

BOARD OF COMMISSIONERS

12/15/2008

304 E. Grand River Ave., Howell, MI

7:30 PM

AGENDA

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRESPONDENCE**
None
5. **CALL TO THE PUBLIC**
6. **APPROVAL OF MINUTES**
A. Minutes of meeting: December 1, 2008
7. **TABLED ITEMS FROM PREVIOUS MEETINGS**
None
8. **APPROVAL OF AGENDA**
A. Consent Agenda - Res. 2008-12-353 thru 355
B. Regular Agenda - Res. 2008-12-356 thru 377
9. **REPORTS**
A. Sheriff's Department Award
10. **APPROVAL OF CONSENT AGENDA ITEMS (Roll Call)**
A. Res. 2008-12-353 thru 355
11. **RESOLUTIONS FOR CONSIDERATION:**
A. Res. 2008-12-356 thru 377

2008-12-353 RESOLUTION TO AMEND RESOLUTION 2008-12-351 WHICH AUTHORIZED APPOINTMENTS TO LIVINGSTON COUNTY BOARDS AND COMMITTEES - Board of Commissioners

2008-12-354 RESOLUTION TO APPROVE APPOINTMENT TO THE LIVINGSTON COUNTY CONCEALED PISTOL LICENSING BOARD-Board of Commissioners

2008-12-355 RESOLUTION TO APPROVE APPOINTMENTS TO LIVINGSTON COUNTY BOARDS AND COMMISSIONS - Board of Commissioners

2008-12-356 RESOLUTION IN RECOGNITION OF CHRIS CARR, 4-H KEY CLUB AWARD RECIPIENT – MSU EXTENSION / Board of Commissioners

2008-12-357 RESOLUTION IN RECOGNITION OF JESSICA ROESKE, 4-H KEY CLUB AWARD RECIPIENT – MSU EXTENSION / Board of Commissioners

-
- 2008-12-358** RESOLUTION IN RECOGNITION OF NANCY ADAMS, 4-H KEY CLUB AWARD RECIPIENT – MSU EXTENSION - Board of Commissioners
-
- 2008-12-359** RESOLUTION IN RECOGNITION OF LAUREN VAN RADEN, 4-H KEY CLUB AWARD RECIPIENT – MSU EXTENSION / Board of Commissioners
-
- 2008-12-360** RESOLUTION AUTHORIZING BLANKET PURCHASE ORDER FOR HVAC SERVICES AS NECESSARY - Building Services Department / General Government / Finance
-
- 2008-12-361** RESOLUTION TO APPROVE THE CHANGE OF THE FEE SCHEDULE IN THE ANIMAL CONTROL DEPARTMENT-Animal Control Department / General Government / Finance
-
- 2008-12-362** RESOLUTION APPROVING A CONTRACT RENEWAL BETWEEN THE OAKLAND LIVINGSTON HUMAN SERVICES AGENCY AND LIVINGSTON COUNTY MICHIGAN WORKS! FOR THE MICHIGAN PRISONER RE-ENTRY INITIATIVE - Michigan Works! / Health & Human Services / Finance
-
- 2008-12-363** RESOLUTION AUTHORIZING THE PARTICIPATION WITH THE U.S. COMMUNITIES OFFICE SUPPLY PROGRAM WITH OFFICE DEPOT - Purchasing / General Government / Finance
-
- 2008-12-364** RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO AN AGREEMENT WITH AIRBP (dba EPIC AVIATION) AS THE FUEL SUPPLIER FOR THE LIVINGSTON COUNTY AIRPORT - Airport / General Government / Finance
-
- 2008-12-365** RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND AMEND RESOLUTION 199-018 AUTHORIZING AN AGREEMENT WITH COMMONWEALTH ASSOCIATES, INCORPORATED (Amendment #17) TO INCLUDE AVIGATION EASEMENTS IN THE RUNWAY PROTECTION ZONE (RPZ) WEST OF BURKHART ROAD - Airport / General Government / Finance
-
- 2008-12-366** RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND APPROVE CHANGE ORDER #4 (Final) FOR THE RUNWAY CONSTRUCTION PROJECT WITH BERNIE JOHNSON TRUCKING OF LEROY, MICHIGAN - Airport / General Government / Finance
-
- 2008-12-367** RESOLUTION TO CONCUR WITH THE RECOMMENDATION OF THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND BEGIN EMINENT DOMAIN PROCEEDINGS FOR PARCEL E38 - Airport / General Government / Finance

-
- 2008-12-368** RESOLUTION AUTHORIZING CONTRACT AGREEMENT FOR ATTORNEY SERVICES FOR LIVINGSTON ESSENTIAL TRANSPORTATION SERVICES - L.E.T.S. / General Government / Finance
-
- 2008-12-369** RESOLUTION AUTHORIZING BLANKET PURCHASE ORDER FOR DIESEL FUEL FOR 2009 -L.E.T.S. / General Government / Finance
-
- 2008-12-370** RESOLUTION AUTHORIZING OUT OF STATE TRAINING FOR THE OPERATIONS AND ADMINISTRATIVE MANAGERS - EMS / Health & Human Services / Finance
-
- 2008-12-371** RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A CONSTRUCTION FUND, FUND 493-EMS CONSTRUCTION FUND - EMS / Health & Human Services / Finance
-
- 2008-12-372** RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO FIDLAR TECHNOLOGIES FOR SOFTWARE SUPPORT FOR LIVINGSTON COUNTY REGISTER OF DEEDS iDOC SOFTWARE -Information Technology / General Government / Finance
-
- 2008-12-373** RESOLUTION ESTABLISHING COMPENSATION FOR LIVINGSTON COUNTY BOARD OF COMMISSIONERS FOR THE YEARS 2009 AND 2010 - Personnel Committee / Finance
-
- 2008-12-374** RESOLUTION TO AUTHORIZE SECOND AMENDMENT TO COUNTY OF LIVINGSTON RETIREE HEALTH SAVINGS PROGRAM - Personnel Committee / Finance
-
- 2008-12-375** RESOLUTION TO AUTHORIZE SECOND AMENDMENT TO COUNTY OF LIVINGSTON RETIREMENT HEALTH SAVINGS PROGRAM ADOPTION AGREEMENT - Personnel Committee / Finance
-
- 2008-12-376** RESOLUTION FOR CHANGING MERS BENEFITS FOR DIVISION (01) NON-UNION EMPLOYEES - Administration / Finance
-
- 2008-12-377** RESOLUTION TO AMEND FISCAL-YEAR 2008 BUDGET - Administration / Finance
-

- 12. MOTION TO ACCEPT FINANCE COMMITTEE RECOMMENDATION FOR APPROVAL OF CLAIMS DATED DECEMBER 11, 2008**
- 13. CALL TO THE PUBLIC**
- 14. ADJOURNMENT**

NOTE: The Call to the Public appears twice on the Agenda: once at the beginning and once at the end. Anyone wishing to address the Board may do so at these times.

RESOLUTION

NO: 2008-12-353

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO AMEND RESOLUTION 2008-12-351 WHICH AUTHORIZED APPOINTMENTS TO LIVINGSTON COUNTY BOARDS AND COMMITTEES - Board of Commissioners

WHEREAS, Resolution 2008-12-351 was approved by the Livingston County Board of Commissioners on December 1, 2008; and

WHEREAS, on Resolution 2008-12-351, re-appointments to the Area Agency on Aging 1-B should have been designated as Delegate and Alternate; and

WHEREAS, the record should reflect the following appointments to read as follows:

- AREA AGENCY ON AGING 1-B**
- John E. La Belle / Alternate.....term expires 12/31/10
- Maggie E. Jones / Delegate.....term expires 12/31/10

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the amendment to Resolution 2008-12-351 to reflect the designations of Alternate and Delegate as referenced above.

#

MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2008-12-355

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO APPROVE APPOINTMENTS TO LIVINGSTON COUNTY BOARDS AND COMMISSIONS - Board of Commissioners

WHEREAS, the terms of representative seats on various Livingston County Boards and Commissions have expired and/or been vacated; and

WHEREAS, the following appointments and re-appointments have been recommended *designates new:

COMMUNITY MENTAL HEALTH AUTHORITY

Lisa Berry-Bobovski..... term expires 12/31/11
George Kudla..... term expires 12/31/11
Jan Plas term expires 12/31/11

DPW

Dale Brewer..... term expires 12/31/11
David Domas..... term expires 12/31/11

ECONOMIC DEVELOPMENT COUNCIL

*James Mantey.....term expires 1/1/11

FOWLerville LOCAL DISTRICT FINANCE AUTHORITY

Ron VanHouten..... term expires 12/31/09

HUMAN SERVICES COLLABORATIVE BODY

*Bobette Schrandt (LACASA)term expires 9/30/10
*Kathleen Kline-Hudsonterm expires 9/30/11

HURON RIVER WATERSHED COUNCIL

*Kathleen Kline-Hudsonterm expires 10/15/10

LIVINGSTON COUNTY FOUNDATION

Walker Aaron.....term expires 12/31/12
Ron VanHouten.....term expires 12/31/12

LOCAL EMERGENCY PLANNING COMMISSION

*Steve Williams..... term expires 11/31/10
*Kathleen Kline-Hudson term expires 11/31/10

OAKLAND LIVINGSTON HUMAN SERVICE AGENCY

Dennis Dolan..... term expires 12/31/09

PARKS & OPEN SPACE ADVISORY COMMITTEE

Ron VanHouten..... term expires 12/31/10
Mike Arens..... term expires 12/31/10
Dennis Dolan..... term expires 12/31/09
Chris Folts..... term expires 12/31/10
Brian Jonckheere..... term expires 12/31/09
Mike Kelley..... term expires 12/31/09
Robert Parker..... term expires 12/31/10
Belinda Peters..... term expires 12/31/09
James Sparks..... term expires 12/31/10
Historical Advisory Committee Rep. term expires 12/31/09

ROAD COMMISSION

John Dunleavy term expires 12/31/14

SEMCOG

Steve Williams *Delegate*.....term expires 12/31/10
Reid Krinock *Alternate*.....term expires 12/31/10
Jack La Belle *Delegate*..... term expires 12/31/10
*Kathleen Kline- Hudson *Alternate*..... term expires 12/31/10

SOLID WASTE MANAGEMENT

Rick Burns..... term expires 12/31/11
Dianne McCormick..... term expires 12/31/11
Joan Runkel..... term expires 12/31/11

LAKE TYRONE IMPROVEMENT BOARD

David Domas.....term expires 12/31/09

VETERANS COUNCIL

John Sundberg.....term expires 12/31/12
John Cologne..... term expires 12/31/12

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the appointments and expiration dates referenced above.

#

**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

N0: 2008-12-356

LIVINGSTON COUNTY

DATE: December 15, 2008

**RESOLUTION IN RECOGNITION OF CHRIS CARR, 4-H KEY CLUB AWARD RECIPIENT –
MSU EXTENSION / Board of Commissioners**

WHEREAS, Chris Carr has achieved the high honor of receiving the Livingston County 4-H Key Club Award; and

WHEREAS, the 4-H Key Club Award is one of the most important awards that the Livingston County 4-H Organization awards to its members; and

WHEREAS, Key Club winners are individuals who have shown true leadership and who live up to the 4-H motto “To Make the Best Better” - they help others in their club, their community and in their county; and

WHEREAS, Chris Carr is a 2008 graduate of Byron High School. He has been a member of 4-H for 12 years; a member of the Gusty Acres 4-H Club and K-9 Klover Drill Team; has served on the 4-H Small Animal Committee and Horse Leaders Association as a youth member; and

WHEREAS, Chris has participated in a variety of projects through the 4-H program. Some of those projects include but not limited to: volunteerism, arts & crafts, food & nutrition, safety, leadership skills, dogs, horse, engines, and achievements.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby extends this Resolution of Recognition to Chris Carr in honor of his achieving the Livingston County 4-H Key Club Award.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners commends Chris Carr for representing what is exemplary in a young adult.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby extends its best wishes to Chris Carr in all of his future endeavors.

#

#

#

**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

N0: 2008-12-357

LIVINGSTON COUNTY

DATE: December 15, 2008

**RESOLUTION IN RECOGNITION OF JESSICA ROESKE, 4-H KEY CLUB AWARD
RECIPIENT – MSU EXTENSION / Board of Commissioners**

WHEREAS, Jessica Roeske has achieved the high honor of receiving the Livingston County 4-H Key Club Award; and

WHEREAS, The 4-H Key Club Award is one of the most important awards that the Livingston County 4-H Organization awards to its members; and

WHEREAS, Key Club winners are individuals who have shown true leadership and who live up to the 4-H motto “To Make the Best Better” - they help others in their club, their community and in their county; and

WHEREAS, Jessica Roeske is in the 11th grade at Hartland High School. She has been a member of 4-H for 9 years; a member of the Ranger’s 4-H Club, represented Livingston County at the 4-H State awards program, and has served on the Small Animal Committee; and

WHEREAS, Jessica has participated in a variety of projects through the 4-H program. Some of those projects include but not limited to: Communication, Arts & Crafts, Food & Nutrition, Clothing & Textiles, Buymanship, Geology & Minerals, Recycling, Beef, Swine, Rabbits, Wood Science, and Veterinary Science.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby extends this Resolution of Recognition to Jessica Roeske in honor of her achieving the Livingston County 4-H Key Club Award.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners commends Jessica Roeske for representing what is exemplary in a young adult.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby extends its best wishes to Jessica Roeske in all of her future endeavors.

#

#

#

**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2008-12-358

LIVINGSTON COUNTY

DATE: December 15, 2008

**RESOLUTION IN RECOGNITION OF NANCY ADAMS, 4-H KEY CLUB AWARD RECIPIENT
- MSU EXTENSION - Board of Commissioners**

WHEREAS, Nancy Adams has achieved the high honor of receiving the Livingston County 4-H Key Club Award; and

WHEREAS, The 4-H Key Club Award is one of the most important awards that the Livingston County 4-H Organization awards to its members; and

WHEREAS, Key Club winners are individuals who have shown true leadership and who live up to the 4-H motto "To Make the Best Better" - they help others in their club, their community and in their county; and

WHEREAS, Nancy Adams is in the 11th grade at Hartland High School. She has been a member of 4-H for 8 years; a member of the Ranger's 4-H Club; and has served on the 4-H Small Animal Committee; and

WHEREAS, Nancy has participated in a variety of projects through the 4-H program. Some of those projects include but not limited to: Visual Arts, Arts & Crafts, Photography, Shooting Sports, Food & Nutrition, Poultry, Rabbits, Sheep, and Veterinary Science.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby extends this Resolution of Recognition to Nancy Adams in honor of her achieving the Livingston County 4-H Key Club Award.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners commends Nancy Adams for representing what is exemplary in a young adult.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby extends its best wishes to Nancy Adams in all of her future endeavors.

#

#

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

N0: 2008-12-359

LIVINGSTON COUNTY

DATE: December 15, 2008

**RESOLUTION IN RECOGNITION OF LAUREN VAN RADEN, 4-H KEY CLUB AWARD
RECIPIENT – MSU EXTENSION / Board of Commissioners**

WHEREAS, Lauren Van Raden has achieved the high honor of receiving the Livingston County 4-H Key Club Award; and

WHEREAS, The 4-H Key Club Award is one of the most important awards that the Livingston County 4-H Organization awards to its members; and

WHEREAS, Key Club winners are individuals who have shown true leadership and who live up to the 4-H motto “To Make the Best Better” - they help others in their club, their community and in their county; and

WHEREAS, Lauren Van Raden is a senior of Howell High School. She has been a member of 4-H for 11 years; a member of the Rough Riders 4-H Club; has served as a Grand Equestrian Volunteer, and represented Livingston County at the 4-H State awards program; and

WHEREAS, Lauren has participated in a variety of projects through the 4-H program. Some of those projects include but not limited to: Leadership, Achievement, Arts & Crafts, photography, Horse, and Rabbit.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby extends this Resolution of Recognition to Lauren Van Raden in honor of her achieving the Livingston County 4-H Key Club Award.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners commends Lauren Van Raden for representing what is exemplary in a young adult.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners hereby extends its best wishes to Lauren Van Raden in all of her future endeavors.

#

#

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

2008-12-360

LIVINGSTON COUNTY

DATE:

December 15, 2008

RESOLUTION AUTHORIZING BLANKET PURCHASE ORDER FOR HVAC SERVICES AS NECESSARY - Building Services / General Government / Finance

WHEREAS, The Building Services Department has determined a need for HVAC Services on a as needed basis, as directed by the Building Services Director; and

WHEREAS, Building Services has utilized the purchasing policy and has had ten vendors bid on the project.

WHEREAS, Building Services is recommending that Mechanical Services, LLC, of Fenton, Michigan be awarded a two year blanket purchase order not to exceed \$15,000 in the 2009 Budget year and not to exceed \$15,000 in 2010 based on appropriated funds; and

WHEREAS, This purchase order will lock in labor prices for HVAC maintenance as well as provide a discount for parts necessary for the repairs and will allow us to avoid paying emergency repair rates in the future; and

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes Mechanical Services, LLC, of Fenton, Michigan be awarded a two year blanket purchase order for HVAC services not to exceed \$15,000 in the 2009 Budget year and not to exceed \$15,000 in 2010 based on appropriated funds.

#

#

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-361

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO APPROVE THE CHANGE OF THE FEE SCHEDULE IN THE ANIMAL CONTROL DEPARTMENT-Animal Control Department / General Government Committee / Finance

WHEREAS, the Animal Control Department has determined a need to change its fee schedule; and

WHEREAS, the Animal Control Department has elected, due to fiscal responsibility, to charge one set fee for animal adoptions and update fees for services; and

WHEREAS, the Animal Control Department will continue to give a discount to approved rescue groups for animals that have fulfilled their fourteen (14) day criteria; and

WHEREAS, the fee schedule changes for adoptions are as follows:

Cats under four (4) months	\$80.00
Cats over four (4) months	\$90.00
Dogs under four (4) months	\$110.00
Dogs over four (4) months	\$120.00

WHEREAS, the fees will include all applicable tests, vaccines, licenses, microchip and the spay/neuter surgery; and

WHEREAS, the fee schedule changes for services are as follows:

Owner request pick-up	\$35.00	Owner surrendering animal	\$20.00
Feral cat euthanasia	\$10.00	Owner request euthanasia	\$50.00
Quarantine bite case	\$250.00		
Additional euthanasia fee for aggressive animals			\$25.00
Owner request euthanasia for bite case with no quarantine			\$100.00

WHEREAS, all other fees charged by Livingston County Animal Control will remain the same.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the above referenced fee schedule changes to reflect one set fee for animal adoptions and change in services fees effective immediately.

#

MOVED:

SECONDED:

RESOLUTION NO:

PAGE: 2

CARRIED:

RESOLUTION

NO: 2008-12-362

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION APPROVING A CONTRACT RENEWAL BETWEEN THE OAKLAND LIVINGSTON HUMAN SERVICES AGENCY AND LIVINGSTON COUNTY MICHIGAN WORKS! FOR THE MICHIGAN PRISONER RE-ENTRY INITIATIVE - Michigan Works! / Health & Human Services / Finance

WHEREAS, The Michigan Prisoner Re-Entry Initiative is a statewide strategic approach to parolee services which seeks to deliver a seamless plan of services, support and supervision from the time a prisoner enters prison through their return to the community; and

WHEREAS, The Michigan Department of Corrections contracts with the Oakland Livingston Human Services Agency (OLHSA) to administer MPRI services in Oakland and Livingston Counties.

WHEREAS, In accordance with MDOC policies, OLSHA issued a Request for Proposals for a variety of re-entry services to parolees; and

WHEREAS, Livingston County Michigan Works! responded to the RFP and was awarded a \$22,000 contract to deliver workforce development and adult education services for the period October 1, 2007 to September 30, 2008 to MPRI parolees in Livingston County; and

WHEREAS, Oakland Livingston Human Services Agency has offered to renew the agreement for an additional year at the same budget level covering the period October 1, 2008 to September 30, 2009; and

WHEREAS, These services will be delivered by two services providers under contract with Livingston County Michigan Works!, Ross IES and Community Mental Health Services of Livingston County.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners approves renewing a contract with Oakland Livingston Human Services Agency for the period October 1, 2008 to September 30, 2009 in the amount of \$22,000 for the delivery of workforce development services for the Michigan Prisoner Re-entry initiative.

BE IT FURTHER RESOLVED that the Chairman is authorized to sign said contract upon review by Civil Counsel.

#

MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2008-12-363

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION AUTHORIZING THE PARTICIPATION WITH THE U.S. COMMUNITIES OFFICE SUPPLY PROGRAM WITH OFFICE DEPOT - Purchasing / General Government Committee / Finance

WHEREAS, currently Livingston County procures office supplies from OfficeMax in which the contract will expire on January 18, 2009; and

WHEREAS, after a price analysis was performed with other extendable contracts, Purchasing recommends piggybacking off of the Los Angeles contract with Office Depot through the participation with the U.S. Communities Program in which we anticipate a savings of 5% over the other contracts available; and

WHEREAS, the contract will expire on January 1, 2010, with an option to renew for an additional two-year period; and

WHEREAS, that the annual departmental expenditure can not exceed the availability of appropriated funds for office supplies.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the participation with the U.S. Communities Program with Office Depot for office supplies until January 1, 2010, with an option to renew for a two-year renewal period.

BE IT FURTHER RESOLVED that the annual departmental expenditure can not exceed the availability of appropriated funds for office supplies.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners be authorized to sign any agreements or documents as needed to participate in the Los Angeles contract with Office Depot.

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-364

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO AN AGREEMENT WITH AIRBP (dba EPIC AVIATION) AS THE FUEL SUPPLIER FOR THE LIVINGSTON COUNTY AIRPORT -- Airport / General Government Committee / Finance

WHEREAS, the Livingston County Purchasing Department has solicited proposals to provide fuel to the Livingston County Airport for resale; and

WHEREAS, four proposals were received by the Purchasing Department; and

WHEREAS, the proposals have been reviewed by the Airport Manager and the Livingston County Aeronautical Facilities Board; and

WHEREAS, AirBP (dba Epic Aviation) will provide competitive fuel pricing and has offered incentives of a 100LL fuel truck and a ground power unit to the airport.

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners concurs with the Livingston County Aeronautical Facilities Board to enter into an Agreement with AirBP (dba Epic Aviation) to provide fuel to the Livingston County Airport for resale to the public.

BE IT FURTHER RESOLVED the Chair be authorized to sign the Agreement upon review by Civil Counsel.

#

#

#

MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2008-12-365

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND AMEND RESOLUTION 199-018 AUTHORIZING AN AGREEMENT WITH COMMONWEALTH ASSOCIATES, INC. (Amendment #17) TO INCLUDE AVIGATION EASEMENTS IN THE RUNWAY PROTECTION ZONE (RPZ) WEST OF BURKHART ROAD - Airport / General Government Committee / Finance

WHEREAS, The services of a Land Consultant are needed for the purchase of property and avigation easements necessary for ongoing airport improvements; and

WHEREAS, Commonwealth Associates, Incorporated, of Jackson, Michigan has been selected to perform these services in accordance with Federal Aviation Administration (FAA) and Michigan Department of Transportation (MDOT) procedures; and

WHEREAS, funding has been made available for the purchase of additional Avigation Easements on the west end of the airport for properties in the Runway Protection Zone; and

WHEREAS, the easements to be purchases will include E40&E41 (one owner), E10, E11, E12, E48, E49, E50, E51 and E 52; and

WHEREAS, this amendment to the agreement with Commonwealth Associates totals \$37,337 and will be funded with a 2.5% local share of \$934.43, which was included in the Airport Loan Agreement.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners concurs with the Livingston County Aeronautical Facilities Board to amend their agreement with Commonwealth Associates, Incorporated of Jackson, Michigan to include consultant services for the acquisition of Avigation Easements in the Runway Protection Zone (parcels include E40&E41 (one owner), E10, E11, E12, E48, E49, E50, E51 and E 52) west of Burkhart Road.

BE IT FURTHER RESOLVED the Chair be authorized to sign the Amendment upon review by Civil Counsel.

#

MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2008-12-366

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND APPROVE CHANGE ORDER #4 (Final) FOR THE RUNWAY CONSTRUCTION PROJECT WITH BERNIE JOHNSON TRUCKING OF LEROY, MICHIGAN -- Airport / General Government / Finance

WHEREAS, Livingston County has entered into an agreement with Bernie Johnson Trucking of Leroy, Michigan for the construction of the new runway as a part of the development of the Airport Master Plan for the Livingston County Airport; and

WHEREAS, this Change Order for \$17,506.40 to the original contract includes items related to site drainage improvements at the ILS glideslope, additional site restoration and drainage work required by the Livingston County Drain Commissioner, including additional permit fees; and

WHEREAS, this is the final change order for the project; and

WHEREAS, funding for this change order will be on a 95/2.5/2.5 basis and monies are available in the contingency fund included in the original grant agreement and first grant amendment.

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners concurs with the Livingston County Aeronautical Facilities Board to amend their agreement with Bernie Johnson Trucking and to approve Change Order #4 to the agreement at a total cost of \$17,506.40 with a local share of \$437.66.

BE IT FURTHER RESOLVED the Chair be authorized to sign the Change Order.

#

#

#

Moved:

Seconded:

Carried:

RESOLUTION

NO: 2008-12-367

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO CONCUR WITH THE RECOMMENDATION OF THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND BEGIN EMINENT DOMAIN PROCEEDINGS FOR PARCEL E38 - Airport / General Government / Finance

WHEREAS, Livingston County Board of Commissioners resolution #2008-04-127 authorized Commonwealth Associates, Incorporated, of Jackson, Michigan to purchase an Avigation Easement for Parcel E38; and

WHEREAS, the purchase of this Avigation Easement is necessary for the protection of the runway approach surfaces; and

WHEREAS, Commonwealth Associates has presented an offer to the property owner's based upon an appraisal of the property; and

WHEREAS, the property owner's have rejected the offer that was presented by Commonwealth Associates.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners concur with the Aeronautical Facilities Board to proceed with Eminent Domain proceedings for the acquisition of Parcel E38, an Avigation Easement.

BE IT FURTHER RESOLVED that Gary Strauss of Strauss & Strauss PLLC be retained for these proceedings.

#

#

#

MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2008-12-368

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION AUTHORIZING CONTRACT AGREEMENT FOR ATTORNEY SERVICES FOR LIVINGSTON ESSENTIAL TRANSPORTATION SERVICES – L.E.T.S. / General Government / Finance

WHEREAS, a need exists for specialized legal services regarding matters directly involved with transportation and services provided by L.E.T.S.; and

WHEREAS, A contract agreement from January 1, 2009 through December 31, 2009 for legal services from James Dunn, P.C., East Lansing, Michigan to perform legal consultations and not-litigation services is required by L.E.T.S.; and

WHEREAS, Professional services for L.E.T.S., such as legal counsel and representation is an eligible operating reimbursable expense from the Michigan Department of Transportation and the Federal Transit Administration; and

WHEREAS, the rate for this contract is \$1,750 per month retainer capped at 18 hours of consultation on any issue facing the transportation system; and

WHEREAS, L.E.T.S. would like to continue the contract for services subject to the terms and conditions of the agreement.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the contract agreement with James Dunn, PLLC of East Lansing, Michigan for legal services for L.E.T.S. for the period January 1, 2009 through December 31, 2009 for a monthly rate of \$1,750. Hours are capped at 18 hours of time per month as further outlined in the contract agreement.

BE IT FURTHER RESOLVED that the Board chair is authorized to sign said contract upon review of Civil Counsel.

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

2008-12-369

LIVINGSTON COUNTY

DATE:

December 15, 2008

RESOLUTION AUTHORIZING BLANKET PURCHASE ORDER FOR DIESEL FUEL FOR 2009 - L.E.T.S. / General Government Committee / Finance

WHEREAS, currently L.E.T.S. purchases diesel fuel through the State of Michigan Extended Purchasing Program; and

WHEREAS, the L.E.T.S. 2009 budget for fuel was approved at \$185,000 based on current predictions of operating mileage and number of buses in operation; and

WHEREAS in the past a blanket purchase order for fuel was approved by the Board of Commissioners using the designated vendor approved by the State of Michigan Contract, that being RKA Petroleum of Romulus, Michigan; and

WHEREAS, the cost of fuel is an allowable reimbursable expenses from both the Federal Transit Administration and State of Michigan transportation formula funds.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners

hereby authorizes a blanket purchase order for the purchase of diesel fuel to the lowest

vendor at the time of purchase in an amount not to exceed One Hundred Eighty-Five

Thousand (\$185,000.00) Dollars for the period of January 1, 2009 through

December 31, 2009 in accordance with the County Purchasing Policy.

#

#

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-370

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION AUTHORIZING OUT-OF-STATE TRAINING FOR THE OPERATIONS AND ADMINISTRATIVE MANAGERS – EMS – Health & Human Services

WHEREAS, the EMS Department has determined the need to appropriately train and prepare our managers for the responsibilities of their job description; and;

WHEREAS, the EMS Department is recommending we enroll the Operations and Administrative managers for the Ambulance Service Management Certificate Program for the Spring and Summer programs respectively; and;

WHEREAS, the cost of the program is in the 2009 budget and shall not exceed \$13,000; and;

WHEREAS, this Resolution has been recommended for approval by the Health and Human Services Committee.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the EMS Department to enroll the Operations and Administrative Managers in the Fitch & Associates Ambulance Service Management Certificate Program in 2009 for a cost not to exceed \$13,000.00.

#

#

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

2008-12-371

LIVINGSTON COUNTY

DATE:

December 15, 2008

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A CONSTRUCTION FUND, FUND 493-EMS CONSTRUCTION - EMS / HEALTH & HUMAN SERVICES

WHEREAS, the Livingston County Board of Commissioners has authorized the construction of a new EMS Main Station; and

WHEREAS, EMS needs a construction fund set up to appropriately account for expenses during construction of the Main Station; and

WHEREAS, the monies to construct the project are to be transferred from the 210 EMS Fund balance, a special revenue fund; and

WHEREAS, this Resolution has been recommended for approval by the Finance Committee.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners authorizes the Livingston County Treasurer to create a Construction Fund 493- EMS Construction.

BE IT FURTHER RESOLVED that the Livingston County Treasurer is authorized to transfer \$500,000.00 from the 210 EMS Fund Balance to the 493 Construction to cover cost of the construction of the main station.

#

#

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-372

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO FIDLAR TECHNOLOGIES FOR SOFTWARE SUPPORT FOR LIVINGSTON COUNTY REGISTER OF DEEDS FIDLAR SOFTWARE - Information Technology / General Government / Finance

WHEREAS, due to the need to ensure that the technical support services and software upgrades are received for the Livingston County Register of Deeds Fidlar software through Fidlar Technologies; and

WHEREAS, the Fidlar software is now up for renewal and in order to continue the support as in the past with Fidlar Technologies, of Rock Island, Il, issuance of a new Purchase Order is required; and

WHEREAS, the Register of Deeds had personally chosen Fidlar Technologies because of their ability to improve the efficiency of record processing; and

WHEREAS, in compliance with the Livingston County Purchasing Policy, Fidlar Technologies of Rock Island, Il., is the sole source for the purchase of the annual Fidlar Software support for the Livingston County Register of Deeds department; and

WHEREAS, after the review of the vendor and products, Purchasing recommends that a Purchase Order with Fidlar Technologies of Rock Island, Il., be awarded for a 1 year period from November 1, 2008 through October 31, 2009 for an amount not to exceed \$65,000.00; and

WHEREAS, funding for same is available through the Information Technology Budget; and

WHEREAS, this Resolution has been recommended for approval by the General Government Committee.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves a Purchase Order be issued to Fidlar Technologies, for the annual Fidlar software support from November 1, 2008 through October 31, 2009 for an amount not to exceed \$65,000.00.

#

#

#

MOVED:

SECONDED:

RESOLUTION NO: #

PAGE: 2

--

CARRIED:

<http://sharepoint1/sites/Resolutions/Resolution Templates/Purchase Order NEW.doc>

RESOLUTION

NO: 2008-12-373

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION ESTABLISHING COMPENSATION FOR LIVINGSTON COUNTY BOARD OF COMMISSIONERS FOR THE YEARS 2009 AND 2010

Personnel Committee 12/3/08 / Finance Committee 12/11/08 / Board of Commissioners 12/15/08

WHEREAS, the Board of Commissioners have decided to waive any increases for the years 2009 and 2010 due to economic conditions and budget shortfalls; and

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the following Salary Schedule for the Board of Commissioners effective January 1, 2009, and January 1, 2010, which incorporates no increases in their wages for calendar year 2009 and 2010.

<u>Effective Date</u>	<u>1/1/2009 (0.0%)</u>	<u>1/1/2010 (0.0%)</u>
Board Chair	\$18,114	\$18,114
Vice Chair	\$16,024	\$16,024
Board Member	\$15,326	\$15,326

BE IT FURTHER RESOLVED that a potential exists for reductions in the total benefits package.

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-374

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO AUTHORIZE SECOND AMENDMENT TO COUNTY OF LIVINGSTON RETIREE HEALTH SAVINGS PROGRAM - COUNTY ADMINISTRATION / Personnel Committee / Finance Committee

WHEREAS, Livingston County Board of Commissioners adopted Resolution #1203-450 that established the Livingston County Retiree Health Savings Program with an effective date of January 1, 2004, for eligible employees hired after March 17, 2003, and an effective date of November 18, 2003, for eligible employees choosing the Special Window “opt-out”; and

WHEREAS, Livingston County Board of Commissioners adopted Resolution #2007-10-271 to amend the Livingston County Retiree Health Savings Program as required by the IRS to eliminate elective features; and

WHEREAS, the County of Livingston Retirement Health Savings Program must be amended a second time pursuant to the collective bargaining agreement between Livingston County Courts and the Michigan Association of Public Employees which provides that effective January 1, 2009 Court employees may participate in the County of Livingston Retirement Health Savings Program.

THEREFORE BE IT RESOLVED that subject to review by pension and benefits counsel, the Livingston County Board of Commissioners hereby amends the program as previously adopted:

**COUNTY OF LIVINGSTON
RETIREE HEALTH SAVINGS PROGRAM**

PROGRAM GUIDELINES

SECTION 1

PURPOSE

The purpose of the Program is to assist employees with saving for their future health care costs in retirement. The Livingston County Board of Commissioners hereby reserves and retains, solely and exclusively, all rights to interpret and operate the Program. Furthermore, the County Board reserves the right to add to, delete from, modify and/or change the Program in any way it deems appropriate, including termination of any and all provisions of the Program.

SECTION II

DEFINITIONS

For the purposes of this Program, the following words shall have the meanings respectively ascribed to them by this section;

1. *COUNTY or EMPLOYER* means the County of Livingston.
2. *COLLECTIVE BARGAINING ASSOCIATIONS* means those associations which have negotiated to participate in this Program, either specifically or by a “me too” provision.
3. *EMPLOYER CONTRIBUTIONS* means the payment made to the Participant’s Plan Account by the County up to the maximum amount allowed under the Program.
4. *EMPLOYEE* means any of the following:
 - (a) a non-union person employed by the County after March 17, 2003;
 - (b) a non-union person employed by the County on or before March 17, 2003, who is otherwise eligible to participate in the Retiree Health Care Plan, and (1) voluntarily elects to irrevocably cease participation in the Retiree Health Care Plan, and (2) elects to participate in this Program upon being offered that opportunity by the County;
 - (c) a person who is an elected official or judge of the County elected or appointed after March 17, 2003;
 - (d) a person who is an elected official or judge of the County elected or appointed on or before March 17, 2003, who is otherwise eligible to participate in the Retiree Health Care Plan, and (1) voluntarily elects to irrevocably cease participation in the Retiree Health Care Plan, and (2) elects to participate in this Program upon being offered that opportunity by the County; or
 - (e) A person employed by the County who is a member of a Collective Bargaining Association which has agreed to participate in this Program subject to the participation provisions of the collective bargaining agreement and this Program.
5. *PARTICIPANT CONTRIBUTIONS* means the voluntary payment made to the Participant’s Plan Account by the Employee. Participant contributions shall cease as of December 31, 2007.
6. *PARTICIPANT* means an Employee who is a member of a retirement plan of the County, is eligible for County provided health insurance while actively employed by the County and is also enrolled in the Program. No person shall be considered a Participant of the Program who is compensated for services to the County on a fee or independent contractual basis. In all cases of doubt, the Personnel Director shall decide who is a Participant within the meaning of this Program provided such decision is consistent with any applicable collective bargaining agreements or established County Policy.
7. *COUNTY POLICY* means those personnel and other policies as adopted by the Board of Commissioners and as contained in the employee manual or other appropriate written documents.

8. *PLAN ACCOUNT* means the account into which Participant Contributions and/or Employer Contributions under this Program are credited. Such Plan Account may be the Employee's 457 Plan or such other County plan which may be established by the County for purposes of this Program.
9. *PROGRAM* means the Retiree Health Savings Program of the County as described herein and any subsequent changes.
10. *PROGRAM YEAR* means the period commencing on January 1 and ending on December 31 of each year.
11. *RETIREMENT PLAN* means those retirement systems (collectively and individually) provided by the County of Livingston for its eligible employees and shall include any retirement program adopted by the County of Livingston and administered by the Michigan Municipal Employees Retirement System as provided by Act 135, the Public Acts of 1945, as amended.
12. *RETIREE HEALTH CARE PLAN* means the County of Livingston Retiree Health Care Plan as adopted by the County Board of Commissioners on June 2, 2003 and as amended in which participation has been granted to certain non-union employees hired on or before March 17, 2003, elected officials first elected on or before March 17, 2003, and certain union employees represented by Collective Bargaining Associations that have negotiated agreements granting participation in the plan (see the Retiree Health Care Plan document for details).

SECTION III

ELIGIBILITY

In order to be eligible to participate in this Program during any Program Year, an individual must meet all of the following:

1. be a current permanent Employee of the County; and
2. be eligible, under County Policy or an applicable collective bargaining agreement, to participate in a County's Retirement Plan; and
3. be eligible, under County Policy or an applicable collective bargaining agreement, to receive the County's health care insurance as an active employee; and
4. have filed a written election with the County to participate in this Program and be enrolled in a Plan Account; and
5. not be eligible for participation in the Retiree Health Care Plan.

SECTION IV

ENROLLMENT IN PROGRAM

Subject to all applicable provisions of this Program, the County shall give each eligible Employee initial notice of his or her opportunity to enroll in the Program at the time he/she completes the necessary paperwork for new hires. Additionally, each eligible Employee shall have an opportunity to enroll in the Program each year during the month of December for the next upcoming year. Once enrolled, the Participant will be expected to continue their participation until such a time as the participant notifies the payroll department in writing that they wish to withdraw from the Program. Depending upon the alternative funding plan chosen, however, participation once begun may require continuation in the program for as long as the Participant is employed by the County. Employees participating in the Retiree Health Care Plan shall only have the opportunity to enroll during special "opt-out" windows at the discretion of the County.

SECTION V

TERMINATION OF PARTICIPATION

Participation in the Program shall terminate in accordance with the Program Guidelines and/or applicable collective bargaining agreement, on the earliest of:

1. termination of the Program;
2. voluntary or involuntary separation of employment;
3. termination of an Employee's eligibility to participate in the County's Retirement Plan;
4. termination of an Employee's eligibility to participate in the County's regular health insurance plan as an active employee.

SECTION VI

PARTICIPANT CONTRIBUTION(S) (PLEASE NOTE: ALL PARTICIPANT CONTRIBUTIONS SHALL CEASE AS OF DECEMBER 31, 2007)

The Participant Contributions will be made by payroll deduction and deposited into the Participant's Plan Account. The Participant will authorize the amount to be deducted on a per pay period basis from their paycheck. It is expressly understood that the Participant Contributions and matching Employer Contributions will be subject to the applicable deferral limitations for the Plan Account in accordance with the Internal Revenue Code. Participant Contributions shall cease as of December 31, 2007.

SECTION VII

EMPLOYER'S CONTRIBUTION(S)

The amount of the Employer Contribution will be calculated based on the Participant's years of service. The Employer will contribute the Employer Contribution amount to the Participant's Plan Account with the first pay after last pay of each quarter. The Employer's Contribution shall not be included as compensation or earnings when computing the Participant's retirement benefits. In addition, any deductions required from the Employer Contributions by

state or federal rule, regulation or law shall be subtracted from the total contribution made by the Employer on behalf of the Participant.

The Employer Contribution shall be subject to the following maximum limitation in each calendar year of participation:

For Non-Union Employees:

YEARS OF SERVICE	AMOUNT
First five (5) years of service with the County	Up to \$520.00 per year (pro-rated)
Beginning with sixth (6 th) year of service with the County until termination of Participation	Up to \$1560.00 per year (pro-rated)
Adjusted annually consistent with the non-union salary schedule adjustment, beginning in 2005.	
The County contribution shall be distributed over a twelve (12) month period (four equal payments).	

For Court Bargaining Unit Employees – County Contributions to be Effective January 1, 2009:

YEARS OF SERVICE	AMOUNT
First five (5) years of service with the County	Up to \$350.00 per year (pro-rated)
Beginning with sixth (6 th) year of service with the County until termination of Participation	Up to \$1000.00 per year (pro-rated)
Adjusted annually consistent with the Court bargaining unit salary schedule adjustment, beginning in 2010.	
The County contribution shall be distributed over a twelve (12) month period (four equal payments).	

Years of service for purposes of this section must be actual service rendered with the County as an eligible employee or elected official. Purchased service or other service recognized for retirement under the Reciprocal Retirement Act (P.A. 88 of 1961, as amended (MCL 38.1102 et. seq.)) shall not be included.

In the event a Participant terminates Participation in the Program prior to the end of a calendar year, the Employer Contribution, up to the maximum allowed for the Participant's years of service, will be appropriately adjusted (1/12 of an allowed match for each full month of service in that calendar year) and paid to the Participant's Plan Account with the last paycheck.

SECTION VIII

SPECIAL WINDOW “OPT-OUT”

Employees beginning service on or before March 17, 2003, who are participants in the Retiree Health Care Plan, will be given a special one-time window of opportunity to voluntarily “opt-out” of the Retiree Health Care Plan and elect Participation in this Program. The decision to opt out of the Retiree Health Care Plan shall be made in writing upon such form or forms as the County may require and once made is IRREVOCABLE. In consideration for such a non revocable decision to “opt-out” of the Retiree Health Care Plan, the County will make an Employer Contribution in an amount equal to the maximum amounts provided under the Program for each of the eligible years of County service the employee has served. Any elected Official whose date of continuous employment is different than the date of participation in the MERS pension plan, the earlier date shall be the basis of the calculations for the buyout. Said Employer Contribution will be payable to the Participant’s Plan Account. There will be no required Participant Contribution into the Participant’s Plan Account to match the Employer’s special “opt-out” contribution. Continued Participation in the Program, however, will require Participant Contributions to receive future Employer Contributions. Future Employer Contributions would be based upon all years of actual service with the County in accordance with the provisions of Section VII. By way of illustration only, the following examples are offered:

EMPLOYEE A - Hired on March 2, 1998, Employee A would receive **\$3,900*** in the last pay period in December of 2003 if that employee chooses the irrevocable option to “opt-out” of the County of Livingston Retiree Health Care Plan to participate in this Program.

SERVICE REQUIREMENT	FORMULA	AMOUNT
First five (5) years of service	\$520 per year x 5	\$2,600.00
Ten (10) months of 6 th year of service (March through to December 2003)	\$130 per month x 10	\$1,300.00
EMPLOYER CONTRIBUTION	TOTAL:	\$3,900.00

EMPLOYEE B - Hired in September 24, 1979, Employee B would receive **\$32,630*** in the last pay period in December of 2003 if that employee chooses the irrevocable option to “opt-out” of the County of Livingston Retiree Health Care Plan to participate in this Program.

SERVICE REQUIREMENT	FORMULA	AMOUNT
First five (5) years of service	\$520 per year x 5	\$2,600.00
Next nineteen (19) years of service	\$1,560 per year x 19	\$29,640.00
Three (3) months of 25 th year of service	\$130 per month x 3	\$390.00

EMPLOYER CONTRIBUTION TOTAL:.....	\$32,630.00
-----------------------------------	-------------

*Any Employer Contribution that exceeds the dollar amount allowed for deferment into the Participant's Plan Account on a yearly basis: 1. may be paid - out into the Participant's Plan Account over a maximum of three years; or, 2. may be taken as a lump-sum payment which will be considered taxable income; or, 3. a combination of payments to the Plan Account and lump-sum payment; or, 4. defer receipt of lump sum pay-off until new program (401a or Retirement Health Savings Plan) is established. For those employees who opt to either take the Employer Contributions over a two to three year period, and/or those who decide to defer the Employer Contributions until a new program is established, the deferred amount(s) shall be enhanced by the annual interest rate equivalent earned on the investment of surplus County funds. The Employer's Contribution, nevertheless, shall not be included as compensation or earnings when computing the Participant's retirement benefits. As always, any deductions required from the Employer's Contributions by state or federal rule, regulation or law shall be subtracted from the total contribution made by the Employer on behalf of the Participant.

SECTION IX

INTERNAL COUNTY TRANSFERS

The transfer of an Employee from another employee group into an employee group that participates in this Program will require a review by the Personnel Department of the Employee's eligibility both to participate in this Program and for a possible "opt-out" of the Retiree Health Care Plan, if the Employee was covered under that plan while with the former employee group. The following are provided for illustrative purposes only:

1. Employee A transfers from an employee group that has not already agreed to participate in this Program and does not participate in the County of Livingston Retiree Health Care Plan. In that case, if Employee A is otherwise qualified for this Program, the employee could begin participation at the Employer's Contribution maximum level allowed for his length of County service. There would be no "opt-out" available for Employee A.
2. Employee B transfers from an employee group that has not already agreed to participate in this Program, but does participate in the Retiree Health Care Plan. Employee B would be offered an initial opportunity to voluntarily "opt-out" of the Retiree Health Care Plan. If Employee B elects to make an irrevocable decision to "opt-out" of the Retiree Health Care Plan, the County will make an appropriate Employer Contribution to the Participant's Plan Account in accordance with Section VIII. Continued participation in this Program after the date of transfer is subject to all provisions herein.

In those circumstances where the opportunity to “opt-out” of the Retiree Health Care Plan is appropriate, the Personnel Department will prepare and provide the necessary form or forms to the transferring employee for his/her consideration and election.

SECTION X

AMENDMENT - TERMINATION OF PROGRAM

The County Board of Commissioners reserves the right to amend or terminate the Program in any manner deemed appropriate by the Board in its sole discretion so long as such amendment or termination is not inconsistent with any applicable collective bargaining agreement. Notwithstanding, such amendment or termination, Participant shall be fully vested in any Employer Contribution paid by the County on a Participant’s behalf in accordance with this Program prior to such amendment or termination.

ε ε ε ε ε ε ε ε ε ε

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-375

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION TO AUTHORIZE SECOND AMENDMENT TO COUNTY OF LIVINGSTON RETIREMENT HEALTH SAVINGS PROGRAM ADOPTION AGREEMENT - COUNTY ADMINISTRATION / Personnel Committee / Finance Committee

WHEREAS, Livingston County Board of Commissioners adopted the Livingston County Retiree Health Savings Program which is currently administered by ICMA Retirement Corporation through its VantageCare Retirement Health Savings program; and

WHEREAS, Livingston County Board of Commissioners adopted Resolution #2007-10-271 to amend the Employer VantageCare Retirement Health Savings (RHS) Plan Adoption Agreement as required by the IRS to eliminate elective features; and

WHEREAS, the Employer VantageCare Retirement Health Savings (RHS) Plan Adoption Agreement must be amended a second time pursuant to the collective bargaining agreement between Livingston County Courts and the Michigan Association of Public Employees which provides that effective January 1, 2009 Court employees may participate in the County of Livingston Retirement Health Savings Program.

THEREFORE BE IT RESOLVED that subject to the review by pension and benefits counsel, the Livingston County Board of Commissioners hereby amends Employer VantageCare Retirement Health Savings (RHS) Plan Adoption Agreement to allow for Court employee participation in the County of Livingston Retirement Health Savings Program, pursuant Article 26 (H) of the Court collective bargaining agreement.

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2008-12-376

LIVINGSTON COUNTY

DATE: December 15, 2008

RESOLUTION FOR CHANGING MERS BENEFITS FOR DIVISION (01) NON-UNION EMPLOYEES - Administration / Personnel / Finance

WHEREAS, the County of Livingston is a participating municipality of the Michigan Municipal Employees' Retirement System (MERS); and

WHEREAS, historically, the County has provided the (01) Non-union division the "E" 2.0% benefit, which must be approved each year; and

WHEREAS, Resolution No. 2008-10-308 provides for the recent changes in retiree prescription coverage allowing retirees to participate in Medicare Part D; and

WHEREAS, recognizing the exposure to potentially higher costs by retirees, Resolution No. 2008-10-308 also included a provision for implementing the E-1 and E-2 benefits which provides for an automatic 2.5% non-compounded (simple) annual adjustment in the monthly pension benefit for current and future non-union retirees; and

WHEREAS, the annual savings to the County with the Medicare Part D retiree health care shift is in excess of \$400,000; and

WHEREAS, the actuarial valuation of the cost of the E-1/E-2 benefit is approximately \$31,000 per year.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby adopts this Resolution for Changing MERS Benefits adopting the E-1 and E-2 benefits for the (01) Non-union MERS division effective January 1, 2009.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners be authorized to sign the above-referenced agreement.

#

MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

2008-12-377

LIVINGSTON COUNTY

DATE:

December 15, 2008

RESOLUTION TO AMEND FISCAL-YEAR 2008 BUDGET – ADMINISTRATION / FINANCE COMMITTEE

WHEREAS, the proposed amendment ensures compliance with the Uniform Budgeting and Accounting Act, as amended; and

WHEREAS, the proposed amendment is necessary to properly reflect actual revenues / expenditures versus original projections; and

WHEREAS, the proposed budget amendment reflects a total reduction to the General Fund Fiscal-Year 2008 budget.

THEREFORE BE IT RESOLVED that the following County Fund budgets for Fiscal-Year 2007 be amended as illustrated below:

FUND	2008 PROPOSED AMENDED BUDGET
GENERAL FUND	\$44,872,491
DEPARTMENT OF PUBLIC HEALTH	\$3,899,192
FRIEND OF THE COURT	\$2,263,090
SMALL CITIES DEVELOPMENT BLOCK GRANT	\$18,500
COUNTY SURVEY & REMONUMENTATION	\$207,894
PROSECUTOR’S DRUG FUND	\$34,000
FEDERAL EQUITABLE SHARING	\$268,000
LIVINGSTON CO-MICHIGAN WORKS	\$3,135,806
LAW LIBRARY	\$8,000
SOCIAL WELFARE	\$350,000
VETERANS TRUST	\$50,000
AIRPORT	\$1,023,040
BUILDING SERVICES	\$3,004,818
BENEFIT FUND	\$7,824,188

The budgetary worksheets showing the line-item changes for the various funds Fiscal-Year 2008 proposed budget amendment will be attached as part of the resolution.

#

MOVED:
 SECONDED:
 CARRIED: