



## Livingston County Board of Commissioners

### Meeting Minutes

January 29, 2024, 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: Jay Drick - Chairman, Douglas Helzerman, David Domas, Frank Sample, Wes Nakagiri, Roger Deaton, Martin Smith, Nick Fiani, Jay Gross

---

#### 1. Call Meeting to Order

The meeting was called to order by Chairman Jay Drick 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

Jay Drick - Chairman, Nick Fiani - Vice Chairman, Douglas Helzerman, Dave Domas, Frank Sample, Wes Nakagiri, Roger Deaton, Martin Smith, Jay Gross

Roll call by the Deputy 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 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)**

#### 6. Correspondence

None.

#### 7. Call to the Public

The following people addressed the Board: Ella Nikitin, Hartland Township and Chuck Wright, Handy Township.

**8. Approval of Minutes**

**8.a Meeting Minutes dated: January 8, 2024**

Motion to approve the Minutes as presented.

It was moved by F. Sample  
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)**

**9. Tabled Items From Previous Meetings**

None.

**10. Reports**

Commissioner Gross encouraged the Board to attend the Human Services Collaborative Body's Annual Meeting at Livingston Educational Service Agency on February 16 from 8 a.m. to 10 a.m.

**11. Resolutions for Consideration**

**11.a 2024-01-004**

Resolution Approving an Appointment to the Livingston County Parks & Open Space Advisory Committee – Board of Commissioners

Motion to adopt the Resolution.

It was moved by D. Domas  
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)**

**11.b 2024-01-005**

Resolution Approving Appointments to the Livingston County Foundation Board of Directors - Board of Commissioners

J. Gross nominates Dale Brewer to be appointed.  
Seconded by R. Deaton

W. Nakagiri nominates Sam Theis to be appointed.  
Seconded by M. Smith.

Discussion.

Motion to adopt the Resolution appointing Dale Brewer and Sam Theis to the Livingston County Foundation Board of Directors.

It was moved by J. Gross  
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)**

**11.c 2023-01-006**

Resolution Authorizing the Board Chair to Sign a Letter of Understanding Regarding Paramedic Licensure - Emergency Medical Services

Motion to adopt the Resolution.

It was moved by D. Domas  
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)**

**11.d 2024-01-007 (Roll Call Vote)**

Resolution Authorizing the Purchase of Four (4) Ambulance Remounts - Emergency Medical Services

Motion to adopt the Resolution.

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

Discussion.

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)**

**11.e 2024-01-008**

Resolution Authorizing an Amendment to the Agreement with Cohl, Stoker & Toskey, P.C., to Provide Legal Services to Livingston County – County Administration

Motion to adopt the Resolution.

It was moved by J. Gross  
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)**

**11.f 2024-01-009 (Roll Call Vote)**

Resolution Authorizing the Feeding the Needy of Livingston County Project and the Distribution of American Rescue Plan Act (ARPA) Funding – Board of Commissioners

Motion to add the paragraph: “BE IT FURTHER RESOLVED that the Chairman of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, and future amendments for monetary and contract language adjustments related to the above upon review and/or preparation of Civil Counsel.” and to adopt the Resolution.

It was moved by N. Fiani  
Seconded by F. Sample

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)**

**11.g 2024-01-010**

Resolution Authorizing an Expenditure in Excess of \$10,000 for Repairs to the Thompson Lake Dam and Modification of Log Gate Mechanism – Drain Commissioner

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 to 0)**

**11.h 2024-01-011 (Roll Call Vote)**

Resolution to Accept Funding to Support an In-Home WIC Nursing Program from the Region 9 Perinatal Collaborative through the Michigan Department of Health and Human Services – Health Department

Motion to adopt the Resolution.

It was moved by J. Gross  
Seconded by D. Domas

Motion to amend by adding:

BE IT FURTHER RESOLVED that the Chairman of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, and future amendments for monetary and contract language adjustments related to the above upon review and/or preparation of Civil Counsel.

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)**

Discussion.

Motion to adopt the amended Resolution.

It was moved by J. Gross

Seconded by D. Domas

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.

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

**11.i 2024-01-012 (Roll Call Vote)**

Resolution to Accept funding to Support a Breast-Feeding Supply Stock Program from the Region 9 Perinatal Collaborative through the Michigan Department of Health and Human Services – Health Department

Motion to adopt the Resolution.

It was moved by D. Domas

Seconded by R. Deaton

Motion to amend by adding:

BE IT FURTHER RESOLVED that the Chairman of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements, and future amendments for monetary and contract language adjustments related to the above upon review and/or preparation of Civil Counsel.

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)**

Motion to adopt the amended Resolution.

It was moved by D. Domas

Seconded by R. Deaton

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.

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

**11.j 2024-01-013**

Resolution to Reconsider and Amend Resolution 2024-01-003 Adopting the Rules of the Livingston County Board of Commissioners and to Establish Meeting Dates for 2024 – Board of Commissioners

Motion to adopt the Resolution.

It was moved by R. Deaton  
Seconded by W. Nakagiri

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)**

**12. Accounts Payable Reports**

**12.a Claims dated: January 29, 2024**

**12.b Payables dated: December 18, 2023 through January 19, 2024**

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

It was moved by: J. Gross  
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)**

**13. Call to the Public**

No response.

**14. Closed Sessions**

Motion to convene a Closed Session at 6:49 p.m. for the purpose of:

1. Discuss Pending Litigation: Howard v Livingston County, 2:20-cv-11236 [MCL 15.268(e)]
2. Discuss Pending Litigation: Case No. 23-31864-CK [MCL 15.268(e)]
3. Discuss Written Legal Opinion: [MCL 15.268(h)].

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)**

Motion to return to Open Session at 8:15 p.m.

It was moved by N. Fiani  
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 accept the County Attorney's recommendation to proceed in Howard v. Livingston County, 2:20-cv-11236.

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. Adjournment**

Motion to adjourn the meeting at 8:17 p.m.

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)**

---

William Mitch, Deputy County Clerk