

RESOLUTION

NO: 2023-08-146

LIVINGSTON COUNTY

DATE: August 14, 2023

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**Resolution Appointing Board Representatives for Court Mandated Mediation,  
Case No. 23-31864-CK – Board of Commissioners**

**WHEREAS,** the County of Livingston and its Department of Public Works have been named as defendants in a lawsuit filed by the Township of Hartland in the Livingston County Circuit Court, Case No. 23-31864-CK before the Honorable Matthew J. McGivney; and

**WHEREAS,** the County of Livingston has filed a counterclaim against the Township of Hartland in the same litigation; and

**WHEREAS,** the Circuit Court has ordered the parties to engage in facilitative mediation as an alternate dispute resolution method in an attempt to resolve the disputes raised in the lawsuit; and

**WHEREAS,** the parties to the lawsuit have retained former Chief Justice of the Michigan Supreme Court, Robert Young, to serve as the mediator through National Arbitration and Mediation (NAM); and

**WHEREAS,** representatives from the Board of Commissioners will be required to actively participate in the mediation process by being present at the mediation, receiving and considering proposals and participating in making counter-proposals and otherwise working with counsel for the county and the mediator in an effort to resolve the litigation.

**NOW, THEREFORE BE IT RESOLVED THAT,** the County Board of Commissioners does hereby appoint the following three Commissioners to serve as Representatives of the Board at said mediation:

1. Jay Drick
2. Wes Nakagiri
3. Roger Deaton

**BE IT FURTHER RESOLVED THAT** the County Board of Commissioners does hereby appoint the following Commissioner to serve as an Alternate Representative in the event that one of the appointed Representatives is unable to serve on the date and time set for the mediation.

Alternate: Douglas Helzerman

**BE IT FURTHER RESOLVED** that the Representatives shall have the authority, but not the obligation, to enter into an agreement at the mediation to recommend to this Board the adoption and execution of a Settlement Agreement that will fully and finally resolve the litigation, and in the event they do so, they shall jointly make such a motion before this Board and shall be required to support and vote in favor of said motion when called upon to do so.

**BE IT FURTHER RESOLVED** and understood that the Board of Commissioners, by this action, is not bound to adopt or pass any motion or resolution in settlement of the litigation except as it be deemed in the best interests of the County of Livingston after full consideration of the premises for doing so and upon consideration of the advice of its counsel.

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**MOVED:**  
**SECONDED:**  
**CARRIED:**