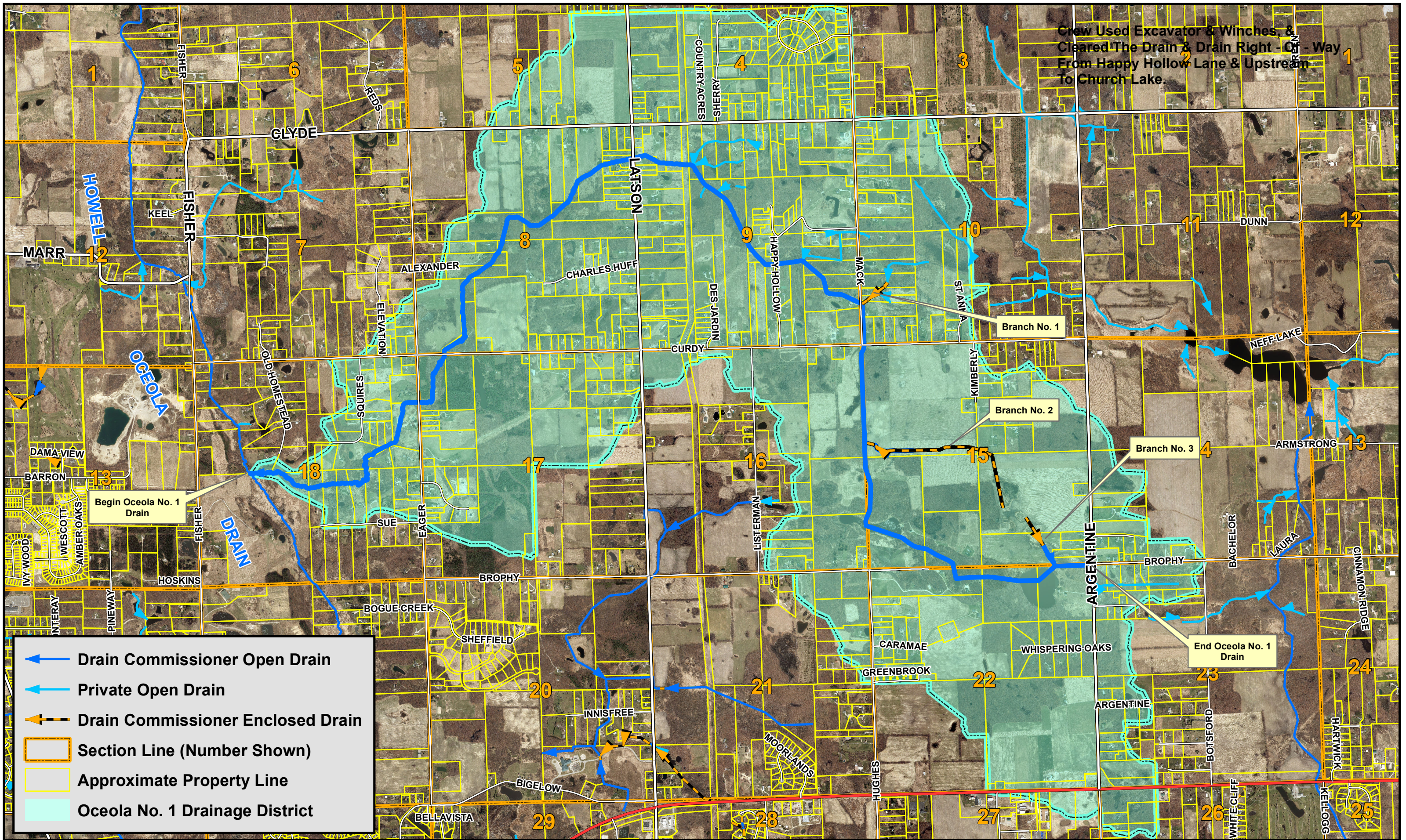
*Supplies, meaning all tangible personal property other than those included as "equipment," are not considered capital expenditures.*

Recipients may also use SLFRF funds for pre-project development costs that are tied to or reasonably expected to lead to an eligible capital expenditure. For example, pre-project costs associated with planning and engineering for an eligible project are considered an eligible use of funds.

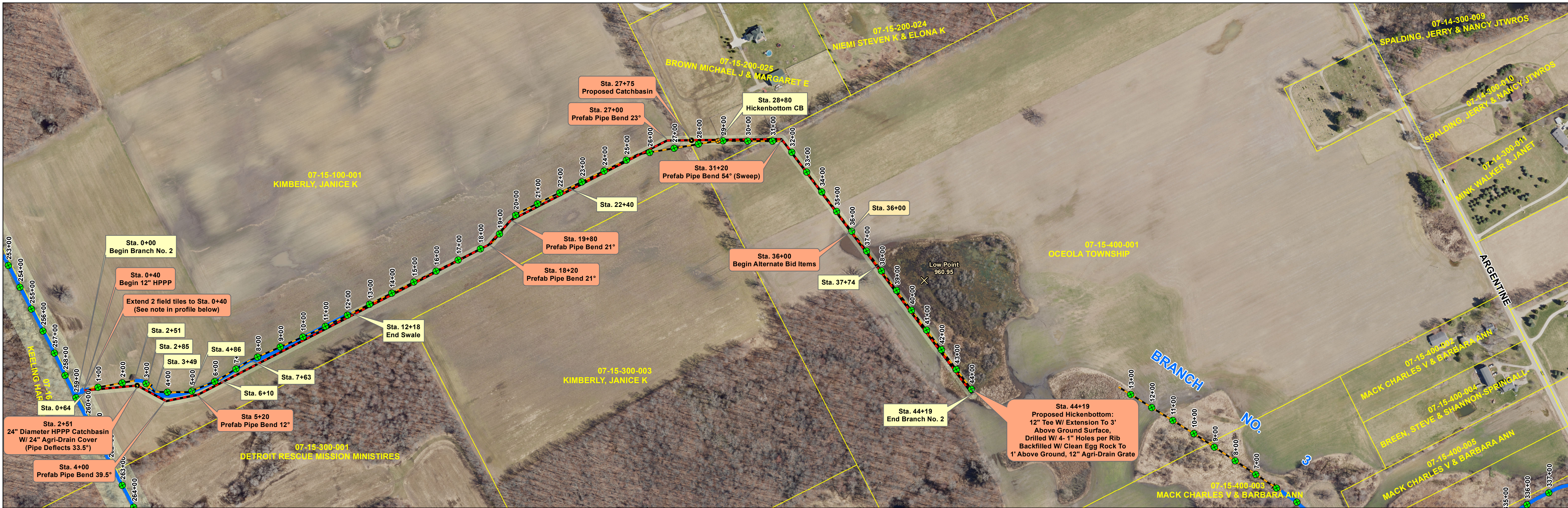
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<sup>9</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>









Livingston County Drain Commissioner  
2300 E. Grand River  
Howell, Mi. 48843  
Orthophoto Flown 2020  
Printed February 6, 2023

Existing Elevation  
**Proposed Elevation**

960.34  
960.34

Oceola No. 1 Drain

Drain Commissioner Enclosed Drain

Proposed 12" HPPPP

Drain Commissioner Structure

Proposed Structure

Drain Commissioner Open Drain

Existing Drain Easement

Approx. Property Boundary

1 inch = 200 feet

Brian Jonckheere  
Livingston County Drain Commissioner  
2300 E Grand River  
Howell, Michigan 48843  
(517) 546-0040  
Fax: (517) 545-9658

OCEOLA NO. 1 DRAIN

BRANCH NO. 2

DESIGNED BY: 2-6-2023

DRAWN BY: 2-6-2023

CHECKED BY: 2-6-2023

SCALE: HORIZ 1" = 200'  
VERT 1" = 5'

DWG. NO. DATE: January 11, 2023  
REVISED 2/6/2023

SHEET NO. R-2  
Addendum No. 1

Agenda Page 39 of 75



**RESOLUTION**

**NO:** [Title]

**LIVINGSTON COUNTY**

**DATE:** Click or tap to enter a date.

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**Resolution Authorizing the Replacement of Two Overhead Doors - Emergency Medical Services**

**WHEREAS,** the EMS department has experienced frequent failures of both overhead doors at its main station, causing operational challenges, significant maintenance expense, and risk of having its vehicles and other assets trapped inside the building; and

**WHEREAS,** these doors were submitted as a capital improvement project and in the annual review for 2023 and they were identified as a priority for replacement; and

**WHEREAS,** in cooperation with facility services, Copro, and the Drain Commission a bid was recently completed following the county's procurement policy for the replacement of overhead doors and submitted for board approval; and

**WHEREAS,** EMS would like to move this capital improvement project forward with the replacement of the overhead doors at its main station; and

**WHEREAS,** we are recommending the bid from Amerivet Services for this project. Amerivet is our current maintenance vendor, and they were the low bid (\$149,660) for this door replacement; and

**WHEREAS,** funding for this project was approved in the FY 2023 budget for capital improvement. This project was allocated for \$180,000 so it is under the budgeted amount in the capital improvement budget as well.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorize the purchase of two replacement overhead doors for the EMS main station from Amerivet Services at a cost of \$149,660.

**BE IT FURTHER RESOLVED** that the Chairman of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, renewals and future amendments for monetary and contract language adjustments related to the above upon review and/or preparation of Civil Counsel.

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**MOVED:  
SECONDED:  
CARRIED:**





**Bid Synopsis  
For  
Overhead Door Replacement & Installation**

RFQu Issued & Publicly Posted: 01/23/2023	Public Postings: Livingston Co. Website (livgov.com) BidNet (bidnetdirect.com/mitn)
Solicitation: RFQu-LC-23-01	
RFQu Due Date: 02/24/2023	Proposals Received: 2

The Evaluation Committee has completed evaluation of the proposals received for the Request for Qualifications referenced above. The award is being recommended for a period of one (1) base year, with the potential for four (4) additional one-year renewals at the discretion of the County, for a total contract period not to exceed five (5) years.

The RFQu was publicly posted. Two responses were received as follows:

1. Allied Building Service Company of Detroit, Inc.
2. Amerivet Services LLC

Both bidders submitted their responses within the timeframe outlined in the RFQu, and both met the minimum qualifications.

After internal discussions and discussions with the Michigan Association of Counties CoPro+ Program staff, it is being recommended that Livingston County host contracts for Overhead Door Replacement & Installation on behalf of the CoPro+ Program. It was determined that Allied Building Service Company of Detroit, Inc. and Amerivet Services LLC are both qualified to provide these services, and there has been interest from other governmental entities in this program.

The resulting contracts will be available to any Michigan public governmental entity (county, city, township, etc.) and will offer a means for these entities to receive services without duplicating the bid process. Livingston County would have the option to utilize these contracts as much or as little as needed.



## ATTACHMENT B: PRICING PROPOSAL

VENDOR NAME:  
Amerivet Services LLC

**NOTE:** Should any fees and/or surcharges apply, the Contractor must identify those fee/surcharges and list the fees and/or surcharges below in the space provided.

DESCRIPTION	QTY	RATE	TOTAL
Extreme 1024 High Performance Doors; Models EPD1024 & EPI1024 (Insulated)	2	\$57,330	\$ 114,660
Labor for removal of existing and installation of new doors and operators	1	\$17,000	\$ 17,000
Electrical by AF Smith Electric	1	\$13,000	\$ 18,000
Other charges (if applicable) Equipment	1	\$2,500	
Temporary Wall	1	\$2,500	

OR

In the event an alternative is quoted, please complete the following:

DESCRIPTION	QTY	RATE	TOTAL
(Description of alternative Overhead Door)			\$
Labor for removal of existing and installation of new doors and operators			\$
Other charges (if applicable)			\$

\$ 149,660.00



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**ATTACHMENT B: PRICING PROPOSAL**

VENDOR NAME:

ALLIED BUILDING SERVICE COMPANY OF DETROIT, INC.

**NOTE:** Should any fees and/or surcharges apply, the Contractor must identify those fee/surcharges and list the fees and/or surcharges below in the space provided.

DESCRIPTION	QTY	RATE	TOTAL
Extreme 1024 High Performance Doors; Models EPD1024 & EPI1024 (Insulated)	2	\$60,796.25	\$121,592.50
Labor for removal of existing and installation of new doors and operators	1	\$21,000	\$ 21,000
Other charges (if applicable)	1	\$14,078.46	\$14,078.46

OR

In the event an alternative is quoted, please complete the following:

DESCRIPTION	QTY	RATE	TOTAL
<i>(Description of alternative Overhead Door)</i>			\$
Labor for removal of existing and installation of new doors and operators			\$
Other charges (if applicable)			\$

*\$156,670.96*

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David Feldpausch  
Director



Amy Chapman  
Deputy Director

1911 Tooley Rd \* Howell, MI 48855  
Business (517) 546-6220 \* Fax (517) 546-6788 \* Emergency 911  
[www.livgov.com](http://www.livgov.com)

## Memorandum

To: Livingston County Board of Commissioners  
Fr: David Feldpausch, EMS Director  
Date: 03-09-2023  
Re: Resolution Authorizing overhead door replacement contract & bid approval

In the EMS department we have been struggling for years with overhead doors that fail on a regular basis. Despite a new maintenance vendor and program these doors continue to fail on a regular basis. This leaves us with very high maintenance expenses, and most importantly to me, the risk of both doors failing at the same time and having our assets trapped inside. When one door is down the other takes on twice as much use compounding the risk.

These doors were simply not designed to handle the number of cycles that we put on them and after countless repairs an upgrades they continue to fail a continue to cost a small fortune to maintain.

We heard that the drain commission had roll up doors on the Heartland facility and we visited it to see firsthand how they looked an operated. We were very impressed and these door have high volume usage and have withstood the use with little to no issue. We requested estimates to replace our doors with a product using the same specifications.

Unfortunately, our budget simply could not absorb the expense, so it was submitted as a capital improvement project last year. This project received a lot of support by the review committee and was placed on the list for 2023 for which I am very grateful.

As soon as the budget was approved, we started the RFP process following the County Procurement Policy. Using Co Pro, we sought input form Facility Service as well as the Drian Commission on this project as they both have valuable experience that helped us come up with the best process and review possible. We recently completed a recommendation of the approval of both vendors that submitted proposals. My first resolution is to request the approval and award of the bid for overhead door replacement. I also have a second resolution requesting the purchase of the two-overhead door at the Main EMS station.

We are recommending the low bid form Amerivet Services who does our current overhead door repair and maintenance. Hey have been great to work with and have been very responsive to our needs as a 24/7 public safety organization. As stated in the resolution the 2023 CIP budget included \$180,000 for this project and this bid is well under that at \$149,660.00.

As always if you have any questions or comments, I always welcome them.

David Feldpausch  
[dfeldpausch@livgov.com](mailto:dfeldpausch@livgov.com)  
517/294-1853



**RESOLUTION**

**NO:** [Title]

**LIVINGSTON COUNTY**

**DATE:** Click or tap to enter a date.

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**Resolution Authorizing the Acceptance of the Bids for Overhead Door Replacement –  
Emergency Medical Services Department**

**WHEREAS,** the county has an ongoing need to replace overhead doors as they reach their end of life or become too costly to maintain; and

**WHEREAS,** in accordance with the County's Procurement Policy, a formal bid process was performed with CoPro and submitted proposals were evaluated; and

**WHEREAS,** the process resulted in a recommendation to accept the bids from both proposals received. Allied Building Services and Amerivet Services LLC. If approved both vendors will be awarded a one-year contract with 4 additional 1-year renewals; and

**WHEREAS,** each purchase under this agreement will still follow the approved county procurement policy; and

**WHEREAS,** these awards will be posted as cooperative agreements by Livingston county for other municipalities to use.

**THEREFORE BE IT RESOLVED,** that the Livingston County Board of Commissioners hereby authorize Livingston County to host overhead door replacement contracts with the Michigan Association of Counties which would allow other Counties and entities the ability to enter into an agreement with Allied Building Services and Amerivet Services LLC, on an as-needed basis, for a one (1) year term with options for four (4) additional one-year renewals for a total contract period not to exceed five (5) years.

**BE IT FURTHER RESOLVED** that the Chairman of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, renewals, and future amendments for monetary and contract language adjustments related to the above upon review and/or preparation of Civil Counsel.

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**MOVED:  
SECONDED:  
CARRIED:**



David Feldpausch  
Director



Amy Chapman  
Deputy Director

1911 Tooley Rd \* Howell, MI 48855  
Business (517) 546-6220 \* Fax (517) 546-6788 \* Emergency 911  
[www.livgov.com](http://www.livgov.com)

## Memorandum

To: Livingston County Board of Commissioners  
Fr: David Feldpausch, EMS Director  
Date: 03-09-2023  
Re: Resolution Authorizing overhead door replacement contract & bid approval

In the EMS department we have been struggling for years with overhead doors that fail on a regular basis. Despite a new maintenance vendor and program these doors continue to fail on a regular basis. This leaves us with very high maintenance expenses, and most importantly to me, the risk of both doors failing at the same time and having our assets trapped inside. When one door is down the other takes on twice as much use compounding the risk.

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We heard that the drain commission had roll up doors on the Heartland facility and we visited it to see firsthand how they looked an operated. We were very impressed and these door have high volume usage and have withstood the use with little to no issue. We requested estimates to replace our doors with a product using the same specifications.

Unfortunately, our budget simply could not absorb the expense, so it was submitted as a capital improvement project last year. This project received a lot of support by the review committee and was placed on the list for 2023 for which I am very grateful.

As soon as the budget was approved, we started the RFP process following the County Procurement Policy. Using Co Pro, we sought input form Facility Service as well as the Drian Commission on this project as they both have valuable experience that helped us come up with the best process and review possible. We recently completed a recommendation of the approval of both vendors that submitted proposals. My first resolution is to request the approval and award of the bid for overhead door replacement. I also have a second resolution requesting the purchase of the two-overhead door at the Main EMS station.

We are recommending the low bid form Amerivet Services who does our current overhead door repair and maintenance. Hey have been great to work with and have been very responsive to our needs as a 24/7 public safety organization. As stated in the resolution the 2023 CIP budget included \$180,000 for this project and this bid is well under that at \$149,660.00.

As always if you have any questions or comments, I always welcome them.

David Feldpausch  
[dfeldpausch@livgov.com](mailto:dfeldpausch@livgov.com)  
517/294-1853





**Bid Synopsis  
For  
Overhead Door Replacement & Installation**

RFQu Issued & Publicly Posted: 01/23/2023	Public Postings: Livingston Co. Website (livgov.com) BidNet (bidnetdirect.com/mitn)
Solicitation: RFQu-LC-23-01	
RFQu Due Date: 02/24/2023	Proposals Received: 2

The Evaluation Committee has completed evaluation of the proposals received for the Request for Qualifications referenced above. The award is being recommended for a period of one (1) base year, with the potential for four (4) additional one-year renewals at the discretion of the County, for a total contract period not to exceed five (5) years.

The RFQu was publicly posted. Two responses were received as follows:

1. Allied Building Service Company of Detroit, Inc.
2. Amerivet Services LLC

Both bidders submitted their responses within the timeframe outlined in the RFQu, and both met the minimum qualifications.

After internal discussions and discussions with the Michigan Association of Counties CoPro+ Program staff, it is being recommended that Livingston County host contracts for Overhead Door Replacement & Installation on behalf of the CoPro+ Program. It was determined that Allied Building Service Company of Detroit, Inc. and Amerivet Services LLC are both qualified to provide these services, and there has been interest from other governmental entities in this program.

The resulting contracts will be available to any Michigan public governmental entity (county, city, township, etc.) and will offer a means for these entities to receive services without duplicating the bid process. Livingston County would have the option to utilize these contracts as much or as little as needed.



RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

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**Resolution Authorizing the Purchase a Trimble X7 3D Scanner and Distribution of American Rescue Plan Act (ARPA) Funding – Sheriff’s Office**

**WHEREAS,** Resolution 2022-12-192 outlined a plan for the strategic use and distribution of American Rescue Plan Act (ARPA) funding; and

**WHEREAS,** a total of \$1,750,000 of ARPA funding was identified for the Livingston County Sheriff’s Office for projects; and

**WHEREAS,** the Sheriff’s Office is requesting \$46,451 of this allocation for the purpose of purchasing a Trimble X7 3D scanner. The scanner allows for long-range capturing, measuring and reproduction of crime and crash scenes. It is operated by a single person which will reduce personnel cost and time spent documenting crash and crime scenes. The system also allows for the capture of more information on scene in less time than traditional methods of hand sketching and measuring; and

**WHEREAS,** this is an eligible use of ARPA funding and will be listed under the *Expenditure Category: 6.1 / Provision of Government Services* for federal reporting purposes.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes the use of \$46,451 of ARPA funds for the purchase of a Trimble X7 3D scanner, from Seiler Geospatial, for the purpose of more efficiently capturing, measuring and reproducing models of crime and crash scenes.

**BE IT FURTHER RESOLVED** that the Chair of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, and future amendments with contract language adjustments related to above upon review and/or preparation by Civil Counsel.

**BE IT FURTHER RESOLVED** that the Board of Commissioners authorizes any budget amendments need to effectuate this project.

**BE IT FURTHER RESOLVED** that from the date of approval of this resolution until the project is completed, as outlined in Resolution 2022-12-192, the Sheriff’s Office shall provide a written update on the status of the project every three (3) months and shall present, in person, to the Finance and Asset Management Committee every six (6) months until the project is complete.

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**MOVED:  
SECONDED:  
CARRIED:**





Last updated 1/22/2023

## **Livingston County**

# **ARPA Local Fiscal Recovery Fund Project Information Form**

### **Local Fiscal Recovery Fund Resources**

- [Final Rule](#), January 2022, effective April 2022: Finalized version of the interim final rule, with amendments. Implements the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act.
- [Compliance and Reporting Guidance](#), version 4.2, updated August 2022: Guidance that reflects the Final Rule, as opposed to the Interim Final Rule (May 2021) and provides clarity on recipient's compliance and reporting responsibilities, such as statutory eligible uses and award terms and conditions.
- [Overview of the Final Rule](#), January 2022: Provides a summary of major provisions of the final rule and should be used as a simplified user guide; does not include all funding requirements.
- [Project and Expenditure Report User Guide](#), version 3.1, updated July 2022: Provides information on using the Treasury's Portal to submit SFRF Project and Expenditure Reports; supplement to the Compliance and Reporting Guidance. Guidehouse is primarily responsible for understanding this user guide, but FAQs on page 106 may be of general interest.
- [Frequently Asked Questions](#), updated July 2022: Based on final rule and offers guidance on eligible uses.

### **Definitions**

- **Project:** A project is a grouping of closely related activities that together are intended to achieve a specific goal or directed toward a common purpose. Recipients have the flexibility to define their projects in a way that provides the greatest clarity on the work which will be performed.
- **Expenditure Category:** Each project for which SFRF funds were used should be scoped to align to a single Expenditure Category. There may be multiple projects assigned to a single Expenditure Category. Required programmatic data varies based on the project's assigned Expenditure Category.
- **Obligations:** An obligation is an order placed - such as a contract - and similar transactions that require payment (e.g., grant, loan, or other arrangement).
- **Expenditures:** An expenditure is the amount that has been incurred as a liability of the entity (the service has been rendered or the good has been delivered to the entity and payment is due)
- **Subaward:** An award provided by the Recipient to a subrecipient for the subrecipient to carry out part of a Federal award received by the Recipient. A subaward may be provided through any form of legal agreement, including an agreement that the Recipient





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considers a contract. For reporting purposes, subaward types include contracts, grants, loans, direct payments, or government transfers.

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**Project Name:** LCSO 3D Scanner – Trimble X7

**County Department or Organization Making Request:** Sheriff's Office

**Primary Contact/Project Owner**

Name: Chad Sell  
Title: Sergeant  
Email: csell@livgov.com  
Phone: 517-861-7168

**Estimated Cost:** \$46,451

**Estimated Project Timeline**

System available for immediate purchase from provider

**Implementing Entity (Department, Agency, Organization):** Sheriff's Office

**Project Description to include impact of COVID-19, intended impact of project, and general description of services** (50-250 words) (Project leaders are encouraged to provide the County with any additional materials to describe their projects)

This project is to purchase a Trimble X7 3D scanner from Seiler Geospatial. The scanner allows for long range capturing, measuring and reproduction of crime and crash scenes. It is operated by a single person which will reduce personnel cost and time spent documenting crash and crime scenes. The system also allows for the capture of more information on scene in less time than traditional methods of hand sketching and measuring.

**What was the harm caused by COVID to justify this project?**

COVID continues to be a highly transmittable virus. Due to social distancing this equipment is operated by a single person at a time to record crime / crash scenes. Documenting crime / crash scenes traditionally involves multiple people in close proximity to one another to record and document evidence. A purchase of the 3D scanner will allow department personnel to social distance from one another during the tedious job of documenting crime / crash scenes while not compromising investigations.

**How does this project address the impact from COVID-19?**

This project will provide state of the art equipment for recording and preserving crime / crash scenes. A purchase of the 3D scanner will allow department personnel to social distance from one another during the tedious job of documenting crime / crash scenes while not compromising investigations.

**Describe who the beneficiaries of this project are perceived to be.**

Sheriff's Office Personnel; crime victims





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**Is this a new project or an expansion of an existing project? If existing, please explain the purpose of the expansion.**

New Project

**Describe the structure of the program (i.e. what is the flow of the funding, are there any contractors/subrecipients/beneficiaries?)** (see Appendix C for information on non-Federal entities)

The equipment will be purchased through Seiler Geospatial who is a local dealer of Trimble equipment. Seiler Geospatial has offices in Wixom and Lansing and has been a trusted vendor with excellent customer service used by LCSO in the past. Trimble products are price controlled for dealers and it is a sole source product for the cost of the 3D scanner.

**Will this project involve capital expenses?**

Yes ☐

No ☒

Describe how the investment creates a lasting impact to improve economic, environmental, social and health outcomes for residents.

Less money spent on health-related costs, less employee hours lost, due to the spread of Covid-19.

Describe how this project will leverage funds from other public, private, and non-profit sources. (if applicable)

N/A

Describe the financial sustainability plan for the years beyond County funding. (if applicable)

The purchase of this equipment will require no additional funding for 3 years. After 3 years the equipment will only require a small financial requirement for software maintenance which is already used and paid for through the Sheriff's Office budget.

### **Accountability Measures**

What are the performance indicators (inputs, outputs, outcomes) that the project would track to measure impact?

Amount times per year equipment is utilized.

Describe the internal controls (e.g., process documentation, procurement) that will be used to ensure use of funds is consistent with SLFRF guidance. Who will be responsible for data collection, compliance, and reporting for this project?

Sgt. Sell





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For projects addressing negative economic impacts and serving impacted or disproportionately impacted communities, as defined in the Final Rule (**see Appendices A and B**).

Does the project target any populations, demographics, and/or geographic regions presumed to be *impacted* by COVID-19?

*Enter Answer to the Above Question Here*

- (a) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 300 percent of the Federal Poverty Guidelines, or (2) at or below 65 percent of the AMI for Livingston County?

*Enter Answer to the Above Question Here*

- (b) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix B, number 2?

*Enter Answer to the Above Question Here*

Does the project target any populations, demographics, and/or geographic regions presumed to be **disproportionately impacted** by COVID-19?

*Enter Answer to the Above Question Here*

- (c) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 185 percent of the Federal Poverty Guidelines, or (2) at or below 40 percent of the AMI for Livingston County?

*Enter Answer to the Above Question Here*

- (d) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix C, number 2?

*Enter Answer to the Above Question Here*





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## Appendix A: Guidelines for Identifying *Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>1</sup> is at or below 65 percent of Livingston County's Area Median Income or at or below 300 percent of the Federal Poverty Guidelines.<sup>2</sup>

Size of household	Moderate income		
	65% AMI	300% FPG	Threshold
1	45,435	38,640	38,640
2	51,935	52,260	52,260
3	58,435	65,880	65,880
4	64,870	79,500	79,500
5	70,070	93,120	93,120

<sup>1</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 17. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>2</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





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6	75,270	106,740	106,740
7	80,470	120,360	120,360
8	85,670	133,980	133,980

2. The primary intended beneficiaries are eligible for any of the following federal programs:
- a. Children's Health Insurance Program (CHIP)
  - b. Childcare Subsidies through the Child Care and Development Fund (CCDF) Program
  - c. Medicaid
  - d. National Housing Trust Fund (HTF), for affordable housing programs only
  - e. Home Investment Partnerships Program (HOME), for affordable housing programs only





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## Appendix B: Guidelines for Identifying *Disproportionately Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was disproportionately impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>3</sup> is at or below 40 percent of Muskegon County's Area Median Income or at or below 185 percent of the Federal Poverty Guidelines.<sup>4</sup>

Size of household	Low income		
	40% AMI	185% FPG	Threshold
1	27,960	23,828	27,960
2	31,960	32,227	32,227
3	35,960	40,626	40,626
4	39,920	49,025	49,025
5	43,120	57,424	57,424
6	46,320	65,823	65,823
7	49,520	74,222	74,222
8	52,720	82,621	82,621

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Temporary Assistance for Needy Families (TANF)
  - b. Supplemental Nutrition Assistance Program (SNAP)
  - c. Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs
  - d. Medicare Part D Low-income Subsidies Supplemental Security Income (SSI)
  - e. Subsidies Supplemental Security Income (SSI)
  - f. Head Start and/or Early Head Start
  - g. Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - h. Section 8 Vouchers
  - i. Low-Income Home Energy Assistance Program (LIHEAP)
  - j. Pell Grants

<sup>3</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 19. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>4</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





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3. The primary intended beneficiaries live in a Qualified Census Tract (QCT) (Low-Income Housing Tax Credit Qualified Census Tracts must have 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more.) **Note – there are no QCTs in Livingston County, MI** (<https://www.huduser.gov/portal/datasets/qct.html#2022>)





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## Appendix C: Non-Federal Entities

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

A key part of compliance with Uniform Guidance is subrecipient monitoring. As part of administering SLFRF, it is critical that non-Federal entities<sup>5</sup> are properly identified. Appropriate classification is important as it impacts procurement and subrecipient monitoring requirements. If you are unsure of a non-Federal entity’s classification, please contact Guidehouse for additional resources.

In determining whether an agreement between the County and a non-Federal entity casts the latter as a subrecipient, contractor, or beneficiary, the substance of the relationship is more important than the form of the agreement. *All of the characteristics listed below may not be present in all cases, and the County must use judgment in classifying each agreement as a subaward or a procurement contract.*

The three classifications of recipients are as follows:

**Subrecipient:** A subaward for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship. Characteristics include:

- (1) Determines who is eligible to receive Federal assistance;
- (2) Has its performance measured in relation to whether objectives of a federal program were met;
- (3) Has responsibility of programmatic decision-making;
- (4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; **and**
- (5) In accordance with it’s agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the [County].<sup>6</sup>

**Contractor:** A contract is for the purpose of obtaining goods and service for the non-Federal entity’s own use and creates a procurement relationship. Characteristics include:

- (1) Provides the goods and services within normal business operations;
  - (2) Provides similar goods or services to many different purchasers;
  - (3) Normally operates in a competitive environment;
  - (4) Provides goods or services that are ancillary to the operation of the Federal program;
- and**

<sup>5</sup> Note: Non-Federal entity refers to subrecipients, contractors, and beneficiaries. Final Rule generally refers to anyone receiving a payment from the County as a “subrecipient.” In the Public Health and Economic Impacts sections, the Final Rule does identify eligible beneficiaries as part of the distinctions between the general public, impacted, and disproportionately impacted. In the reporting guidance and reports, all non-Federal entities are jointly referred to as “subrecipients.”

<sup>6</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>





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- (5) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.<sup>7</sup>

**Beneficiaries:** Households, small businesses, or nonprofits that receive assistance based on impacts of the pandemic that they experienced.<sup>8</sup> Beneficiaries are not subject to audit pursuant to the Single Audit Act and 2 C.F.R. Part 200, Subpart F.

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<sup>7</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>

<sup>8</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>





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## Appendix D: Capital Expenditures

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

The SLFRF Final Rule adopts several definitions from the Uniform Guidance including for capital expenditures, capital assets, equipment, and supplies. These definitions are noted below:<sup>9</sup>

- **Capital expenditure:** Expenditure to acquire capital assets or to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life
- **Capital asset:** Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with Generally Accepted Accounting Principles (GAAP); includes lands, facilities, equipment, and intellectual property
- **Equipment:** Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000

*Supplies, meaning all tangible personal property other than those included as “equipment,” are not considered capital expenditures.*

Recipients may also use SLFRF funds for pre-project development costs that are tied to or reasonably expected to lead to an eligible capital expenditure. For example, pre-project costs associated with planning and engineering for an eligible project are considered an eligible use of funds.

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<sup>9</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>



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**GUIDEHOUSE ELIGIBILITY ASSESSMENT**

<b>Project Name</b>	LCSO 3D Scanner – Trimble X7
<b>Estimated Cost</b>	\$46,451
<b>Risk Level (for non-revenue loss categories)</b>	Low
<b>LFRF Supporting Guidance</b>	N/A
<b>Proposed Expenditure Category</b>	EC 6.1 Provision of Government Services
<b>Disadvantaged Communities Requirement?</b>	N/A
<b>Other potential reporting requirements</b>	<p>If EC 6.1 is used:</p> <ul style="list-style-type: none"> <li>• Obligations and Expenditures</li> <li>• Project Status <ul style="list-style-type: none"> <li>○ <i>Not Started</i></li> <li>○ <i>Completed less than 50 percent</i></li> <li>○ <i>Completed 50 percent or more</i></li> <li>○ <i>Completed</i></li> </ul> </li> <li>• Project Description</li> </ul>
<b>Recommendations/Concerns</b>	N/A
Additional information requests	N/A



RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

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**Resolution Approving the Purchase of a Mobile Fingerprint Readers and Distribution of American Rescue Plan Act (ARPA) Funding– Livingston County Sheriff's Office**

**WHEREAS,** Resolution 2022-12-192 outlined a plan for the strategic use and distribution of American Rescue Plan Act (ARPA) funding; and

**WHEREAS,** a total of \$1,750,000 of ARPA funding was identified for the Livingston County Sheriff's Office for projects; and

**WHEREAS,** the Sheriff's Office is requesting \$6,484 of this allocation for the purpose of purchasing new mobile fingerprint readers. The current readers are no longer compliant with the Federal Bureau of Investigation's Criminal Justice Information Services guidelines and must be replaced; and

**WHEREAS,** this is an eligible use of ARPA funding and will be listed under the *Expenditure Category: 6.1 / Provision of Government Services* for federal reporting purposes.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the \$6,484 in ARPA funds to purchase new mobile fingerprint readers for the purpose of more efficiently identifying personnel involved with the Sheriff's office and remaining compliant with common law enforcement standards.

**BE IT FURTHER RESOLVED** that the Board of Commissioners authorizes any budget amendments need to effectuate this project.

**BE IT FURTHER RESOLVED** that from the date of approval of this resolution until the project is completed, as outlined in Resolution 2022-12-192, the Sheriff's Office shall provide a written update on the status of the project every three (3) months and shall present, in person, to the Finance and Asset Management Committee every six (6) months until the project is complete.

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**MOVED:  
SECONDED:  
CARRIED:**



**GUIDEHOUSE ELIGIBILITY ASSESSMENT**

<b>Project Name</b>	Mobile Fingerprint Readers
<b>Estimated Cost</b>	\$6,484
<b>Risk Level (for non-revenue loss categories)</b>	Low
<b>LFRF Supporting Guidance</b>	N/A
<b>Proposed Expenditure Category</b>	EC 6.1 Provision of Government Services
<b>Disadvantaged Communities Requirement?</b>	N/A
<b>Other potential reporting requirements</b>	<p>If EC 6.1 is used:</p> <ul style="list-style-type: none"> <li>• Obligations and Expenditures</li> <li>• Project Status <ul style="list-style-type: none"> <li>○ <i>Not Started</i></li> <li>○ <i>Completed less than 50 percent</i></li> <li>○ <i>Completed 50 percent or more</i></li> <li>○ <i>Completed</i></li> </ul> </li> <li>• Project Description</li> </ul>
<b>Recommendations/Concerns</b>	N/A
Additional information requests	N/A





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### **Definitions**

- **Project:** A project is a grouping of closely related activities that together are intended to achieve a specific goal or directed toward a common purpose. Recipients have the flexibility to define their projects in a way that provides the greatest clarity on the work which will be performed.
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- **Obligations:** An obligation is an order placed - such as a contract - and similar transactions that require payment (e.g., grant, loan, or other arrangement).
- **Expenditures:** An expenditure is the amount that has been incurred as a liability of the entity (the service has been rendered or the good has been delivered to the entity and payment is due)
- **Subaward:** An award provided by the Recipient to a subrecipient for the subrecipient to carry out part of a Federal award received by the Recipient. A subaward may be provided through any form of legal agreement, including an agreement that the Recipient





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considers a contract. For reporting purposes, subaward types include contracts, grants, loans, direct payments, or government transfers.

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**Project Name:** Mobile Fingerprint Readers

**County Department or Organization Making Request:** Sheriff's Office

**Primary Contact/Project Owner**

Name: Eric Sanborn

Title: Lieutenant

Email: esanborn@livgov.com

Phone: 517-540-7903

**Estimated Cost:** \$6,484.00

**Estimated Project Timeline**

April/May 2023

**Implementing Entity (Department, Agency, Organization):** Sheriff's Office

**Project Description to include impact of COVID-19, intended impact of project, and general description of services** (50-250 words) (Project leaders are encouraged to provide the County with any additional materials to describe their projects)

We have been using mobile fingerprint readers for several years. Now we have been informed that our devices are no longer CJIS compliant and need to be upgraded. This is to keep us from bringing unidentified people to the jail to fingerprint and identify, thus reducing the possibility of the spread of Covid 19 to our staff and within the jail. This will also increase safety of the officers to be able to identify the individuals they are dealing with.

**What was the harm caused by COVID to justify this project?**

Bringing unidentified people into the jail to fingerprint and expose staff and the facility to outbreaks.

**How does this project address the impact from COVID-19?**

The ability to have less contact with individuals and bringing them into a sanitary environment.

**Describe who the beneficiaries of this project are perceived to be.**

The Field Services Deputies, the Corrections deputies, the civilian staff, the inmates, and the individuals themselves.

**Is this a new project or an expansion of an existing project? If existing, please explain the purpose of the expansion.**

This is existing, not as much as an expansion as a replacement for devices that are no longer CJIS compliant. Originally, this was meant to expand the number of these devices to reduce the amount of unnecessary contact and transport.





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**Describe the structure of the program (i.e. what is the flow of the funding, are there any contractors/subrecipients/beneficiaries?)** (see Appendix C for information on non-Federal entities)

No there are not. This is equipment to benefit this office and people served by this office.

**Will this project involve capital expenses?**

Yes ☐

No ☒

Describe how the investment creates a lasting impact to improve economic, environmental, social and health outcomes for residents.

This avoids unnecessary risks to the Officer as well as the people. Reduced exposure to possible Covid-19 and reduced transports and contact with officers.

Describe how this project will leverage funds from other public, private, and non-profit sources. (if applicable)

N/A

Describe the financial sustainability plan for the years beyond County funding. (if applicable)

The only ongoing costs after the 3 years would be maintenance which is budgeted for yearly.

### **Accountability Measures**

What are the performance indicators (inputs, outputs, outcomes) that the project would track to measure impact?

Amount of uses and the amount of unrequired transports and exposure to the jail

Describe the internal controls (e.g., process documentation, procurement) that will be used to ensure use of funds is consistent with SLFRF guidance. Who will be responsible for data collection, compliance, and reporting for this project?

Lt. Sanborn LCSO

For projects addressing negative economic impacts and serving impacted or disproportionately impacted communities, as defined in the Final Rule **(see Appendices A and B)**.

Does the project target any populations, demographics, and/or geographic regions presumed to be *impacted* by COVID-19?

No, it is beneficial to all groups impacted by Covid-19.





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- (a) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 300 percent of the Federal Poverty Guidelines, or (2) at or below 65 percent of the AMI for Livingston County?

*Enter Answer to the Above Question Here*

- (b) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix B, number 2?

*Enter Answer to the Above Question Here*

Does the project target any populations, demographics, and/or geographic regions presumed to be **disproportionately impacted** by COVID-19?

*Enter Answer to the Above Question Here*

- (c) Would the eligibility requirements for the program or service be such that the primary intended beneficiaries' income is (1) at or below 185 percent of the Federal Poverty Guidelines, or (2) at or below 40 percent of the AMI for Livingston County?

*Enter Answer to the Above Question Here*

- (d) Does the project target individuals eligible for any of the qualifying federal programs listed in Appendix C, number 2?

*Enter Answer to the Above Question Here*





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## Appendix A: Guidelines for Identifying *Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>1</sup> is at or below 65 percent of Livingston County's Area Median Income or at or below 300 percent of the Federal Poverty Guidelines.<sup>2</sup>

Size of household	Moderate income		
	65% AMI	300% FPG	Threshold
1	45,435	38,640	38,640
2	51,935	52,260	52,260
3	58,435	65,880	65,880
4	64,870	79,500	79,500
5	70,070	93,120	93,120
6	75,270	106,740	106,740
7	80,470	120,360	120,360
8	85,670	133,980	133,980

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Children's Health Insurance Program (CHIP)

<sup>1</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 17. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>2</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





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- b. Childcare Subsidies through the Child Care and Development Fund (CCDF) Program
- c. Medicaid
- d. National Housing Trust Fund (HTF), for affordable housing programs only
- e. Home Investment Partnerships Program (HOME), for affordable housing programs only





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## Appendix B: Guidelines for Identifying *Disproportionately Impacted* Households or Communities

Based on the SLFRF Final Rule, recipients may presume that an individual, household, or community was disproportionately impacted by the pandemic and eligible for the associated services enumerated in the rule if any of the following criteria are met:

1. The primary intended beneficiaries' income<sup>3</sup> is at or below 40 percent of Muskegon County's Area Median Income or at or below 185 percent of the Federal Poverty Guidelines.<sup>4</sup>

Size of household	Low income		
	40% AMI	185% FPG	Threshold
1	27,960	23,828	27,960
2	31,960	32,227	32,227
3	35,960	40,626	40,626
4	39,920	49,025	49,025
5	43,120	57,424	57,424
6	46,320	65,823	65,823
7	49,520	74,222	74,222
8	52,720	82,621	82,621

2. The primary intended beneficiaries are eligible for any of the following federal programs:
  - a. Temporary Assistance for Needy Families (TANF)
  - b. Supplemental Nutrition Assistance Program (SNAP)
  - c. Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs
  - d. Medicare Part D Low-income Subsidies Supplemental Security Income (SSI)
  - e. Subsidies Supplemental Security Income (SSI)
  - f. Head Start and/or Early Head Start
  - g. Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - h. Section 8 Vouchers
  - i. Low-Income Home Energy Assistance Program (LIHEAP)
  - j. Pell Grants

<sup>3</sup> "Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community." Overview of the Final Rule, p. 19. <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

<sup>4</sup> Thresholds from the U.S. Treasury's Tool for Determining Low and Moderate Income (LMI) Households. Last updated February 2022. <https://home.treasury.gov/system/files/136/SLFRF-LMI-tool.xlsx>





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3. The primary intended beneficiaries live in a Qualified Census Tract (QCT) (Low-Income Housing Tax Credit Qualified Census Tracts must have 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more.) **Note – there are no QCTs in Livingston County, MI** (<https://www.huduser.gov/portal/datasets/qct.html#2022>)





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## Appendix C: Non-Federal Entities

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

A key part of compliance with Uniform Guidance is subrecipient monitoring. As part of administering SLFRF, it is critical that non-Federal entities<sup>5</sup> are properly identified. Appropriate classification is important as it impacts procurement and subrecipient monitoring requirements. If you are unsure of a non-Federal entity’s classification, please contact Guidehouse for additional resources.

In determining whether an agreement between the County and a non-Federal entity casts the latter as a subrecipient, contractor, or beneficiary, the substance of the relationship is more important than the form of the agreement. *All of the characteristics listed below may not be present in all cases, and the County must use judgment in classifying each agreement as a subaward or a procurement contract.*

The three classifications of recipients are as follows:

**Subrecipient:** A subaward for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship. Characteristics include:

- (1) Determines who is eligible to receive Federal assistance;
- (2) Has its performance measured in relation to whether objectives of a federal program were met;
- (3) Has responsibility of programmatic decision-making;
- (4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; **and**
- (5) In accordance with it’s agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the [County].<sup>6</sup>

**Contractor:** A contract is for the purpose of obtaining goods and service for the non-Federal entity’s own use and creates a procurement relationship. Characteristics include:

- (1) Provides the goods and services within normal business operations;
  - (2) Provides similar goods or services to many different purchasers;
  - (3) Normally operates in a competitive environment;
  - (4) Provides goods or services that are ancillary to the operation of the Federal program;
- and**

<sup>5</sup> Note: Non-Federal entity refers to subrecipients, contractors, and beneficiaries. Final Rule generally refers to anyone receiving a payment from the County as a “subrecipient.” In the Public Health and Economic Impacts sections, the Final Rule does identify eligible beneficiaries as part of the distinctions between the general public, impacted, and disproportionately impacted. In the reporting guidance and reports, all non-Federal entities are jointly referred to as “subrecipients.”

<sup>6</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>





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- (5) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.<sup>7</sup>

**Beneficiaries:** Households, small businesses, or nonprofits that receive assistance based on impacts of the pandemic that they experienced.<sup>8</sup> Beneficiaries are not subject to audit pursuant to the Single Audit Act and 2 C.F.R. Part 200, Subpart F.

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<sup>7</sup> <https://www.law.cornell.edu/cfr/text/2/200.331>

<sup>8</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>





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## Appendix D: Capital Expenditures

The Local Fiscal Recovery Funds are subject to 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”). Uniform Guidance provide recipients of federal grants a set of standards related to procurement, internal controls, subrecipient monitoring, auditing practices, and more.

The SLFRF Final Rule adopts several definitions from the Uniform Guidance including for capital expenditures, capital assets, equipment, and supplies. These definitions are noted below:<sup>9</sup>

- **Capital expenditure:** Expenditure to acquire capital assets or to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life
- **Capital asset:** Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with Generally Accepted Accounting Principles (GAAP); includes lands, facilities, equipment, and intellectual property
- **Equipment:** Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000

*Supplies, meaning all tangible personal property other than those included as “equipment,” are not considered capital expenditures.*

Recipients may also use SLFRF funds for pre-project development costs that are tied to or reasonably expected to lead to an eligible capital expenditure. For example, pre-project costs associated with planning and engineering for an eligible project are considered an eligible use of funds.

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<sup>9</sup> <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>



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