

CLINTON COUNTY BOARD OF COMMISSIONERS

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Administrator
Ryan L. Wood
Clerk of the Board
Diane Zuker

2012 - 23

RESOLUTION TO AUTHORIZE COUNTY ADMINISTRATOR TO NEGOTIATE A SERVICE CONTRACT WITH THE CAPITAL AREA HUMANE SOCIETY

A resolution made and adopted at a regular meeting of the Clinton County Board of Commissioners, County of Clinton, State of Michigan, held at 100 East State Street, St. Johns, Michigan, 48879, on December 14, 2012, at 9:00 A.M.

WHEREAS, the existing lease for the location of the current County Animal Shelter expires in or around August 2013; and

WHEREAS, the County must develop a plan for a new location to house stray or homeless dogs and cats on or before August 2013; and

WHEREAS, the County has considered constructing a County-owned Animal Shelter or entering into a long-term services contract with the Capital Area Humane Society ("CAHS") wherein CAHS will be responsible for housing stray or homeless dogs and cats for the County; and

WHEREAS, after comparing costs between the two options, it appears that the County will realize substantial savings by entering into a long-term services contract with the CAHS; and

WHEREAS, the County would like the County Administrator to proceed to negotiate a long-term services contract with the CAHS under the following general framework:

Term. A twenty (20) year term, in which the first ten (10) years shall only be terminable for cause following a right to cure, and thereafter either party can terminate upon 18-months written notice.

Payment Terms. The County shall pay to CAHS as follows:

(A) Payment upon execution of contract, or shortly thereafter, for future services in the total amount of \$400,000. The CAHS shall earn 5% of the \$400,000 per year. If the contract is terminated, the CAHS shall reimburse to the County the unearned amount.

(B) Sixty Dollars (\$60) per animal received from any law enforcement officer in the employ of the County.

(C) Forty Thousand Dollars (\$40,000.00) per year for CAHS staffing (inclusive of salary, fringe benefits, payroll taxes and overhead).

Annual Escalator. Payment items (B) and (C) above are subject to annual increases of the lesser of (i) 3%, (ii) CPI, or (iii) the annual percentage increase in CAHS payroll for its employees (inclusive of salary, fringe benefits and payroll taxes).

Security. The \$400,000 advance payment shall be secured.

Operations. The operational issues at the facility shall be consistent with County practices.

and

WHEREAS, if the County Administrator is able to negotiate a contract with CAHS with terms substantially similar to the terms described herein, the County Administrator shall submit a copy of the negotiated contract to the County Board of Commissioners for approval.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Commissioners, Clinton County, Michigan, as follows:

1. The County resolves to authorize and directs the County Administrator to negotiate a long-term services contract with the CAHS under substantially similar terms to those described above.
2. The County Administrator shall submit any negotiated contract with CAHS to the County Board of Commissioners for final approval.
3. Until such time as a contract with CAHS is approved by the County Board of Commissioners, Clinton County shall not be bound to any terms or conditions offered or accepted by the County Administrator.
4. Any resolution or portion of a resolution inconsistent with this Resolution is hereby repealed but only to the extent to give this Resolution force and effect..

YEAS: Commissioners Jack Enderle, Anne Hill, Larry Martin, David Pohl, Adam Stacey and Robert Showers

NAYS: Commissioner Bruce DeLong

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)
 COUNTY OF Clinton)

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the County Board of Commissioners of Clinton County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by Board of said County at regular meeting held on the 14th day of December 2012.

 Diane Zuker
 Clinton County Clerk