

# LIVINGSTON COUNTY BOARD OF COMMISSIONERS

## MEETING MINUTES



January 30, 2023, 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: Douglas Helzerman, David Domas, Frank Sample, Wes Nakagiri, Jay Drick, Roger Deaton, Martin Smith, Nick Fiani, Jay Gross

### 1. Call Meeting to Order

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

### 2. Moment of Prayer

### 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 Clerk indicated the presence of a quorum.

### 5. Approval of Agenda

Motion to approve the agenda as presented.

It was moved by D. Helzerman  
Seconded by F. Sample

Yes (9): D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, N. Fiani, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

### 6. Correspondence

#### 6.a Branch County

Resolution #2023-01 Objecting to the Reclassification of the Prairie River

Motion to receive and place on file the Correspondence.

It was moved by J. Gross  
Seconded by M. Smith

Yes (9): J. Gross, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and N. Fiani; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

### 7. Call to the Public

Bruce Hundley, Genoa Township; Ron Staley, Brighton; Randie Clawson, Howell; Katy Michalski, Genoa Township; and Wes Nakagiri, Hartland Township.

**8. Approval of Minutes**

**8.a Meeting Minutes dated: January 17, 2023**

Motion to approve the Minutes as presented.

It was moved by N. Fiani

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; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

**8.b Closed Session Minutes dated: January 3, 2023**

**8.c Closed Session Minutes dated: January 17, 2023**

Motion to approve the Minutes as amended to reflect members present instead of absent.

It was moved by D. Helzerman

Seconded by N. Fiani

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

**9. Tabled Items from Previous Meetings**

None.

**10. Reports**

None.

**11. Resolutions for Consideration**

**11.a 2023-01-013**

Resolution Authorizing Livingston County to Participate in the 2023 Statewide Tornado Drill - Emergency Management

Motion to adopt the Resolution.

It was moved by J. Drick

Seconded by D. Helzerman

Discussion

Yes (9): J. Drick, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, R. Deaton, M. Smith, N. Fiani, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

**12. Closed Session**

- Collective Bargaining Negotiations [MCL 15.268(c)]
- Discuss Written Legal Opinion [MCL 15.268(h)]

Motion to convene to Closed Session at 6:32 p.m. for the purpose of discussing collective bargaining negotiations [MCL 15.268 (c)] and a written legal opinion [MCL 15268(h)].

It was moved by N. Fiani

Seconded by F. Sample

Roll Call Vote: Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

Motion to return to Open Session at 8:14 p.m.

It was moved by N. Fiani  
Seconded by D. Domas

Yes (5): N. Fiani, D. Domas, F. Sample, J. Drick, and R. Deaton; No (4): D. Helzerman, W. Nakagiri, M. Smith and J. Gross; Absent (0): None

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

**13. Resolutions for Consideration Continued**

**13.a 2023-01-014**

Resolution 2023-01-14, Resolution Approving the Tentative Agreement for a Three (3) Year Agreement between the Livingston County Courts, the Livingston County Board of Commissioners, and the Michigan Association of Public Employees representing Court Employees.

Motion to not take action on Resolution 2023-01-014 and allow the employer, the courts, to work out an agreement with their union personnel under Supreme Court Order 1998-5.

It was moved by N. Fiani  
Seconded by D. Domas  
Discussion

Roll Call Vote: Yes (5): N. Fiani, D. Domas, F. Sample, J. Drick, and R. Deaton; No (4): D. Helzerman, W. Nakagiri, M. Smith, and J. Gross; Absent (0): None

**MOTION TO NOT TAKE ACTION Carried (5-4-0)**

Motion to convene to Closed Session at 8:19 p.m. for the purpose of Collective Bargaining Negotiations MCL 15.268(c)

It was moved by N. Fiani  
Seconded by J. Drick

Roll Call Vote: Yes (8): N. Fiani, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (1): D. Helzerman; Absent (0): None

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

Motion to return to Open Session at 9:39 p.m.

It was moved by N. Fiani  
Seconded by D. Domas

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

**13.b 2023-01-015**

Resolution Approving the Tentative Agreement for a Three (3) Year Agreement between the Livingston County Sheriff Department, the Livingston County Board of Commissioners, and the Livingston County Deputy Sheriff's Association Representing Deputies, Corrections Officers, and Detectives – Human Resources

Motion to adopt the Resolution

It was moved by D. Helzerman  
Seconded by F. Sample

**MOVER AND SECOND SUPPORT WITHDRAWN  
Motion Not Considered**

Motion to amend Resolution 2023-01-015, Resolution Approving the Tentative Agreement for a Three (3) Year Agreement between the Livingston County Sheriff Department, the Livingston County Board of Commissioners, and the Livingston County Deputy Sheriff's Association Representing Deputies, Corrections Officers, and Detectives to add the following paragraph:

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the attached agreement asking the negotiation team for the Union and this County to make best efforts to re-open the discussion of abortion coverage for some sort of compensation.

It was moved by M. Smith  
Seconded by D. Helzerman

Roll Call Vote: Yes (2): M. Smith and D. Helzerman; No (7): N. Fiani, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, and J. Gross; Absent (0): None

**MOTION Failed (2-7-0)**

Motion to approve a compensation study for the Livingston County Courts that shall be completed prior to August 1, 2023.

It was moved by N. Fiani  
Seconded by D. Domas

**MOTION WITHDRAWN  
Motion Not Considered**

Motion to amend this evening's agenda to include a resolution to approve a compensation study for the Livingston County Courts that shall be completed prior to August 1, 2023.

It was moved by N. Fiani  
Seconded by D. Domas  
Discussion

Roll Call Vote: Yes (4): N. Fiani, D. Domas, F. Sample and R. Deaton; No (5): M. Smith, D. Helzerman, W. Nakagiri, J. Drick, and J. Gross; Absent (0): None

**MOTION to AMEND Failed (4-5-0)**

Motion to reconsider Resolution 2023-01-14, Resolution Approving the Tentative Agreement for a Three (3) Year Agreement between the Livingston County Courts, the Livingston County Board of Commissioners, and the Michigan Association of Public Employees.

It was moved by D. Helzerman  
Seconded by

**NO SECOND  
Motion was not Reconsidered**

#### **14. Accounts Payable Reports**

##### **14.a Claims dated: January 30, 2023**

##### **14.b Payables dated: January 7 through January 20, 2023**

Motion to approve the Claims Report and Payables Report as presented.

It was moved by N. Fiani  
Seconded by M. Smith

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

Motion to convene to Closed Session at 10:05 p.m. for the purpose of written legal opinion [MCL 15268(h)].

It was moved by N. Fiani  
Seconded by J. Gross  
Discussion

Roll Call Vote: Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

Motion to return to Open Session at 11:04 p.m.

It was moved by N. Fiani  
Seconded by D. Domas

Yes (9): N. Fiani, D. Helzerman, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, and J. Gross; No (0): None; Absent (0): None

**MOTION Carried (9-0-0)**

**15. Call to the Public**

Doug Helzerman, Handy Township.

**16. Adjournment**

Motion to adjourn the meeting at 11:08 p.m.

It was moved by J. Gross  
Seconded by N. Fiani

Yes (8): J. Gross, D. Domas, F. Sample, W. Nakagiri, J. Drick, R. Deaton, M. Smith, N. Fiani;  
No (1): D. Helzerman; Absent (0): None

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

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Elizabeth Hundley Livingston County Clerk