

# LIVINGSTON COUNTY BOARD OF COMMISSIONERS

## MEETING MINUTES



July 25, 2022, 6:00 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>

Members Present: Wes Nakagiri, Carol Griffith, Martin Smith, Carol Sue Reader, Douglas Helzerman, Jay Drick, Jay Gross, Brenda Plank

Members Absent: Mitchell Zajac

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### 1. CALL MEETING TO ORDER

The meeting was called to order by Chairman Wes Nakagiri at 6:00 p.m.

### 2. MOMENT OF SILENT REFLECTION

### 3. PLEDGE OF ALLEGIANCE TO THE FLAG

All rose for the Pledge of Allegiance to the Flag of the United States of America.

### 4. ROLL CALL

Roll call by the Deputy Clerk indicated the presence of a quorum.

### 5. CORRESPONDENCE

#### 5.a Calhoun County

Resolution Opposing HB 4730 (2021) - Zillow Bill

#### 5.b Gogebic County

Resolution 2022-7 Opposing Michigan House Bills 4729, 4730, 4731, & 4732

#### 5.c Gogebic County

Resolution 2022-8 Opposing the Proposed Wagner-Peyser Act Rule Change

#### 5.d Jackson County

A Resolution Opposing Michigan House Bills 4729, 4730, 4731, 4732

#### 5.e Lake County

Resolution 2022-06 Opposing Michigan House Bills 4729, 4730, 4731, and 4732

#### 5.f Leelanau County

Resolution 2022-008 in Opposition to Michigan House Bills 4729, 4730, 4731, and 4732

#### 5.g Mecosta County

Resolution 2022-11 Amending Fee Cap for Home Health Providers Under No-Fault

**5.h     Ontonagon County**

Resolution 2022-04 Opposing Michigan House Bills 4729, 4730, 4731, & 4732

Motion to receive and place on file the Correspondence.

It was moved by J. Gross  
Seconded by B. Plank

Yes (8): J. Gross, C. Griffith, W. Nakagiri, M. Smith, C. Reader, D. Helzerman, J. Drick, and  
B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

**6.     CALL TO THE PUBLIC**

The following persons addressed the Board: Bill Grubb, Conway Township; Linda Walker, Unadilla Township; Ed Alverson, Handy Township; Joe Parker, Iosco Township; Dennis Brennan, Putnam Township; Bob Hanvey, Marion Township; Leo Hanifin, Brighton Township, shared a booklet with the Commissioners; Chuck Wright, Handy Township; Ramon Baca, Marion Township; Alisa Davis, City of Brighton; Mark Fosdick, Cohoctah Township; and Lori Cowan, Unadilla Township.

**7.     APPROVAL OF MINUTES**

**7.a     Minutes of meeting dated: July 11, 2022**

Motion to approve the Minutes as presented.

It was moved by D. Helzerman  
Seconded by C. Griffith

Yes (8): D. Helzerman, J. Gross, C. Griffith, W. Nakagiri, M. Smith, C. Reader, J. Drick, and  
B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

**8.     TABLED ITEMS FROM PREVIOUS MEETINGS**

None.

**9.     APPROVAL OF AGENDA**

Motion to approve the Agenda as presented.

It was moved by C. Griffith  
Seconded by J. Gross  
Discussion.

Motion to amend the Agenda to add Resolution in Opposition of SB 597 and 598 Which Would Amend the Social Welfare Act and the Michigan Health Code - LCCMHA to the agenda under Resolutions for Consideration as 11.e.

It was moved by M. Smith  
Seconded by C. Reader

Yes (8): M. Smith, W. Nakagiri, C. Griffith, C. Reader, D. Helzerman, J. Drick, J. Gross, and  
B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION TO AMEND Carried (8-0-1)**

Motion to approve the amended Agenda.

It was moved by C. Griffith  
Seconded by J. Gross

Yes (8): C. Griffith, W. Nakagiri, M. Smith, C. Reader, D. Helzerman, J. Drick, J. Gross, and  
B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

## 10. REPORTS

Commissioner Helzerman remarked on the upcoming Primary Election.

Commissioner Gross echoed Commissioner Helzerman's comments.

Commissioner Smith reported that CSA, Hartland Township and Hartland Schools have partnered with the LCSO to provide a full-time officer who will monitor their schools year-round.

Commissioner Nakagiri echoed Commissioner Smith's comments.

## 11. RESOLUTIONS FOR CONSIDERATION

Resolutions 2022-07-106 through 2022-07-110

### 11.a 2022-07-106

Resolution to Certify Officer and Employee Delegates to the 2022 Municipal Employee's Retirement System Annual Conference

Motion to adopt the Resolution

It was moved by B. Plank

Seconded by C. Griffith

Yes (8): B. Plank, W. Nakagiri, C. Griffith, M. Smith, C. Reader, D. Helzerman, J. Drick, J. Gross; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

### 11.b 2022-07-107

Resolution Authorizing a Letter of Understanding Related to Overtime Worked on a Holiday and Shift Trades

Motion to adopt the Resolution

It was moved by J. Gross

Seconded by M. Smith

Discussion

Motion to Amend Letter of Understanding to add a will expire at the end of the term clause that will be drafted by legal counsel.

It was moved by D. Helzerman

Seconded by B. Plank

Yes (8): D. Helzerman, J. Gross, C. Griffith, W. Nakagiri, M. Smith, C. Reader, J. Drick, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION TO AMEND Carried (8-0-1)**

Motion to adopt the Resolution and amended Letter of Understanding.

It was moved by J. Gross

Seconded by M. Smith

Yes (8): J. Gross, C. Griffith, W. Nakagiri, M. Smith, C. Reader, D. Helzerman, J. Drick, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

**11.c 2022-07-108 (Roll Call Vote)**

Resolution Authorizing Submission of the FY 2023 Child Care Fund Budget to the State of Michigan

Motion to adopt the Resolution

It was moved by D. Helzerman

Seconded by B. Plank

Roll Call Vote: Yes (8): D. Helzerman, W. Nakagiri, C. Griffith, M. Smith, C. Reader, J. Drick, J. Gross, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

**11.d 2022-07-109**

Resolution to Amend the Job Description for the Health Officer Position

Motion to adopt the Resolution

It was moved by B. Plank

Seconded by D. Helzerman

Discussion.

Motion to amend the Health Officer Job Description, paragraph 16 to remove the words advises and consults and substitute with informs.

It was moved by C. Griffith

Seconded by M. Smith

Discussion.

**Commissioner Griffith WITHDRAWS her Motion**

Motion to amend the Health Officer Job Description, paragraph 16, to: Advises and consults with the County Administrator and informs the Board of Commissioners.

It was moved by C. Griffith

Seconded by C. Reader

Yes (8): W. Nakagiri, C. Griffith, M. Smith, C. Reader, D. Helzerman, J. Drick, J. Gross, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION TO AMEND Carried (8-0-1)**

Motion to amend the Health Officer Job Description to correct the MCL numbers in paragraph 15 to MCL 333.2262 and 2263.

It was moved by B. Plank

Seconded by J. Gross

Yes (8): W. Nakagiri, C. Griffith, M. Smith, C. Reader, D. Helzerman, J. Drick, J. Gross, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION TO AMEND Carried (8-0-1)**

Motion to amend the Health Officer Job Description, paragraph 15, to strike the entire paragraph and substitute with The Board of Commissioners endorse in those circumstances appropriate and applicable, the civil infraction and appeal provisions of MCL 333.2262 and 2263 be employed in lieu of criminal enforcement mechanisms.

It was moved by M. Smith  
Seconded by B. Plank  
Discussion.

Chairman Nakagiri calls for 5 minute recess at 7:18 p.m.

Meeting resumes at 7:24 p.m.

Yes (3): M. Smith, C. Griffith, B. Plank; No (5): W. Nakagiri, C. Reader, D. Helzerman, J. Drick, and J. Gross; Absent (1): M. Zajac

**MOTION TO AMEND Failed (3-5-1)**

Motion to adopt the amended Resolution.

It was moved by B. Plank  
Seconded by D. Helzerman

Yes (7): B. Plank, W. Nakagiri, C. Griffith, M. Smith, C. Reader, D. Helzerman, J. Drick;  
No (1): J. Gross; Absent (1): M. Zajac

**MOTION Carried (7-1-1)**

**11.e 2022-07-110**

Resolution Opposing SB 597 & 598 Which Would Amend the Social Welfare Act and the Michigan Mental Health Code

Motion to adopt the Resolution.

It was moved by D. Helzerman  
Seconded by C. Reader  
Discussion.

Yes (8): D. Helzerman, W. Nakagiri, C. Griffith, M. Smith, C. Reader, J. Drick, J. Gross, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

**12. ACCOUNTS PAYABLE REPORTS**

**12.a Claims dated: July 25, 2022**

**12.b Payables dated: July 2 through July 15, 2022**

Motion to approve the Claims and Payables Report.

It was moved by C. Griffith  
Seconded by B. Plank

Yes (8): C. Griffith, W. Nakagiri, M. Smith, C. Reader, D. Helzerman, J. Drick, J. Gross, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

**13. CALL TO THE PUBLIC**

The following persons addressed the Board: Linda Rozemarniewicz, Hamburg Township; Joe Parker, Iosco Township; Cherie LaRou, Green Oak Township; Mark Fosdick, Cohoctah Township and Commissioner Helzerman.

**14. ADJOURNMENT**

Motion to adjourn the meeting at 8:00 p.m.

It was moved by D. Helzerman

Seconded by J. Gross

Yes (8): W. Nakagiri, C. Griffith, M. Smith, C. Reader, D. Helzerman, J. Drick, J. Gross, and B. Plank; No (0): None; Absent (1): M. Zajac

**MOTION Carried (8-0-1)**

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Amy L. Kotesich, Deputy County Clerk