

Introduced by the County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE AN AMENDMENT TO CITY OF MASON  
TRAILS AND PARKS MILLAGE AGREEMENTS**

**RESOLUTION #17 – 381**

WHEREAS, Board of Commissioners Resolution 16-328 authorized entering into contracts with the City of Mason to fund the below projects; and

<b>Contract Title</b>	<b>Agreement #</b>
CM-01-HAY-SC (Near West South Street)	TR019
CM-02-HAY-SC (North of West Elm Street)	TR020

WHEREAS, the City of Mason bid the projects and they came in significantly over budget; and

WHEREAS, the City of Mason Engineer and Mason City Council agree that these are not addressing a health of safety risk and thus are not a priority for increasing funding; and

WHEREAS, per the Agreements, the County or City of Mason may terminate the Agreement at any time upon thirty (30) days prior written notice to the other party; and

WHEREAS, the City of Mason is exercising the right to terminate Agreement #TR019 CM-01-HAY-SC (Near West South Street) and Agreement #TR020 CM-02-HAY-SC (North of West Elm Street) per a letter received September 19, 2017 in accordance with the SECOND section of the Agreements; and

WHEREAS, the total sum that the County shall pay the City under the Agreement for the City to apply towards the City's cost for the project was \$54,281 for Agreement #TR019 and \$54,281 for Agreement #TR020 for a total of \$108,762; and

WHEREAS, a sum of 25% of each project was paid upon execution of the Agreements; and

WHEREAS, the City of Mason shall refund to the County the total sum paid by the County for the Project as set forth in section THREE B of the Agreements; and

WHEREAS, the Ingham County Park Commission recommended the previously authorized \$108,762 from Agreement #TR019 and TR020 be used instead for the City of Mason's project #TR032 Hayhoe Riverwalk Trail Extension & Trailhead Project along Howe Road only if the bid comes in over budget; and

WHEREAS, the Ingham County Park Commission supported this recommendation with the passage of a motion at the September 25, 2017 meeting.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby terminates the contract per the request of the City of Mason for Agreement #TR019 CM-01-HAY-SC (Near West South Street) and Agreement #TR020 CM-02-HAY-SC (North of West Elm Street) per the letter received from the City on September 19, 2017, to be effective thirty (30) days from the date of the City notice's delivery.

BE IT FURTHER RESOLVED, the City of Mason shall refund to the County the total sum paid by the County for Agreement #TR019 and Agreement #TR020.

BE IT FURTHER RESOLVED, the Board of Commissioners authorizes the reallocation in the amount of \$108,762 of the awarded funds per Resolution 17-109 from Agreement #TR019 and TR020 be used instead for the City of Mason's project #TR032 Hayhoe Riverwalk Trail Extension & Trailhead Project along Howe Road only if the bid comes in over budget.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make the necessary budget adjustments consistent with this resolution.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary documents that are consistent with this Resolution and approved as to form by the County Attorney.

**COUNTY SERVICES: Yeas:** Celentino, Crenshaw, Grebner, Nolan, Koenig, Sebolt, Maiville  
**Nays:** None **Absent:** None **Approved 10/03/2017**

**FINANCE: Yeas:** Grebner, Tennis, Hope, Anthony, Naeyaert  
**Nays:** None **Absent:** McGrain, Schafer **Approved 10/04/2017**