

Livingston County Board of Commissioners

Meeting Minutes



May 22, 2023, 6:00 p.m.

Hybrid In-Person and Virtual Meeting

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 Dave 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 J. Drick

Seconded by N. Fiani

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 Alger County

Resolution 2023--06 Urging Repair of the Stonewall Creek Flooding Dam

6.b Alger County

Resolution 2023-07 to Instruct our Representatives to Oppose all Firearms Control Legislation

6.c Alger County

Resolution 2023-08 Declaring Alger County a Constitutional Second Amendment Sanctuary County

6.d Alger County

Resolution 2023-09 Supporting Dark Store Legislation

Motion to receive and place on file the Correspondence.

It was moved by N. Fiani

Seconded by R. Deaton

Discussion.

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)

7. Employee Recognition

Jackie Chivinsky, Clerk-Legal Division

Commissioner Smith presented the Certificate of Recognition.

8. Call to the Public

The following persons addressed the Board: Troy Weidman, Green Oak Township; Luke Czack, South Lyon; Jennifer Nash, Marion Township; Steve Lamkin, Hamburg Township; Mary Ann Lamkin, Hamburg Township; Casey Janis, Hamburg Township; Ben Tasich, Genoa Township; Judy Daubenmier, Genoa Township; and Tammy Higgins, Iosco Township.

9. Approval of Minutes

9.a Meeting Minutes dated: May 8, 2023

9.b Closed Session Minutes dated: May 8, 2023

Motion to approve the Minutes as presented.

It was moved by N. Fiani

Seconded by D. Helzerman

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)

10. Tabled Items From Previous Meetings

None.

11. Reports

Commissioner Nakagiri provided an update on several pieces of legislation.

Commissioner Helzerman reported the Durham report has been released and encouraged the Commissioners to read it.

Commissioner Gross has been attending various open houses around the County.

Chairman Domas spoke about the need to listen to the public.

12. FOIA Appeal

Appellant: Mary Ann Lamkin

County Counsel, Matt Nordfjord, provided an introduction to FOIA appeal, overview of the recommended appeal process, options for the Board's fee determination and advised that the Board Chair sign the written response consistent with the Board's decision. Chairman Domas approved recommended FOIA appeal process without objection.

Mary Ann Lamkin, Appellant, addressed the Board. William Worden, Prosecutor's Office, addressed the Board. Rebuttals by both parties were permitted.

Discussion.

Commissioner Drick disclosure and request to abstain, Chairman Domas approved request to abstain without objection.

Motion to affirm the FOIA fees for both FOIA appeals.

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

Roll Call Vote: Yes (6): D. Helzerman, F. Sample, W. Nakagiri, R. Deaton, M. Smith, and J. Gross; No (2): D. Domas, and N. Fiani; Abstain (1): J. Drick; Absent (0): None

Motion Carried (6-2-1-0)

Chairman Domas recessed the meeting without objection at 8:16 p.m.

Chairman Domas reconvened the meeting at 8:29 p.m. and turned the meeting over to Vice-Chair Drick

13. Resolutions for Consideration

Resolutions 2023-05-081 through 2023-05-090

13.a 2023-05-081

Resolution Authorizing Specialty Courts and Programs to Apply for the State Court Administrative Office Grants for FY 2024 – Court Central Services

Motion to adopt the Resolution.

It was moved by D. Helzerman
Seconded by W. Nakagiri

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)

13.b 2023-05-082 (Roll Call Vote)

Resolution Authorizing the Livingston Family Center Emergency Shelter Project and the Distribution of American Rescue Act (ARPA) Funding – Board of Commissioners

Motion to adopt the Resolution.

Discussion

Motion to consider agenda items 13.b through 13.j as one roll call vote.

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

Discussion

Motion withdrawn by M. Smith

It was moved by N. Fiani
Seconded by R. Deaton

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

Motion Carried (9-0-0)

13.c 2023-05-083 (Roll Call Vote)

Resolution Authorizing the Purchase of HVAC Equipment and Control System Replacements for the Judicial and Law Center Buildings and the Distribution of American Rescue Act (ARPA) Funding – Facility Services

Motion to adopt the Resolution.

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

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

Motion Carried (9-0-0)

13.d 2023-05-084 (Roll Call Vote)

Resolution Authorizing the Improvements to Howell No. 5 Drain Project and the Distribution of American Rescue Plan Act (ARPA) Funding – Drain Commissioner

Motion to adopt the Resolution.

It was moved by D. Domas

Seconded by F. Sample

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

Motion Carried (9-0-0)

13.e 2023-05-085 (Roll Call Vote)

Resolution Authorizing the Improvements to Orchard Park Intercounty Drain and Distribution of American Rescue Plan Act (ARPA) Funding – Drain Commissioner

Motion to adopt the Resolution.

It was moved by N. Fiani

Seconded by W. Nakagiri

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

Motion Carried (9-0-0)

13.f 2023-05-086 (Roll Call Vote)

Resolution Authorizing Expenditures for the Interior Renovation including Design, Bidding, and Construction for the Fowlerville EMS Base and distribution of ARPA Funds - Emergency Medical Services

Motion to adopt the Resolution.

It was moved by D. Helzerman

Seconded by R. Deaton

Roll Call Vote: 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)

13.g 2023-05-087 (Roll Call Vote)

Resolution Authorizing Information Technology Upgrades at the new Fowlerville EMS Base and the distribution of American Rescue Plan Act (ARPA) Funds - Emergency Medical Services

Motion to adopt the Resolution.

It was moved by D. Domas

Seconded by N. Fiani

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

Motion Carried (9-0-0)

13.h 2023-05-088 (Roll Call Vote)

Resolution Authorizing the Purchase of the Cellebrite Premium Project and the Distribution of American Rescue Act (ARPA) Funding – Sheriff

Motion to adopt the Resolution.

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

Roll Call Vote: 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)

13.i 2023-05-089 (Roll Call Vote)

Resolution Authorizing the Jail Intercom Upgrade Project and the Distribution of American Rescue Plan Act (ARPA) Funding – Sheriff

Motion to adopt the Resolution.

It was moved by N. Fiani
Seconded by R. Deaton

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

Motion Carried (9-0-0)

13.j 2023-05-090 (Roll Call Vote)

Resolution Authorizing the Purchase of the Jail Camera Upgrade Project and the Distribution of American Rescue Act (ARPA) Funding – Sheriff

Motion to adopt the Resolution.

It was moved by F. Sample
Seconded by J. Gross

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

Motion Carried (9-0-0)

14. Accounts Payable Reports

14.a Claims dated: May 22, 2023

14.b Payables dated: April 29 through May 12, 2023

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

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

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)

15. Call to the Public

The following persons addressed the Board: Tammy Higgins, Iosco Township and Livingston County Sheriff Mike Murphy.

16. Closed Session (Roll Call Vote)

Periodic Personnel Evaluation as Requested by the County Administrator per MCL 15.268(a)

Motion to convene a Closed Session at 8:47 p.m. for the Periodic Personnel Evaluation as Requested by the County Administrator per MCL 15.268(a)

It was moved by N. Fiani
Seconded by R. Deaton

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

Motion Carried (9-0-0)

Motion to return to Open Session at 9:32 p.m.

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

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)

17. Adjournment

Motion to adjourn the meeting at 9:33 p.m.

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

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)

Elizabeth Hundley Livingston County Clerk