



## Livingston County Board of Commissioners

### Meeting Minutes

July 31, 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: LCB0C  
<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

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#### 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 M. Smith  
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      **Ontonagon County**

Resolution #2023-11 State of Michigan Sanitary Code

Motion to receive and place on file the Correspondence.

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)**

**7. Call to the Public**

The following persons addressed the Board: Ella Nikitin, Hartland Township; Tammy Higgins, Iosco Township; Mary Ann Lamkin, Hamburg Township; Casey Janis, Hamburg Township.

**8. FOIA Appeal**

Appellant: Casey Janis

Casey Janis, Appellant, addressed the Board. Brandon Ciciotti, Prosecutor's Office, addressed the Board. Rebuttals by both parties were permitted and they answered questions from the Board.

Discussion.

Commissioner Drick requested to abstain. Chairman Domas approved the request to abstain without objection.

Motion to uphold the FOIA fees and permit the Board Chair to respond with ten days.

It was moved by N. Fiani

Seconded by D. Helzerman

Yes (9): D. Helzerman, D. Domas, F. Sample, W. Nakagiri, R. Deaton, M. Smith, N. Fiani, and J. Gross; No (0): None; Abstain (1): J. Drick; Absent (0): None

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

**9. Approval of Minutes**

**9.a Meeting Minutes dated: July 17, 2023**

Motion to approve the Minutes as presented.

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)**

**10. Tabled Items From Previous Meetings**

None.

**11. Reports**

Commissioner Gross reported Sheriff Murphy was recognized for supporting veterans.

Commissioner Nakagiri informed the Board regarding the plan to form a trust fund for additional MERS funding. He will report at the next Finance & Asset Management committee meeting.

Commissioner Helzerman reported the Fowlerville Fair was this past week.

Commissioner Drick reported that Ottawa County had an unfunded liability in 2013 and issued bonds.

Commissioner Domas reported on the recent letter to Area Agency On Aging.

Chairman Domas turned the meeting over to Vice-Chair Drick at 7:11 p.m.

**12. Resolutions for Consideration**

**12.a 2023-07-126 (Roll Call Vote)**

Resolution Authorizing Submission of the FY 2024 Child Care Fund Budget to the State of Michigan - Juvenile Court

Motion to adopt the Resolution.

It was moved by N. Fiani

Seconded by R. Deaton

Motion to amend Resolution 2023-07-126, by adding:

BE IT FURTHER RESOLVED that the Juvenile and Probate Court Administrator will notify the Board of Commissioners if the state legislature changes the funding structure and will present to the Board of Commissioners any related budgetary revisions.

It was moved by W. Nakagiri

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)**

Motion to adopt the amended 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)**

**12.b 2023-07-127 (Roll Call Vote)**

Resolution Authorizing the Juvenile Court to Accept the Michigan Department of Health and Human Services Child and Parent Legal Representation (CPLR) Grant – FY 2024- Juvenile Court

Motion to adopt the Resolution.

It was moved by J. Gross

Seconded by R. Deaton

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)**

**12.c 2023-07-128**

Resolution to Adopt the Updated Livingston County Emergency Action Plan – Emergency Management

Motion to adopt the Resolution.

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

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)**

**12.d 2023-07-129**

Resolution Approving the FY 2022-2023 Hazardous Materials Emergency Preparedness Grant Program Award Agreement – Emergency Management

Motion to adopt the Resolution.

It was moved by F. Sample  
Seconded by R. Deaton

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)**

**12.e 2023-07-130 (Roll Call Vote)**

Authorizing the Acceptance and Signing of the FY 2024 Emergency Management Performance Grant - Emergency Management

Motion to adopt the Resolution.

It was moved by D. Domas  
Seconded by D. Helzerman

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)**

**12.f 2023-07-131 (Roll Call Vote)**

Resolution Authorizing a Second Quarter Budget Amendment to the Fiscal Year 2023 Budget - Fiscal Services

Motion to adopt the Resolution.

It was moved by M. Smith  
Seconded by F. Sample

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

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

**12.g 2023-07-132**

Resolution Authorizing the Livingston County Board of Commissioners Formal Receipt, Review, and Annual Filing of the Livingston County 2024-2029 Capital Improvement Plan, as Approved by the Livingston County Planning Commission – Planning Department

Motion to adopt the Resolution.

It was moved by D. Helzerman  
Seconded by R. Deaton

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)**

**12.h 2023-07-133 (Roll Call Vote)**

Resolution Authorizing the Distribution of American Rescue Plan Act (ARPA) Funding to Senior Centers Marketing Program in Livingston County - Board of Commissioners

Motion to adopt the Resolution.

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

Discussion.

Motion to amend Resolution 2023-07-133, by adding a final:

BE IT FURTHER RESOLVED granting the Board Chair authority to sign such documents after review or preparation by civil council.

It was moved by M. Smith  
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)**

Motion to adopt the Amended Resolution.

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

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)**

**12.i 2023-07-134 (Roll Call Vote)**

Resolution Authorizing Several County Government Projects Totaling \$5,000,000 to be Charged Against the \$10,000,000 Revenue Loss Allocation of the County's American Rescue Plan Act (ARPA) Funding - Administration

Motion to adopt the Resolution.

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

Discussion.

Motion to amend Resolution 2023-07-134, by adding a final:

BE IT FURTHER RESOLVED granting the Board Chair authority to sign such documents after review or preparation by civil council.

It was moved by M. Smith  
Seconded by R. Deaton

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)**

Motion to adopt the Amended 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)**

**12.j 2023-07-135 (Roll Call Vote)**

Resolution Authorizing the County Treasurer to Establish Fund 234, Federal Grant Fund, and 235, State and Other Grants Fund - Treasurer

Motion to adopt the Resolution.

It was moved by J. Gross  
Seconded by R. Deaton

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)**

**12.k 2023-07-136**

Resolution Approving Deficit Elimination Plan - Treasurer

Motion to adopt the Resolution.

It was moved by M. Smith  
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)**

**13. Accounts Payable Reports**

**13.a Claims dated: July 31, 2023**

**13.b Payables dated: July 8 through July 21, 2023**

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

It was moved by D. Domas

Seconded by J. Gross

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)**

**14. Call to the Public**

The following person addressed the Board: Chuck Wright, Handy Township.

**15. Adjournment**

Motion to adjourn the meeting at 7:37 p.m.

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)**

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Elizabeth Hundley, County Clerk