

BOARD OF COMMISSIONERS

11/2/2009

304 E. Grand River Ave., Howell, MI

7:30 PM

AGENDA

1. **CALL ANNUAL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRESPONDENCE**
 - A. County of Barry - Ban on residential fertilizers with phosphorous
 - B. County of Van Buren - Tourism - Pure Michigan Program
 - C. County of Lake - Continue State Fair
 - D. County of Lake - Dept of Ag be stand-alone department
 - E. County of Charlevoix - Dept of Ag remain stand-alone
 - F. County of Oscoda - Expansion of unemployment benefits - accept stimulus funds
 - G. County of Van Buren - Supervision of foster children
 - H. County of Allegan - LEIN Funding Formula
 - I. County of Oceana - LEIN Funding Formula
5. **CALL TO THE PUBLIC**
6. **APPROVAL OF MINUTES**
 - A. Minutes of October 19, 2009
 - B. Minutes of October 21, 2009
7. **TABLED ITEMS FROM PREVIOUS MEETINGS**

None
8. **APPROVAL OF AGENDA**
9. **REPORTS**
10. **RESOLUTIONS FOR CONSIDERATION:**

2009-10-321 RESOLUTION TO AUTHORIZE REQUEST TO USE COUNTY GROUNDS BY ROLLING THUNDER INC. / MICHIGAN CHAPTER 5, FOR A "RIDE TO REMEMBER" – Building Services

2009-11-322 RESOLUTION TO APPROVE APPOINTMENTS TO THE LIVINGSTON COUNTY PLANNING COMMISSION - Board of Commissioners

2009-11-323 RESOLUTION AUTHORIZING THE USE OF A PORTION OF THE NORTH STREET GARAGE BY COMMUNITY MENTORING SERVICES FOR THE PURPOSE OF PROVIDING TRANSPORTATION TO IMPOVERISHED INDIVIDUALS AND FAMILIES - Drain Commissioner / Infrastructure & Development Committee 5/26/09 and 6/22/09 and 10/26/09

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- 2009-11-324** RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO COMMERICAL INTERIOR RESOURCES FOR CARPET REPLACEMENT AT THE JUDICIAL BUILDING IN THE DISTRICT COURT DEPARTMENT - Building Services / General Government Committee / Finance Committee
-
- 2009-11-325** RESOLUTION AUTHORIZING UTILITZATION OF VERIZON WIRELESS FOR LIVINGSTON COUNTY'S PUBLIC SAFETY SYSTEM, INCLUDING CITRIX LICENSING FOR MOBILE UNIT CONNECTION – 911 Central Dispatch / Public Safety Committee / Finance Committee
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- 2009-11-326** RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO AN AGREEMENT WITH R.W. ARMSTRONG OF LANSING, MICHIGAN FOR AN APRON UTILIZATION PLAN / AIRCRAFT PARKING LAYOUT STUDY IN PREPARATION FOR THE NEW TERMINAL BUILDING RAMP AREA - Airport / General Government Committee / Finance Committee
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- 2009-11-327** RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO A GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION TO FUND AN APRON UTILIZATION STUDY, ROTATING BEACON REHAB, AND TERMINAL PRE-DESIGN - Airport / General Government Committee / Finance Committee
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- 2009-11-328** RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO ORTIVUS, INC. FOR SOFTWARE MAINTENANCE FOR THE LIVINGSTON COUNTY EMS DEPARTMENT - Information Technology / General Government Committee / Finance Committee
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- 2009-11-329** RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF FY 2010 MICHIGAN DRUG COURT GRANT PROGRAM FUNDS (MDCGP) FOR THE OPERATION OF THE LIVINGSTON COUNTY SOBRIETY COURT PROGRAM - District Court / Public Safety Committee / Finance Committee
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- 2009-11-330** RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING ON CASH MATCH FUNDING FOR BEHAVIORAL HEALTH MANAGED CARE SERVICES (IV-E PROGRAM WRAPAROUND) - Circuit Court, Family Division / Public Safety Committee / Finance Committee
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- 2009-11-331** RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF FY 2010-2012 SAFE HAVENS: SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM FUNDS GRANTED BY THE US DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN - Circuit Court / Public Safety Committee / Finance Committee
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- 2009-11-332** RESOLUTION TO AMEND THE WORKFORCE REDUCTION POLICY - Human Resources / Personnel Committee

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- 2009-11-333** RESOLUTION TO OFFER A VOLUNTARY SEPARATION RETIREMENT INCENTIVE PROGRAM TO ELIGIBLE NON-UNION AND UNION EMPLOYEES -Administration / Personnel Committee / Finance Committee
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- 2009-11-334** RESOLUTION TO OFFER A VOLUNTARY SEPARATION RETIREMENT INCENTIVE PACKAGE TO ELIGIBLE SHERIFF BARGAINING UNIT EMPLOYEES - Administration / Personnel Committee / Finance Committee
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- 2009-11-335** RESOLUTION TO OFFER A SEVERANCE PROGRAM TO ELIGIBLE NON-UNION EMPLOYEES WHOSE POSITIONS ARE ELIMINATED FROM THE 2010 BUDGET - Administration / Personnel Committee / Finance Committee
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- 2009-11-336** RESOLUTION TO CEASE ALLOWING NEW NON-UNION PARTICIPANT ELIGIBILITY IN THE RETIREE HEALTH CARE PLAN AND TO OFFER THOSE ACTIVE EMPLOYEES CURRENTLY ELIGIBLE FOR THE RETIREE HEALTH CARE PLAN THE OPPORTUNITY TO ENROLL IN THE RETIREE HEALTH SAVINGS PROGRAM - Administration / Personnel Committee / Finance Committee
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- 2009-11-337** RESOLUTION AUTHORIZING THE LIVINGSTON COUNTY BUILDING DEPARTMENT TO ACT AS AGENT FOR PROCESSING OF PERMITS AND INSPECTIONS IN BRIGHTON TOWNSHIP – Building Inspections Department / Full Board
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- 2009-11-338** RESOLUTION AUTHORIZING A MASTER AGREEMENT CONTRACT RENEWAL WITH AT&T FOR TELEPHONE AND INTERNET SERVICES - Information Technology / Full Board
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- 11. CALL TO THE PUBLIC**
12. RECESS ANNUAL MEETING

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: 2009-11-321

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO AUTHORIZE REQUEST TO USE COUNTY GROUNDS BY ROLLING THUNDER INC. / MICHIGAN CHAPTER 5, FOR A "RIDE TO REMEMBER" – Building Services

WHEREAS, Rolling Thunder Chapter 5 has requested the use of County grounds, specifically the Courthouse Lawn and Amphitheater, and the Courthouse and Administration Building Parking Lots, for the purpose of holding Ride to Remember on Saturday, May 15, 2010, from noon to 3:00 pm.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the request for use of County grounds by Rolling Thunder Chapter 5, for the purpose of holding Ride to Remember on Saturday, May 15, 2010, from noon to 3:00 pm,

BE IT FURTHER RESOLVED that requested use of county grounds will be in accordance with existing county policy at the time of the event.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-11-322

LIVINGSTON COUNTY

DATE: November 2, 2009

**RESOLUTION TO APPROVE APPOINTMENTS TO THE LIVINGSTON COUNTY
PLANNING COMMISSION - Board of Commissioners**

WHEREAS, the term of representatives seats on the Livingston County Planning Commission have expired and/or been vacated; and

WHEREAS, the following reappointments have been recommended:

PLANNING COMMISSION

Bethany Hammondterm expires 10/31/12

Jeanne Clum term expires 10/31/12

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby

approves the reappointments and expiration dates referenced above.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-11-323

LIVINGSTON COUNTY

DATE: November 2, 2009

**RESOLUTION AUTHORIZING THE USE OF A PORTION OF THE NORTH STREET GARAGE BY COMMUNITY MENTORING SERVICES FOR THE PURPOSE OF PROVIDING TRANSPORTATION TO IMPOVERISHED INDIVIDUALS AND FAMILIES –
Drain Commissioner / Infrastructure & Development Committee / Full Board**

WHEREAS, Community Mentoring Services (CMS) has requested use of Livingston County facilities, specifically a portion of the North Street Garage, which currently houses the field operations of the Livingston County Drain Commissioner; and

WHEREAS, CMS utilizes its resources to provide transportation and vehicle repair services to impoverished individuals and families; and

WHEREAS, CMS proposes to utilize approximately 600 square feet of the garage facility, and outside parking for up to 8 vehicles; and

WHEREAS, Phoenix Motors anticipates using the facilities for a period of approximately 1-2 years, while it finds a permanent facility; and

WHEREAS, the office of the Livingston County Drain Commissioner will work with CMS on an acceptable arrangement for use and sharing of the facilities; and

WHEREAS, an agreement will be developed and reviewed by County legal counsel spelling out the terms of the proposed use of the facility.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the request by Community Mentoring Services to utilize a portion of the North Street Garage contingent upon approval of an acceptable agreement by County legal counsel.

BE IT FURTHER RESOLVED that the Chairman of the Livingston County Board of Commissioners is authorized to sign the agreement upon review of legal counsel.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

2009-11-324

LIVINGSTON COUNTY

DATE:

November 2, 2009

RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO COMMERCIAL INTERIOR RESOURCES FOR CARPET REPLACEMENT AT THE JUDICIAL BUILDING IN THE DISTRICT COURT DEPARTMENT - Building Services / General Government Committee / Finance Committee

WHEREAS, due to current condition of the existing carpet in the Livingston County District Court department at the Judicial Center, it has been determined that there is a need for new carpet to be purchased and installed in the District Court room's and in Judge Geddes' office; and

WHEREAS, in compliance with the Livingston County Purchasing Policy, Commercial Interior Resources, Inc. of Wixom, MI., has been selected for the purchase and installation of the new carpet; and

WHEREAS, after the review of the vendor and products, Purchasing recommends that a purchase order with Commercial Interior Resources, Inc., of Wixom, MI., be awarded for a amount not to exceed \$17,297.05 ; and

WHEREAS, the funds for the carpet replacement for District Court will come out of the Building Services Capital fund, in the amount of \$17,297.05; and

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

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves a Purchase Order be issued to Commercial Interior Resources, Inc. for the purchase and installation of carpet at the Judicial Center in the District Court in the amount not to exceed \$ 17,297.05

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2009-11-325

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION AUTHORIZING UTILITZATION OF VERIZON WIRELESS FOR LIVINGSTON COUNTY'S PUBLIC SAFETY SYSTEM, INCLUDING CITRIX LICENSING FOR MOBILE UNIT CONNECTION – 911 Central Dispatch / Public Safety Committee / Finance Committee

WHEREAS, currently, Livingston County's public safety mobile data users are provided wireless data from AT&T as part of the bundled CLEMIS services; and

WHEREAS, as we migrate to the OSSI/Sungard platform, we will need to implement a wireless service for users of Livingston County's Public Safety System (LCPSS); and

WHEREAS, in researching and testing the providers available to Livingston County for the wireless connection, Verizon Wireless offers the same level of services as AT&T but at half the cost; and

WHEREAS, the current GSA , Federal Supply contract rate is \$42.99 per month with the projected monthly fee for current users, approximately 175 devices, will be \$7,525.00; and

WHEREAS, to facilitate the connection to the OSSI/Sungard application, 50 concurrent licenses of the CITRIX product must be utilized; and

WHEREAS, we are purchasing said licenses under reduced government pricing from CDW-G at the total cost of \$13,221.00; and

WHEREAS, we are purchasing EXP Multi-Tier Virus/Spam protection for a annual cost of \$10,325.00; and

WHEREAS, the expenditure of these services have been budgeted and planned for within the 9-1-1 Central Dispatch/Emergency Management Department budget.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the utilization of Verizon Wireless as the LCPSS wireless data provider at the current GSA, Federal Supply contract rate of \$42.99 per month with the projected monthly fee for current users, approximately 175 devices, of \$7,525.00; additionally, the purchase of 50 CITRIX licenses at the total cost of \$13,221.00 and the Virus/Spam protection for an annual cost of \$10,325.00;

BE IT FURTHER RESOLVED the 9-1-1 Central Dispatch/Emergency Management Director is authorized to add and delete devices from the wireless data service to meet the needs of LCPSS.

BE IT FURTHER RESOLVED that the Board Chairman be authorized to sign any agreements or documents needed for this project or renewals upon review of Civil Counsel.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-11-326

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO AN AGREEMENT WITH R.W. ARMSTRONG OF LANSING, MICHIGAN FOR AN APRON UTILIZATION PLAN / AIRCRAFT PARKING LAYOUT STUDY IN PREPARATION FOR THE NEW TERMINAL BUILDING RAMP AREA -- Airport / General Government Committee / Finance Committee

WHEREAS, the Livingston County Airport is preparing drawings for the design of a new terminal building at this time; and

WHEREAS, a new transient parking ramp area will be constructed adjacent to the new terminal building; and

WHEREAS, R.W. Armstrong of Lansing, Michigan will conduct a study to determine the optimum layout and size of the new ramp area prior to determining the location of the ramp area and the design of the pavement section; and

WHEREAS, the Michigan Aeronautics Commission has authorized a funding to provide for these preliminary design services in the amount of \$13,573 with a local share (5%) of \$678.65.

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners concurs with the Livingston County Aeronautical Facilities Board to enter into an agreement with R.W. Armstrong of Lansing, Michigan to provide design services for an Apron Utilization Plan / Aircraft Parking Layout Study for the Livingston County Airport.

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

BE IT FURTHER RESOLVED that funds be advanced from the Airport Loan Agreement upon receipt of an invoice from MDOT.

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2009-11-327

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO A GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION TO FUND AN APRON UTILIZATION STUDY, ROTATING BEACON REHAB, AND TERMINAL PRE-DESIGN - Airport / General Government Committee / Finance Committee

WHEREAS, the Livingston County Board of Commissioners has entered into an agreement with Reynolds, Smith & Hills (RS&H) of Flint, Michigan for the design engineering services for the construction of a new terminal building at the Livingston County Airport; and

WHEREAS, the Livingston County Board of Commissioners has entered into an Agreement with R.W. Armstrong of Lansing, Michigan for an Apron Utilization Study in preparation for a ramp area for the new terminal building; and

WHEREAS, the airport Rotating Beacon is currently out of service and in need of rehabilitation; and

WHEREAS, the Michigan Aeronautics Commission has authorized a grant agreement to provide funding for these services; and

WHEREAS, the total amount of the grant agreement is \$66,000 and the local share (5%) will be \$3,300.00.

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners concurs with the Livingston County Aeronautical Facilities Board to enter into a grant agreement with the Michigan Department of Transportation to fund an Apron Utilization Study, Pre-Design of the Airport Terminal Building, and rehabilitation of the airport rotating beacon.

BE IT FURTHER RESOLVED the local share of \$3,300.00 shall be advanced from the Airport Loan Agreement upon receipt of an invoice from MDOT.

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

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MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2009-11-328

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO ORTIVUS, INC. FOR SOFTWARE MAINTENANCE FOR THE LIVINGSTON COUNTY EMS DEPARTMENT - Information Technology / General Government Committee / Finance Committee

WHEREAS, due to the need to ensure that the technical support services and software upgrades are received for the Livingston County EMS Department for their Sweet-Billing software through Ortivus, Inc.; and

WHEREAS, Sweet-Billing is the industry-leading billing, reimbursement and collection software application for Emergency Medical Services and Sweet-Billing can be expected to become the central repository for all patient data, including treatments, medications, vitals and more; and

WHEREAS, in compliance with the Livingston County Purchasing Policy, Ortivus, Inc. of Decorah, IA, is the sole source for the purchase of the annual Sweet-Billing Software maintenance for the Livingston County EMS Department; and

WHEREAS, Ortivus was contacted by the EMS Department to ask them if they would lower the cost of the maintenance, but they will not reduce their cost, the cost increased from \$13,196.80 to \$ 14,491.12; and

WHEREAS, after the review of the vendor and products, Purchasing recommends that a Purchase Order with Ortivus, Inc. of Decorah, IA, be awarded for a 1 year period from November 24, 2009 through November 23, 2010 for an amount not to exceed \$14,491.12 and

WHEREAS, funding for same is available through the Emergency Medical Services Budget.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves a Purchase Order be issued to Ortivus, Inc. for the annual Sweet-Billing Software maintenance from November 24, 2009 through November 23, 2010 for an amount not to exceed \$14,491.12

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2009-11-329

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF FY 2010 MICHIGAN DRUG COURT GRANT PROGRAM FUNDS (MDCGP) FOR THE OPERATION OF THE LIVINGSTON COUNTY SOBRIETY COURT PROGRAM - District Court / Finance Committee

WHEREAS, The 53rd District Court of Livingston County's application to operate a Sobriety/DWI Court Program for misdemeanants was approved for funding through the State Court Administrative Office (SCAO); and

WHEREAS, The 53rd District Court is in its fifth year of operating the Livingston County Sobriety Court Program, which has saved Livingston County an average of 850 jail bed days annually since inception; and

WHEREAS, Livingston County would receive \$30,000.00 from October 1, 2009 through September 30, 2010 with no County match required; and

WHEREAS, Funding will provide for the necessary program staff, contractual services (including treatment), and supplies; and

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the acceptance of MDCGP funding by the State Court Administrative Office for the purpose of the Livingston County Sobriety Court.

BE IT FURTHER RESOLVED the chair of the Livingston County Board of Commissioners, the County Financial Officer, the Chief Judge of the 53rd District Court, and the District Court Administrator be authorized to sign the Grant Agreement and any future amendments for monetary and contractual language adjustments upon review by Civil Counsel.

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2009-11-330

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING ON CASH MATCH FUNDING FOR BEHAVIORAL HEALTH MANAGED CARE SERVICES (IV-E PROGRAM WRAPAROUND) - Circuit Court-Family Division / Public Safety Committee / Finance Committee

WHEREAS, the Livingston County Community Mental Health Authority, Livingston County Department of Human Services, Livingston County Health Department, the Substance Abuse Coordinating Agency, and the 44th Judicial Circuit Court - Family Court Division/Juvenile Unit have agreed to enter into a local collaborative venture to provide comprehensive behavioral health managed care services for specific children who are residents of Livingston County and who meet the enrollment criteria for said services; and

WHEREAS, this joint pooling of resources is a recognized approach to funding programs to meet the community identified needs that would otherwise not be possible on an individual agency basis; and

WHEREAS, the parties in conjunction with the Livingston County Human Services Collaborative Body have a proven track record in the delivery of integrated human services through community wide collaborative projects.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes entering into a Memorandum of Understanding with the Livingston County Community Mental Health Service Board for the delivery of behavioral health services at a total cost to Livingston County of \$196,000 for the period of October 1, 2008, through September 30, 2009, one-half of which is eligible for reimbursement by the State of Michigan Child Care Fund. In addition, COBO funds of \$40,000 and \$5,000 from Livingston County Department of Public Health are being donated to the Child Care Fund for the Wraparound program.

BE IT FURTHER RESOLVED that match funding be taken from the following accounts after January 1, 2009, as billed by Livingston County Community Mental Health and after entry of said resolution:

MATCH FUNDING	NAME	FUND NO.
\$156,000.00	LIVINGSTON COUNTY CHILD CARE FUND 2008/2009 [Juvenile Unit / Family Division / 44 th Circuit Court]	#292
\$40,000.00	LIVINGSTON COUNTY CHILD CARE FUND 2008/2009 [Department of Human Services Child Care Budget]	#292
\$196,000.00	TOTAL FUNDS	

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the Chairman to sign the Memorandum of Understanding upon review of civil counsel.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners be authorized to sign future amendments for monetary and contract language adjustments of the above-referenced Memorandum of Understanding upon review by Civil Counsel.

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2009-11-331

LIVINGSTON COUNTY

DATE: November 2, 2009

**RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF FY 2010-2012 SAFE HAVENS:
SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM FUNDS GRANTED BY
THE US DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN -
Circuit Court / Public Safety Committee / Finance Committee**

WHEREAS, Livingston County's application to provide supervised visitation and safe exchange services, in conjunction with the Livingston Family Center and LACASA was approved for funding through the US Department of Justice Office on Violence Against Women (OVW); and

WHEREAS, Livingston County would receive \$400,000 over a thirty-six month grant period with no County match required, to develop and implement a Safe Havens Project to provide exchange and visitation services to families, who have been victims of abuse, domestic/dating violence, stalking, or neglect; and

WHEREAS, Livingston County Circuit Court, Family Division and Friend of the Court witnessed the dire need of these services as incidences of familial violence continue to rise and the employability of Michigan's citizens remains distressed; and

WHEREAS, Funding will provide for program staff, ongoing training and technical assistance, contractual services, consultant fees, equipment, supplies, the establishment of a Safe Exchange Task Force, among other essentials; and

WHEREAS, Livingston County has the support of key community stakeholders for this project and its services.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the acceptance of grant funds by the US Department of Justice (OVW) for the purpose of establishing a Safe Havens Project in Livingston County.

BE IT FURTHER RESOLVED the chair of the Livingston County Board of Commissioners, the County Financial Officer, the Court Administrator and Chief Judge of the Circuit Court be authorized to sign the above Application, subsequent Grant Agreement and any future amendments for monetary and contractual language adjustments upon review by Civil Counsel.

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2009-11-332

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO AMEND THE WORKFORCE REDUCTION POLICY FOR NON-UNION COUNTY EMPLOYEES – *Personnel Committee 10/14/09 / Finance Committee 10/21/09 / Full Board 11/2/09*

WHEREAS, reductions in the taxable value of real estate have had a negative impact on Livingston County operating revenues which has resulted in a budgeting short-fall for the 2010 budget year; and

WHEREAS, as a result, Livingston County must continue to reduce operating expenses; and

WHEREAS, revising the Workforce Reduction policy will produce a reduction in future operating expenses by eliminating reemployment provisions; and

WHEREAS, the Personnel Subcommittee and the Finance Committee have reviewed this matter and recommend the approval of the revised Workforce Reduction policy.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the attached revised Workforce Reduction Policy.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners requests and it is anticipated that all County elected officials shall comply with the County's Workforce Reduction policy.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-11-333

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO OFFER A VOLUNTARY SEPARATION RETIREMENT INCENTIVE PROGRAM TO ELIGIBLE NON-UNION AND UNION EMPLOYEES -

Personnel 10/14/09 and 10/19/09 / Finance 10/21/09 / Full Board November 2, 2009

WHEREAS, reductions in the taxable value of real estate have had a negative impact on Livingston County operating revenues which has resulted in a budgeting short-fall for the 2010 budget year; and

WHEREAS, Livingston County must reduce operating expenses by creating vacancies and providing opportunities for departments to restructure in order to improve efficiency; and

WHEREAS, Administration, Finance, and Human Resources have reviewed the available options and proposed a Voluntary Separation Retirement Incentive program to reduce the workforce, create vacancies and provide opportunities for restructuring; and

WHEREAS, the Personnel and Finance Committees have reviewed this matter and recommend the Board of Commissioners offer a Voluntary Separation Retirement Incentive program to Non-Union employees and unionized employees at the Courts, EMS, and Central Dispatch who will be eligible to retire by February 28, 2010.

THEREFORE BE IT RESOLVED that subject to the concurrence of the applicable elected official or Chief Judge and subject to the Michigan Association of Public Employees approval as to unionized Court and Central Dispatch employees, and the Livingston County Paramedics Association approval as to unionized Paramedics, the Voluntary Separation Retirement Incentive program be offered to any employee who retires during a ninety (90) day window period during which eligible employees must make their election to participate in the program, beginning December 1, 2009 and ending February 28, 2010 with the last day of employment occurring no later than February 28, 2010.

BE IT FURTHER RESOLVED that the Voluntary Separation Retirement Incentive be offered to Non-Union employees and unionized employees at the Courts, EMS, and Central Dispatch who meet one or more of the following criterion by February 28, 2010:

1. Age 60 with a minimum of 10 years of MERS credited service, for a normal retirement benefit

2. Age 55 with a minimum of 15 years of MERS credited service, for a reduced retirement benefit
3. Age 50 with a minimum of 25 years of MERS credited service, for a reduced retirement benefit
- 4. Age 60 with a minimum of 6 years of MERS credited service and enrolled in the Hybrid program.**

BE IT FURTHER RESOLVED that in order to participate in this Voluntary Separation Retirement Incentive Program, each employee must sign a Release Agreement as prepared by the employer.

BE IT FURTHER RESOLVED that the Voluntary Separation Retirement Incentive offered be a lump sum payment of one (1) week of base salary (as of the last day of employment) times years of MERS credited service with Livingston County (as of the last day of employment). Notwithstanding the foregoing, for employees who are already receiving a MERS retirement benefit for service with Livingston County, an employee must have completed at least ten (10) years of service since monthly retirement benefits commenced and that only time employed with the County since monthly retirement benefits commenced shall be used in calculating this lump sum payment. Part-time employee's base salary will be determined by the number of hours approved/budgeted by the Board of Commissioners. The lump sum payment may be deposited into a §457 account on a pre-tax basis up to the IRS maximum contribution levels or paid as cash (subject to normal tax withholding).

BE IT FURTHER RESOLVED that the lump sum Voluntary Separation Retirement Incentive payment, as well as any sick time payouts, are not eligible to be included in the final average compensation (FAC) for the MERS defined benefit pension pursuant to MERS plan documents.

BE IT FURTHER RESOLVED that eligible employees who elect to participate in this Voluntary Separation Retirement Incentive program must be actively at work through their last day of employment. Use of banked sick time is subject to normal physician verification provisions and use of vacation time is subject to supervisor approval. Employees who are on workers' compensation leave, short term disability, or long term disability shall be considered to be at work on their last day of employment. Employees who retire under this program shall receive fifty percent (50%) of accumulated sick leave up to a maximum of seventy-two (72) days paid based on the employee's current salary.

BE IT FURTHER RESOLVED that employees applying for retirement must give a minimum of thirty (30) days notice to MERS and the Employer before their anticipated last day of employment.

BE IT FURTHER RESOLVED that funding for the Voluntary Separation Retirement Incentive program shall be obtained from each department's/fund's appropriation.

BE IT FURTHER RESOLVED that this Voluntary Separation Retirement Incentive is subject to Resolution No. 2008-12-352, which provides that all vacancies that occur during this hiring freeze are declared to be a position reduction on the Authorized & Funded Employee List for each such vacated position and funding shall be removed from the Courts, Elected Officials and Department Heads budget. Said vacated position shall not be filled, except by specific Board authorization.

BE IT FURTHER RESOLVED that elected officials and judges are not eligible for this program.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes offering the Voluntary Separation Retirement Incentive program to eligible employees effective November 3, 2009.

BE IT FURTHER RESOLVED that the Board Chair is hereby authorized to sign all necessary agreements to effectuate this resolution.

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MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2009-11-334

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO OFFER A VOLUNTARY SEPARATION RETIREMENT INCENTIVE PACKAGE TO ELIGIBLE SHERIFF BARGAINING UNIT EMPLOYEES

Personnel 10/14/09 and 10/19/09 / Finance 10/21/09 / Full Board 11/2/09

WHEREAS, reductions in the taxable value of real estate have had a negative impact on Livingston County operating revenues which has resulted in a budgeting short-fall for the 2010 budget year; and

WHEREAS, Livingston County must reduce operating expenses by creating vacancies and providing opportunities for departments to restructure in order to improve efficiencies; and

WHEREAS, Administration and the Sheriff have reviewed the available options and proposed a Retirement Incentive Package to reduce the workforce, create vacancies and provide opportunities for restructuring, while attempting to avoid lay-offs; and

WHEREAS, the Personnel and Finance Committees have reviewed this matter and the Sheriff recommends the Board of Commissioners offer a Voluntary Retirement Incentive Package to Sheriff Department unionized employees who will be eligible to retire by January 31, 2010.

THEREFORE BE IT RESOLVED that, subject to Police Officers Association of Michigan approval as to Sheriff Deputies, Detectives and Corrections Officers and Michigan Association of Police approval as to Sergeants and Lieutenants, this Voluntary Retirement Incentive Package is available to all Deputies, Detectives, Corrections Officers, Sergeants and Lieutenants who are or will be eligible to retire with a normal retirement benefit by the end of the retirement window. The retirement window ends January 31, 2010 with the last day of employment occurring no later than January 31, 2010.

BE IT FURTHER RESOLVED that an employee who qualifies for a normal retirement benefit under one or more of the retirement provisions as provided in his/her applicable collective bargaining agreement (either 60/10, 55/15, or 50/25) by January 31, 2010 and who elects to retire

under this Voluntary Retirement Incentive Package shall serve his/her last day of employment no later than January 31, 2010.

BE IT FURTHER RESOLVED that in order to participate in this Voluntary Separation Retirement Incentive Program, each employee must sign a Release Agreement as prepared by the Employer.

BE IT FURTHER RESOLVED that for each employee electing to retire under this Voluntary Retirement Incentive Package only, the Employer agrees to provide a cash incentive payment as follows:

Cash incentive payment equal to 2.0% of his/her base annual wage for 2009 (as defined by the wage scale of their collective bargaining agreement) times his/her years of service with Livingston County to employees who agree now to waive participation in the County prescription coverage at age 65 when they are eligible for Medicare Part D.

BE IT FURTHER RESOLVED that retiree health and hospitalization benefits, including prescription coverage, may change over time depending on collective bargaining agreement provisions related to current employees. There will be no enhancement of a cash incentive payment if in the future health and hospitalization (including prescription) benefits change.

BE IT FURTHER RESOLVED that individuals will elect whether cash incentive payments are to be paid out in cash or deposited into §457 accounts in the retiree's name, subject to IRS contribution limits, with the remainder paid as cash. Pursuant to the MERS plan document, cash incentive payments are not used in calculating final average compensation.

BE IT FURTHER RESOLVED that for participants who elect to retire under this Voluntary Retirement Incentive Package only, the County and the unions agree to indefinitely suspend the spousal and/or dependent coverage provisions in their applicable collective bargaining agreements, which are as follows: §35.4 of the Sheriff Deputy, Detective and Corrections Officer agreement, §32.3 of the Sergeant agreement, and §24.3 of the Lieutenant agreement.

BE IT FURTHER RESOLVED that the suspension of the above mentioned spousal and/or dependent coverage provisions pertains only to employees who participate in this Voluntary Retirement Incentive Package. Provisions requiring annual certification of the lack of available coverage still apply, except for those persons specifically suspended. Retiree available coverage provisions still apply. Benefits may change over time depending on collective bargaining agreement provisions related to current employees.

BE IT FURTHER RESOLVED that coverage for dependent children will be available for purchase only for dependent children currently covered under the County health and hospitalization plan for retirees who participate in this Voluntary Retirement Incentive Package only. Dependent children will be covered to age 19 and subject to normal County eligibility provisions. Dependent children coverage shall be \$1,725 annually per family, or \$143.75 per month, to be paid to the Employer monthly.

BE IT FURTHER RESOLVED that employees applying for retirement must give a minimum of thirty (30) days notice to MERS and the Employer before anticipated last day of employment

BE IT FURTHER RESOLVED that funding for the Voluntary Separation Retirement Incentive Program shall be obtained from each department's/fund's appropriation.

BE IT FURTHER RESOLVED that the Board Chair is hereby authorized to sign all necessary agreements to effectuate this resolution.

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MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2009-11-335

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO OFFER A SEVERANCE PROGRAM TO ELIGIBLE NON-UNION EMPLOYEES WHOSE POSITIONS ARE ELIMINATED FROM THE 2010 BUDGET –

Personnel 10/14/09 and 10/19/09 / Finance 10/21/09 / Full Board 11/2/09

WHEREAS, an inevitable consequence of the current economic downturn is that 2010 departmental budgets may no longer provide funding for certain positions; and

WHEREAS, Administration, Finance, and Human Resources have reviewed the available options and proposed a severance program for employees whose positions are eliminated from the 2010 budget; and

WHEREAS, the Personnel and Finance Committees have reviewed this matter and recommend the Board of Commissioners offer a severance program to Non-Union employees whose positions are eliminated in the 2010 budget.

THEREFORE BE IT RESOLVED that subject to the concurrence of the applicable elected official or Chief Judge the severance program be offered to any employee whose position is eliminated from the 2010 budget.

BE IT FURTHER RESOLVED that the severance offered be a lump sum payment of one (1) week of base salary (as of the last day of employment) times years of MERS credited service with Livingston County (as of the last day of employment). Notwithstanding the foregoing, for employees who are already receiving a MERS retirement benefit for service with Livingston County, an employee must have completed at least ten (10) years of service since monthly retirement benefits commenced and that only time employed with the County since monthly retirement benefits commenced shall be used in calculating this lump sum payment. The maximum severance payment shall be the equivalent of six (6) weeks salary. Part-time employee's base salary will be determined by the number of hours approved/budgeted by the Board of Commissioners. The lump sum payment may be deposited into a §457 account on a pre-tax basis up to the IRS maximum contribution levels or paid as cash (subject to normal tax withholding).

BE IT FURTHER RESOLVED that the lump sum severance payment, as well as any sick time payouts, are not eligible to be included in the final average compensation (FAC) for the MERS defined benefit pension pursuant to MERS plan documents.

BE IT FURTHER RESOLVED that in order to participate in this Severance Program, each employee must sign a Release Agreement as prepared by the employer.

BE IT FURTHER RESOLVED that under this Severance Program only, in the event the current federal COBRA subsidy is not continued beyond December 31, 2009, the County shall provide a 65% cost reduction on the normal COBRA charge for former employees for up to nine (9) months on the applicable base medical plan.

BE IT FURTHER RESOLVED that eligible employees who participate in this severance program must be actively at work through their last day of employment. Use of banked sick time is subject to normal physician verification provisions and use of vacation time is subject to supervisor approval. Employees who are on workers' compensation leave, short term disability, or long term disability shall be considered to be at work on their last day of employment.

BE IT FURTHER RESOLVED that funding for the severance program shall be obtained from each department's/fund's appropriation.

BE IT FURTHER RESOLVED that this severance is subject to Resolution No. 2008-12-352, which provides that all vacancies that occur during this hiring freeze are declared to be a position reduction on the Authorized & Funded Employee List for each such vacated position and funding shall be removed from the Courts, Elected Officials and Department Heads budget. Said vacated position shall not be filled, except by specific Board authorization.

BE IT FURTHER RESOLVED that the Board Chair is hereby authorized to sign all necessary agreements to effectuate this resolution.

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MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2009-11-336

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION TO CEASE ALLOWING NEW NON-UNION PARTICIPANT ELIGIBILITY IN THE RETIREE HEALTH CARE PLAN AND TO OFFER THOSE ACTIVE EMPLOYEES CURRENTLY ELIGIBLE FOR THE RETIREE HEALTH CARE PLAN THE OPPORTUNITY TO ENROLL IN THE RETIREE HEALTH SAVINGS PROGRAM -
Personnel 10/14/09 and 10/19/09 / Finance 10/21/09 / Full Board 11/2/09

WHEREAS, Livingston County Board of Commissioners will cease allowing new non-union participants eligibility in the Retiree Health Care Plan (“Plan”) effective February 28, 2010, except those who meet age and service requirements for a normal or reduced pension under the Municipal Employees’ Retirement System of Michigan (“MERS”) on or before that date; and

WHEREAS, non-union employees employed by the County on or before March 17, 2003, who are otherwise eligible to participate in the Plan must satisfy the eligibility requirements of the Plan by February 28, 2010, except that the employee must meet the age and service requirements for a normal or reduced retirement benefit under MERS but does not need to actually retire by February 28, 2010 in order to retain eligibility for participation in the Plan; and

WHEREAS, non-union employees who do not satisfy eligibility requirements as described above by February 28, 2010 will be enrolled in the Livingston County Retiree Health Savings Program to assist employees with saving for their future health care costs in retirement.

THEREFORE BE IT RESOLVED that effective February 28, 2010 the Livingston County

Board of Commissioners shall cease allowing new non-union participants eligibility in the Livingston County Retiree Health Care Plan, with the following exception only: Non-union employees employed by the County on or before March 17, 2003, who are otherwise eligible to participate in the Plan must satisfy the eligibility requirements of the Plan by February 28, 2010, except that the employee must meet the age and service requirements for a normal or reduced retirement benefit under MERS but does not need to actually retire by February 28, 2010 in order to retain eligibility for participation in the Plan. Age and service requirements are as follows:

1. Age 60 with a minimum of 10 years of MERS credited service, for a normal retirement benefit

2. Age 55 with a minimum of 15 years of MERS credited service, for a reduced retirement benefit
3. Age 50 with a minimum of 25 years of MERS credited service, for a reduced retirement benefit

BE IT FURTHER RESOLVED that non-union employees who remain in the Livingston County Retiree Health Care Plan shall no longer accrue service or seniority toward their share of the cost of health care benefit under the Retiree Health Care Plan by February 28, 2010.

BE IT FURTHER RESOLVED that non-union employees who do satisfy eligibility requirements as described above by February 28, 2010 will be allowed an opportunity to remain in the Livingston County Retiree Health Plan or to make a one-time irrevocable decision to participate in the Livingston County Retiree Health Savings Program (“Program”) to assist employees with saving for their future health care costs in retirement. Non-union employees who do not meet eligibility requirements as described above by February 28, 2010 shall be converted to the Livingston County Retiree Health Savings Program.

BE IT FURTHER RESOLVED that both the opportunity to participate in the Program and the required conversion to the Program shall be treated as a special window “opt out” under the Program and employees shall receive 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. Said Employer Contribution will be payable to the Participant’s Retiree Health Savings Account as provided under the Program.

BE IT FURTHER RESOLVED that retirees and spouses are required to enroll in Medicare or other applicable government health program as soon as they become eligible. Health insurance benefits shall be coordinated with any state or federal program.

BE IT FURTHER RESOLVED that this resolution is subject to the review of pension and benefits counsel who shall make the appropriate amendments to the Livingston County Retiree Health Care Plan and the Livingston County Retiree Health Savings Program consistent with this resolution, which shall be presented under separate resolutions.

BE IT FURTHER RESOLVED that funding for the special window opt out is available through the Retiree Health Care Trust Fund and/or through budgeted annual required contributions.

BE IT FURTHER RESOLVED that the Board Chair is hereby authorized to sign all necessary agreements to effectuate this resolution.

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MOVED:
SECONDED:
CARRIED:

RESOLUTION

NO: 2009-11-337

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION AUTHORIZING THE LIVINGSTON COUNTY BUILDING DEPARTMENT TO ACT AS AGENT FOR PROCESSING OF PERMITS AND INSPECTIONS IN BRIGHTON TOWNSHIP – Building Inspections Department / Full Board

WHEREAS, the Brighton Township Building Department is disbanding their Building Department effective immediately; and

WHEREAS, upon the disbanding of Brighton Township’s Building Department, the Livingston County Building Department will assume the responsibility for issuing permits and performing inspections for Brighton Township; and

WHEREAS, during the limited time period that is involved with disbanding the Brighton Township Building Department, the Livingston County Building Department requests authorization to act as agent for Brighton Township; and

WHEREAS, that Brighton Township will transfer to Livingston County the permits fees associated with any outstanding permits assumed by Livingston County; and

WHEREAS, the Livingston County Building Department also requests authorization for Robert Z. Kobylas, Building Official of the Livingston County Building Department, to negotiate inspection and processing fees for active permits issued by Brighton Township, on an as-needed basis and with the approval of the County Administrator.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the Livingston County Building Department to act as agent for Brighton Township to handle all building inspections and permits, effective immediately.

BE IT FURTHER RESOLVED that Brighton Township will transfer to Livingston County the permit fees associated with any outstanding permits assumed by Livingston County.

BE IT FURTHER RESOLVED that Robert Z. Kobylas, Building Official of the Livingston County Building Department, be authorized to negotiate inspection and processing fees for active permits issued by Brighton Township, on an as-needed basis and with the approval of the County Administrator, during the disbanding of the Brighton Township Building Department.

BE IT FURTHER RESOLVED that the Board Chairman be authorized to sign any documents necessary to effectuate this resolution.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO: 2009-11-338

LIVINGSTON COUNTY

DATE: November 2, 2009

RESOLUTION AUTHORIZING A MASTER AGREEMENT CONTRACT RENEWAL WITH AT&T FOR TELEPHONE AND INTERNET SERVICES -Information Technology / Full Board

WHEREAS, currently, Livingston County utilizes the State of Michigan MiDeal program for the pricing structure for our telephone and internet services with AT & T and this contract expires on October 31, 2009; and

WHEREAS, the pricing structure for the new three-year agreement period provides for a cost reduction in our monthly ISDN lines and on the per minute long distance rates; and

WHEREAS, pricing for all other services will remain at the current rate, the projected savings from our current contractual rates is \$6,192 per year; and

WHEREAS, the Information Technology department along with the Purchasing department are recommending that the Board of Commissioners authorizes and approves Livingston County entering into a three-year master agreement with AT & T for telephone and internet services per the State of Michigan MiDeal pricing structure.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes and approves entering into a three-year master agreement with AT & T for telephone and internet service per the State of Michigan MiDeal pricing structure.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners be authorized to sign the above-referenced contract upon approval as to form by Civil Counsel.

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MOVED:

SECONDED:

CARRIED: