



LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

COMMITTEE: WAYS AND MEANS

DATE: MARCH 20, 2017

TIME: 1:30 P.M.

Committee Members

- D. Pangrazio, Chairman
- D. Mahus, Vice Chairman
- D. Fanaro
- D. Knapp
- W. Wadsworth
- E. Gott
- D. LeFeber

1:30 PERSONNEL ISSUES

Action Item(s) To Be Reported

1. SOCIAL SERVICES – DIANE DEANE

AMENDING THE 2017 DEPARTMENT HEAD SALARY SCHEDULE – SOCIAL SERVICES

RESOLVED, that the 2017 Department Head Salary Schedule is amended as follows:

Social Services

Create one full-time Senior Social Services Attorney position effective immediately.

2. PERSONNEL – TISH LYNN

AMENDING THE 2017 DEPARTMENT HEAD SALARY SCHEDULE - PERSONNEL

RESOLVED, that the following vacant positions are hereby deleted:

#	DEPT	Dept Code	Title	FT/PT	Last person in the position
1	PERS	A1430	Account Clerk/Typist	FT	T. Clarke 3/9/15
2	PERS	A1430	Senior Account Clerk/Typist	FT	B. Hettrick 12/7/14

AMENDING THE 2017 HOURLY EMPLOYEE SALARY SCHEDULE - OFFICE FOR THE AGING, CENTRAL SERVICES, CENTER FOR NURSING AND REHABILITATION, DISTRICT ATTORNEY, DEPARTMENT OF HEALTH, MENTAL HEALTH DEPARTMENT, PLANNING, PUBLIC WORKS, AND SOCIAL SERVICES

RESOLVED, that the following vacant positions are hereby deleted:

#	DEPT	Dept Code	Title	FT/PT	Last person in the position
1	AGIN	A6781	Foster Grandparent Assistant	PT	M. Jones 7/18/13
2	CS	A1610	Administrative Secretary	FT	S. MacIntyre 3/25/13
3	CS	A1610	HVAC Systems Supervisor	FT	D. Clark 4/4/16
4	CS	A1610	Clerk/Typist	PT	C. Jarvis 5/31/16
5	CNR	E6120	Personal Care Assistant	PT	M. Rankin 9/26/14
6	DA	A1165	Clerk	PT	M. Battaglia 8/14/15
7	DA	A1165	Clerk	PT	D. Thompson 6/8/16
8	DA	A1165	Clerk/Typist	PT	M. Bailey 4/14/16
9	DOH	A4010	Account Clerk/Typist	FT	K. Nichols 4/19/15
10	DOH	A4035	Clinical Aide	FT	M. Hendershot 3/4/17
11	DOH	A4082	Clinical Aide	FT	L. Martindale 7/22/16
12	DOH	A4010	Disease Control & Preparedness Specialist	FT	J. Woollett 1/22/16
13	DOH	A4010	Registered Professional Nurse w/BS	PT (3/5)	G. Johnson 2/8/15
14	DOH	A4010	Staff Development Coordinator	FT	Y. Oliver 10/6/14
15	DOH	A4035	Supervising Public Health Nurse	FT	S. Bradt 7/19/16
16	DOH	A4310	Clerk/Typist	PT	L. Eck 3/12/16
17	DOH	A4010	Clerk/Typist	PT	T. Monteleone 1/10/16
18	DOH	A4083	Home Health Aide	PT	M. Gorton 6/26/15
19	DOH	A4083	Home Health Aide	PT	M. Phillips 3/21/14
20	DOH	A4010	Intern	SEAS	M. Mazza 8/3/07



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21	DOH		Nurse Practitioner	PD	Created never filled
22	DOH		Nurse Practitioner	PD	Created never filled 8/31/16
23	DOH	A4010	Public Health Educator	PT	J. Webster 1/11/13
24	DOH		Registered Profession Nurse	PT	Created never filled 9/9/16
25	PLAN	A8020	Senior Account Clerk	FT	P. Trimm 6/25/14
26	PW	A8037	Financial Manager	FT	J. Travis 11/28/14
27	PW	A8037	Account Clerk/Typist	FT	R. Lewis 4/24/07
28	DSS	A6010	Clerk/Typist	FT	G. Reynolds 9/14/14
29	DSS	A6010	Social Welfare Examiner	FT	D. Erwin 1/29/2016
30	DSS	A6010	Social Welfare Examiner	FT	H. Hillier 4/3/16

AMENDING RESOLUTION 2016-412: DEPARTMENT HEAD BENEFIT – PAYMENT OF VACATION AND PERSONAL LEAVE UPON TERMINATION OF EMPLOYMENT

RESOLVED, that paragraphs 1 and 3 of the department head benefit package section of Resolution No. 2016-412 shall be modified as follows regarding the payment of personal leave and vacation upon termination of employment,

1. Retirement, Sick Leave, Bereavement Leave, Holidays and Personal Leave. Retirement, sick leave, bereavement leave, holidays and personal leave shall be provided as follows:

a. Generally. All full-time Department Heads, except those specified in paragraph b, shall receive these benefits as set forth in the Civil Service Employees Association full-time employee unit contract. **The County Administrator may for good cause shown waive some or all of the requirements for payment of personal leave upon a department head's termination of employment.**

b. Exceptions.

i. Directors of Patient Services. The Directors of Patient Services shall receive these benefits as set forth in the New York State Nurses' Association contract.

ii. Sheriff's Office Majors, Corrections Captain and Police Service Commander. The Deputy Sheriff/Majors, Corrections Captain and the Police Services Commander shall receive these benefits as follows:

a. Corrections Major and Corrections Captain: as set forth in the New York State Law Enforcement Officers Union Council 82 Livingston County Deputy Sheriff's Association contract; and Investigations and Road Patrol Majors and Police Services Commander: as set forth in the Livingston County Coalition of Patrol Services contract.

iii. Undersheriff. The Undersheriff shall receive retirement benefits as set forth in the Livingston County Coalition of Patrol Services contract, if eligible for same. If not eligible, the Undersheriff shall receive retirement benefits as set forth in the Civil Service Employees Association full-time employee unit contract.

3. Vacation.

a. Department Heads other than those listed in subsection "b" below will be provided with vacation as provided in this subsection.

Such Department Heads will accrue vacation in accordance with the following table:

Anniversary of Date of Hire Vacation Accruals

Upon hire	5 days
1 – 10 year	15 days
11 year	16 days
12 year	17 days
13 year	18 days
14 year	19 days
15–24 year	20 days
25 year and subsequent anniversaries	25 days



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A maximum of two (2) working days vacation may be held over from one anniversary year to the next. These days will not accumulate from year to year, but will be used in the new anniversary year.

Department Heads may receive payment in lieu of vacation on the same basis as provided to CSEA full-time unit employees under the terms of their collective bargaining agreement.

b. The following Department Heads employed at the Department of Health will accrue vacation on the same basis as provided under the NYSNA contract. These Department Heads are: The Directors of Patient Services, and the WIC Program Coordinator. These department heads shall not be entitled to vacation carryover or payment in lieu of vacation unless such benefits are provided by the NYSNA contract.

c. Only vacation accrued on and after the employee's first anniversary of his/her date of hire may be payable upon termination of employment. Accrued vacation will not be payable upon termination of employment unless the requirements set forth in Article 18, §4 of the CSEA full-time employee collective bargaining agreement are met. "Notice of termination" as used in Article 18, §4 subparagraph d shall mean when applied to Department Heads: (i) notice of disciplinary charges for those with Civil Service Law §75 or similar due process rights, or (ii) actual notice of termination for all others. **The County Administrator may for good cause shown waive some or all of the requirements for payment of vacation upon a department head's termination of employment.**

1:40 COUNTY ATTORNEY – DAVID MORRIS

AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD – BEARDSLEY – TOWN OF GENESEO

WHEREAS, the State of New York has previously discontinued maintenance of certain portions of West Lake Road, and

WHEREAS, the Superintendent of Highways has determined that the following parcel of property is of no further use for highway purposes for the County of Livingston, and

WHEREAS, the Superintendent of Highways has recommended that the following parcel be abandoned to the adjoining landowner, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a quit claim deed and related documents to transfer the following parcel to the party listed upon payment to the County of Livingston of \$100.00 per transfer:

Steven K. Beardsley and Shannon Beardsley

ALL THAT TRACT OR PARCEL OF LAND, situate in part of the Town of Geneseo, County of Livingston and State of New York and is more particularly described as follows:

Beginning at a point in the Retention Line ('New Highway Boundary Line') at the northwest corner of Parcel 5F as shown on a Discontinuance Map, State of New York Department of Transportation, sheet 5 of 10, Scottsburg-Upper Lakeville Road, Part 2, S.H. No. 8397, Dated April 11, 1990, filed in the Livingston County Clerk's Office at map No. BO2135D; thence,

1. S 78°-53'-26"E, along the northerly line of said Parcel 5F and said Retention Line (New Highway Boundary Line'), for a distance of 50.32 feet to a point in the apparent former easterly highway line of West Lake Road; thence,
2. S 19°-56'-17"W, along the apparent former easterly highway line of West Lake Road, for a distance of 59.70 feet in the northerly line of lands as described in a deed to Carol R. Watson as recorded in the Livingston County Clerk's Office in Liber 397 of Deeds at page 716 and as shown on a map entitled 'Map of a Survey of Lands of Carol R. Watson' by Donald R. Thomas, dated December 6, 1988, Job No. L5-88-108 and filed in the Livingston County Clerk's Office with Liber 1085 of Deeds at page 325 (map at page 328); thence,
3. N 73°-52'-34"W, along said northerly line of lands of Carol R. Watson and the extension thereof, for a distance of 42.00 feet to a point in said Retention Line ('New Highway Boundary Line'); thence,



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4. N 11°-48'-35"E, along said Retention Line ('New Highway Boundary Line'), for a distance of 55.33 feet to the point and place of beginning.

Containing: 0.061 acres

This conveyance is made and accepted subject to such other grants, easements, reservations, covenants, agreements, leases and restrictions of record in the Livingston County Clerk's Office, as may pertain to or affect the above described premises.

Being and intending to convey a portion of lands designated as Discontinuance Parcel 6F, Sheet 6 of 10, on a set of Discontinuance Maps by the New York State Department of Transportation dated April 11, 1990 and approved April 13, 1990. Said parcels are also part of an Official Order No. H2302 dated March 16, 1993 wherein the New York State Department of transportation released their jurisdiction of lands that were no longer needed for highway purposes by document entitled "Abandonment of Portions of Scottsburg – Upper Lakeville, Part 2, S.H. No. 8397, Towns of Conesus, Groveland and Geneseo, Livingston County".

Excepting and reserving to the County of Livingston a permanent easement for all existing water and sewer transmission lines. Said easements to be ten (10) feet in width centered on said transmission lines. Together with the right of access for repair, maintenance and replacement of said transmission lines.

AUTHORIZING LEASE WITH THE ARC OF LIVINGSTON-WYOMING

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 8,470 square feet located at 1 Murray Hill Drive, Mt. Morris, NY is no longer necessary for Livingston County public purpose; and be it further

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a lease with The Arc of Livingston-Wyoming for 8,470 square feet at 1 Murray Hill Drive, Mt. Morris, NY 14510 commencing April 1, 2017 and ending on March 31, 2019 at \$1,856.60 per month, increasing 3% on April 1, 2016, said lease to be subject to the approval of the County Attorney and County Administrator.

1:45 COUNTY TREASURER – AMY MANN (1 Attachment)

Pre-approved Informational Item(s) To Be Reported

1. Update Terms of Sale for County Auction. Item # 6

Informational Item(s) Written Only

1. Town Tax Collectors are scheduled to return unpaid taxes Wednesday April 5, thru Friday April 7. The Treasurer's Office will start collecting 2017 T & C unpaid taxes by April 15th, 2017.

1:55 REAL PROPERTY TAX SERVICES – BILL FULLER

Action Item(s) To Be Reported

1. **CORRECTING TAX ROLL – TOWNS OF CONESUS AND LIVONIA**

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2) parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, as prepared for the Town of Conesus and Livonia on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcels were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto, now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer(s) having jurisdiction of the tax roll so that the roll can be corrected; and a notice of approval to the applicant(s), and be it further



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RESOLVED, that the County Treasurer and/or Town Tax Collector is hereby authorized to make the tax roll correction and forward the corrected tax bill. The County Treasurer is authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for the application(s).

Year, Municipality Owner(s) Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
1. 2017 Conesus	Livingston County	\$824.51	\$556.62	\$267.89	\$267.89
Pitcher Field LLC	Conesus Town Tax	\$793.52	\$535.69	\$257.83	\$257.83
c/o David Pitcher	School Relevy	\$2,690.24	\$1,816.14	\$874.10	\$874.10
Tax Map Number	Conesus Fire 1	\$79.81	\$53.88	\$25.93	\$25.93
110.30-1-15	Cty Wtr #1 Zone 1 Vac	\$10.00	\$10.00	\$0.00	\$0.00
	Total	<u>\$4,398.08</u>	<u>\$2,972.33</u>	<u>\$1,425.75</u>	<u>\$1,425.75</u>
2. 2017 Livonia	Livingston County	\$1,054.87	\$105.24	\$949.63	\$949.63
Frontier Tel	Livonia Town Tax	\$685.09	\$68.35	\$616.74	\$616.74
Of Rochester	Livonia Fire 1	\$176.56	\$17.61	\$158.95	\$158.95
Tax Map Number	Livonia Light 4	\$29.63	\$2.96	\$26.67	\$26.67
599.-9-1.-1	Total	<u>\$1,946.15</u>	<u>\$194.16</u>	<u>\$1,751.99</u>	<u>\$1,751.99</u>

2:00 COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #3B-MARCH 22, 2017

2. AUTHORIZING TRANSFER OF FUNDS – HEALTH

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the Livingston County Administrator.

3. AMENDING 2017 LIVINGSTON COUNTY BUDGET – SHERIFF’S OFFICE

RESOLVED, that the 2017 Sheriff’s Office budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Ins. Recovery	\$3,329.09
Increase Appropriation	A3110	4120	Motor Equipment Repair	\$3,326.09

4. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR LIVINGSTON COUNTY – ENERGY ENTERPRISES, INC.

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, which is determined to be the most qualified to provide said services, subject to review by the County Attorney and County Administrator:

Contractor	Term	Amount
Energy Enterprises, Inc.	3/22/17-12/31/17	\$450.00/month
For: Invoice auditing, energy consulting and reporting, budget preparation, solicitation of gas and electricity		

Funding Source	Local Share	Budgeted?
Special Project Fund	100%	Yes X No

5. RECOGNIZING MARCH AS WOMEN’S HISTORY MONTH

WHEREAS, March is “Women’s History Month” as declared both by the State of New York and also by the Congress of the United States of America; and



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WHEREAS, the Livingston County Board of Supervisors does hereby officially recognize the unique and important contributions that women have made to New York State, its counties, and the United States at large; and

WHEREAS, New York's counties are served by many women who work together to improve the representation and participation of women in all areas of government and provide a network of support for women in local government; and

WHEREAS, today women serve on the Livingston County Board of Supervisors and hold various leadership positions within Livingston County, bringing the diverse experiences of women into County issues and public policy; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors resolves to observe March 2017 as "Women's History Month" and to thereby honor the women of Livingston County past and present; and be it further

RESOLVED, that the Livingston County Board of Supervisors further recognizes March as "Women's History Month" and commends the efforts that women leaders have on our society as a whole.

6. REQUESTING NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION FOR THE EXTENSION OR PERMANENT CONTINUATION OF THE COLD WAR REAL PROPERTY TAX EXEMPTION AS PROVIDED IN RPTL SECTION 458-b

7. DECLARING SURPLUS PROPERTY – EMERGENCY MEDICAL SERVICES

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

Emergency Medical Services

Quantity	Item Description (Year, Make & Model)	Mileage, Hrs, etc.	Serial #
1	1999 Ford E450 Lifeline Ambulance	234,204	1FDXE40FXXHB54962

Pre-approved Informational Item(s) To Be Reported

1. Congressman Collins Medicaid Proposal
2. Strategic Plan 2017-2018
3. Other

2:15 ADJOURNMENT

TERMS OF SALE

1. This auction is being held by the County of Livingston, on the 27th day of July, 2017.
2. All prospective bidders must register at the door and show a valid NYS Driver's License or other acceptable identification. Bidders must disclose if they are acting as the agent for another party and the identity of the party they are acting as agent for. Failure to show proper ID and disclose principals will result in disqualification from bidding.
3. All eligible registrants shall receive a bid package outlining properties in the auction and all terms of sale. Upon reviewing same and submitting properly executed bidder's certification, registrant shall receive a bid number permitting them to participate in the auction.
4. The County Treasurer reserves the right, at her option, to group one or more properties into one sale.
5. The Auctioneer shall have the sole authority to resolve any disputes which may arise between bidders and may immediately re-offer the parcel for sale to the highest bidder upon resolution of disputes.
6. A Buyer's premium of 10% of the bid price will be required to be paid in **cash or by certified check or equivalent** immediately upon being declared the successful bidder. The Buyer's premium is in addition to the bid price and does not reduce the bid price balance. In addition to the Buyer's premium, a deposit of 10% of the bid price or \$2,000.00, which ever is larger, will be required to be paid in **cash or certified check or equivalent** immediately upon being declared the successful bidder. In the event that the bid price is less than \$2,000, the entire bid price will be due immediately. At the time the Buyer pays the Buyer's premium and deposit, the Buyer shall be required to sign a public auction contract with the County. The contract form is available for review. The Buyer shall pay all recording costs and fees incidental to the transfer of title. No interest shall be paid on any deposits made at the auction. **Personal checks will not be accepted.**
7. All sales are subject to the approval of the Livingston County Board of Supervisors. If the Livingston County Board of Supervisors does not approve the sale, the Buyer's Deposit shall be returned.
8. The current assessed owner of the parcel may not bid on the parcel in person or by an agent. If the Buyer is the current assessed owner of the premises or acting as an agent of the current assessed owner of the premises, the County of Livingston will cancel the sale to the Buyer and the Buyer's deposit and the Buyer's premium will be retained by the County as liquidated damages.
9. The bidding will be kept open after the auction ends, and in case any Buyer shall fail to comply with any of the conditions of sale, the premises so struck down to him and/or her, may, at the sole option of the County of Livingston, be offered to the next highest bidders or put up for sale under the direction of the County Treasurer, under these same terms of sale. In such case, Buyer's Deposit shall also be retained as liquidated damages.
10. The balance of said bid price and expenses will be required to be paid in **cash or certified check** payable to County Treasurer, and delivered to the Treasurer's office no later than 30 days after the auction date. If the balance of the bid price is not paid in full within 30 days after the auction date, the County of Livingston may cancel the sale to the Buyer and the Buyer's deposit and the Buyer's premium will be retained by the County as liquidated damages. Furthermore, if the Buyer fails to complete the purchase within the time stated through no fault of the County, the County at their sole option, may sell the property to the next highest bidders or put the property up for sale under the direction of the County Treasurer, under these same terms of sale. If the resale results in a sales price less than the price bid by the defaulting Buyer, the defaulting Buyer shall be liable to the County for the difference in sales price.
11. If the Buyer owes any county taxes on any other properties within the County of Livingston, the County of Livingston will not close the transaction until such taxes are paid in full, and if such taxes are not paid in full within 30 days from the auction date, the County of Livingston may cancel the sale to the Buyer and the Buyer's Deposit and the Buyer's premium will be retained by the County as liquidated damages.

12. All parcels purchased by a Buyer must be paid for in full. Selective closings are not permitted. Failure to remit full payment on all parcels purchased at the auction will result in a forfeiture of all deposits paid, which will be retained by the County as liquidated damages, and the cancellation of all sales to the Buyer.
13. The premises are being sold subject to:
 - a) Rights of the public and others in and to any part of the premises that lies within the bounds of any street, alley, or highway.
 - b) Manufactured home, mobile home or trailer liens, if any. (Please see paragraph 19 below.)
 - c) All covenants, leases, easements and restrictions of record affecting said premises, if any.
 - d) Any state of facts that an accurate, currently dated survey might disclose.
 - e) Environmental conditions of property.
 - f) All New York State tax liens.
 - g) All current year taxes due and owing (may include relieved school and village taxes).
 - h) Village tax liens, if any.
14. The premises being sold may be subject to tenancies and/or leases affecting the said premises. Buyer is to determine the existence and status of such interests and the applicable legal rights there to. Evictions, if necessary, are solely the responsibility of the Buyer after closing and the recording of the deed.
15. The County will convey title "As Is" by quitclaim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title. An abstract of title and title insurance may be obtained at Buyer's option and expense. The deed shall be considered delivered upon recording, which the County will do on Buyer's behalf after full payment has been received. The Livingston County Clerk's office will return the deed to Buyer approximately 4-6 weeks after recording. Buyer's ownership of the property commences upon recording of the deed.
16. The premises are sold in an "As Is" condition as of the date of recording of title, and no representation with respect to any aspect of the physical condition of any structure on said premises is made by the County. Buyers shall be responsible for investigation and ascertaining from the appropriate Building Inspector's/Code Enforcement Officer's records the legal permitted use of the property prior to the auction.
17. The county will not grant access to the buildings located on the premises for any purpose. The successful bidders shall have no right to inspection prior to payment of purchase price and recording of deed, as all properties are sold "As Is" as of the date of recording of title.
18. Personal property found on the premises is not owned by the County and is not part of the purchase.
19. The County makes no representations, irrespective of the local assessment classification of the property, regarding manufactured homes, mobile homes and trailers located on the property. Manufactured homes, mobile homes and trailers may be subject to liens that may not be extinguished by the Livingston County tax foreclosure process. Prospective bidders should exercise their due diligence to determine the existence of any such liens.
20. Buyer, by signing the Bidder's certification and closing documents thereafter, agrees to indemnify and hold harmless the County from and against any and all liability, suits, consent orders, administrative actions and claims, including reasonable attorney's fees arising from environmental condition of the property, or any breach of any terms of sale.
21. In the event a sale is cancelled by Court Order, the Buyer shall be entitled to a return of the purchase price or deposit only. The Buyer shall not be entitled to special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
22. Any person, who has failed to complete a prior purchase at a Livingston County tax sale auction, may not bid on a parcel in person or by agent, unless such failure was caused by the County.