

**DRAFT**  
**Agenda**  
**Tuscola County Board of Commissioners**  
**Committee of the Whole**  
**Thursday, February 26, 2009 – 8:00 A.M.**  
**Annex Board Room (207 E. Grant Caro, Mi.)**

**Non-Committee**

1. **Cass River Greenways Project – Request for Letter of Support**
2. **Remonumentation Program Update**

**Finance**

Committee Leaders-Commissioner Bardwell and Peterson

**Primary Finance Items**

1. **Fiscal Year-End Adjustment for Uniform Budgeting and Accounting Act Compliance (See A)**
2. **2008 General Fund Preliminary/Unaudited Financial Overview (See B)**
3. **MERS 25% Portfolio Decline and Impact on County Funding Level and Increase in Employer Contribution Requirement (See C)**
4. **Financial Planning Task Force (See D)**
5. **Behavioral Health Contract for Transporting Patients - \$8,000**
6. **Animal Control Update (See E)**
7. **Animal Control Funding Proposal from Sanilac County – Potential Tuscola Counter Proposals (See F)**
8. **DHS Contract Remodeling Work, Budget Amendment and 2008 Payment (See G)**
9. **Computer Operations Budget Amendment (See H)**
10. **Rural Business Enterprise Grant 3<sup>rd</sup> Year Application**
11. **Cops Officer Grants (See I)**
12. **Implementation Status of Procedural Audit Recommendations (See J)**
  - **Sheriff Department**
  - **Drain Commission**
  - **Register of Deeds**
13. **Revised I – Sign Agreement for Imaging Workflow (See K)**
14. **Sprint/Nextel Rebanding Change Order (See L)**
15. **Dispatch Surcharge (See M)**

**Secondary/On-Going Finance Items**

1. **Treasurer Bank Statement Reconciliation (Balanced through January)**
2. **Juvenile Placement Potential Changes and Cost to County**
3. **New Commissioner Financial Review**
4. **14A Drain Calculations and Future Year Drain Cost Projections**
5. **Imaging Workflow System**
6. **Jail Overcrowding, Sentencing Guidelines and State Reimbursement**
7. **Associated County Health Department and Health Department Title V Funding**

8. MMRMA Funding for County Emergency Equipment
9. Bond Rating Update
10. Scheduling MCF and others for Audit Presentations
11. Potential Plan for Automation Fund
12. Dispatch/911 Issues
13. Airport Zoning – County Planning Commission
14. State Revenue Sharing Update
15. Cohl, Stoker, Toskey Invoice
16. Coastal Zone Management Grant
17. Supplemental Procedural Audit Work
18. Board of Commissioners Fiduciary Responsibilities
19. Mic Fees
20. Governor Proposed 2009/2010 State Budget
21. Federal Stimulus Funding Update

## **Personnel**

Committee Leader-Commissioners Roggenbuck and Bardwell

### **Primary Personnel Items**

1. **Model County Employment Severance Agreement (See N)**
2. **County Clerk's Office Request to Extend Temporary Employee**
3. **Mosquito Abatement Staffing Requests (See O)**
4. **Mosquito Abatement Director Hiring Process**
5. **Circuit/Family Court Request to Change Law Clerk Position from Contractual to Full-Time**
6. **BC/BS Benefit Change Options (See P)**

### Secondary/On-Going Personnel Items

1. Labor Negotiation Settled – 5 out of 6
2. Circuit Court Personnel Policies
3. Probate Court Request to Extend Temporary Employee
4. Incorporate County Personnel Policies and Other key Personnel Information on the County Web Site
5. Department Head Meetings
6. Employee Recognition

## **Building and Grounds**

Committee Leader-Commissioners Petzold and Kern

### **Primary Building and Grounds Items**

1. **Cox House Demolition**
2. **Draft Calling Tree for Weather Emergencies and Other Emergencies (See Q)**
3. **Farmland Preservation Ordinance (See R)**
4. **Millington-Arbela Parks and Recreation Plan Update**

### Secondary/On-Going Building and Grounds Items

1. Emergency Services Plan for County Operations
2. Prepare Lease and Purchase Specifications for Housing Adult Probation
3. Johnson Controls Energy Efficiency Program – Under Review

### **Correspondence/Other Business as Necessary**

1. Draft 2009 Work Program Initiatives
2. Economic Development
  - County EDC Strategic Planning and CAT Integration – Next Steps
  - Enterprise Facilitation Update
  - Economic Gardening
  - Saginaw Bay Coastal Initiative
  - Appointment of Representative to Migreat Bay Initiative
3. Begin the Implementation of Paperless Agenda's and Correspondence
4. MAC 7<sup>th</sup> District Meeting March 16, 2007 (**See S**)
5. Cancel March 3, 2009 Committee Meeting
6. Small Town and Rural Development Conference (**See T**)

### **Public Comment Period**

### **Closed Session – If necessary**

### **Other Business as Necessary**

## **Statutory Finance Committee**

1. Claims Review and Approval

\*\*Party will be in attendance to discuss agenda item.

Note: Except for the Statutory Finance Committee, committee meetings of the whole are advisory only. Any decision made at an advisory committee is only a recommendation and must be approved by a formal meeting of the Board of Commissioners.

Note: If you need accommodations to attend this meeting please notify the Tuscola County Controller/Administrator's Office (989-672-3700) two days in advance of the meeting.

Note: This is a draft agenda and subject to change. Items may be added the day of the meeting or covered under other business at the meeting.

TO: Tuscola County Board of Commissioners

FROM: Controller/Administrator and Chief Accountant

DATE: February 25, 2009

RE: Year-End Compliance with the Uniform Budgeting and Accounting Act

In order to be in compliance with the Uniform Budgeting and Accounting Act certain 2008 year-end financial correcting actions must be made by the County Board of Commissioners. This is an annual county activity that is completed to abide by the conditions of the act. The County Chief Accountant and I have identified preliminary recommended year-end adjustments to meet the terms of the Act. It should be noted that, further actions may be required at a later date when the County Auditors (Rehmann Robson) begin their annual county auditing work. A summary of each of the terms of the act that must be fulfilled is listed below along with a specific recommended Board of Commissioners action.

**1. General Fund adjustments so actual year-end expenditures do not exceed budget at the activity level**

The following is a list of activity level budgets (departments) in the general fund where actual year end expenditures exceeded budget. These budgets need to be increased so actual year-end expenditures do not exceed budget.

	12/31/2008		Estimated	2008
	2008	2008	Difference	Year End
Expenditure	Amended	Projected	Under Budget	Amended
Category/Department	Budget	Actual	(Over Budget)	Budget
MSU Extension	127,696	127,995	(299)	127,995
Human Svcs Bldg Maint	61,973	63,333	(1,360)	63,333
Courthouse Security	130,279	130,517	(238)	130,517
Sheriff-Jail	2,017,842	2,050,497	(32,655)	2,050,497
Accounting Services	70,450	71,130	(680)	71,130
Building Codes	320,000	393,367	(73,367)	393,367
Substance Abuse	61,500	61,536	(36)	61,536
Medical Examiner	39,325	44,098	(4,773)	44,098

- **Correcting Action** - Move that the 2008 general fund activity budgets be amended as shown in the table above to prevent actual year-end expenditures from exceeding budget and in order to gain compliance with the Uniform Budgeting and Accounting Act.



**2. Special Revenue and Debt Service Fund adjustments so actual year-end expenditures/revenues do not exceed budget at the total fund level**

The following is a list of special revenue and debt service budgets (departments) where actual year end expenditures/revenues exceeded budget. These budgets need to be increased so actual year-end expenditures/revenues do not exceed budget.

	12/31/2008	2008	Estimated	2008	
	2008	Projected	Difference	Year End	
	Amended	Actual	Under Budget	Amended	
Special Revenue Funds	Budget	Exp/Rev	(Over Budget)	Amount	Comments
<b>Principal Residence Fund</b>					
Expense	10,000	151,914	(141,914)	82,257	Use of Fund Balance
<b>Michigan Justice Training</b>					
Expense	7,000	8,405	(1,405)	8,405	Use of Fund Balance
<b>Department of Human Services</b>					
Revenue	168,000	212,956	(44,956)	212,956	Revenue Amend
Expense	168,000	216,542	(48,542)	216,542	Use of Fund Balance
<b>Medical Care Facility</b>					
Revenue	13,169,246	13,280,059	(110,813)	13,280,059	Rev Amend
Expense	13,395,949	13,405,960	(10,011)	13,405,960	Use of Fund Balance
<b>Voted Bridge</b>					
Revenue	689,000	687,994	1,007	687,994	Rev Amend
Expense	689,000	825,473	(136,473)	825,473	Use of Fund Balance
<b>Caro Sewer Debt</b>					
Revenue	57,339	64,742	(7,403)	64,742	Rev Amend
Expense	57,339	64,742	(7,403)	64,742	Expenditure Amend
<b>Caro Sewer Construction</b>					
Revenue	2,860,100	3,398,505	(538,405)	3,398,505	Rev Amend
Expense	2,860,100	3,398,507	(538,407)	3,398,507	Expenditure Amend

- **Correcting Action** - Move that the 2008 special revenue fund budgets be amended as shown in the table above to prevent actual year-end expenditures/revenues from exceeding budget and in order to gain compliance with the Uniform Budgeting and Accounting Act.

### **3. Correct Special Revenue and Debt Service Funds with Deficits**

The following is a list of special revenue and debt service funds where actual expenditures will exceed revenues and beginning fund balance at year-end if supplemental general fund appropriations are not provided. If adjustments were not made the fund would finish the year in a deficit and the state would demand that a corrective action plan be developed.

#### ***GENERAL FUND APPROPRIATIONS***

Community Corrections (264)	\$738
-----------------------------	-------

- **Correcting Action** - Move that supplemental appropriations from the general fund as shown in the table above be authorized to prevent the identified funds from finishing the 2008 fiscal year in a deficit situation and gain compliance with the Uniform Budgeting and Accounting Act.

### **4. Delinquent Tax Revolving Fund**

Unaudited delinquent tax net income from 2008 was **\$732,418**. The estimated amount needed to be transferred for general fund for operating costs and to maintain the same unreserved-undesignated general fund balance is \$732,418.

- **Correcting Action** – Move to transfer \$732,418 to the General Fund.

### **5. 2009 Budget use of 2008 Fund Balance**

The Uniform Budgeting and Accounting Act requires that the County adopt a budget, including any amendments that will not result in expenditures in excess of revenues including any available unappropriated surplus fund balance.

- **Correcting Action** – Move to Amend the 2009 Voted Primary Road Improvement Fund by (\$254,879)

## **6. Other Compliance Adjustments**

- **Correcting Action** – Move to authorize staff after consultation with the county auditors and Finance Chairman to conduct further year-end financial transactions and make other adjustments as necessary to gain compliance with the Uniform Budgeting and Accounting Act.

## **BUDGET AMENDMENTS FOR DECEMBER 2008**

### **General Fund**

- Budget Transfer 3,583 from 101-132-801-030 to 101-132-727-000 per Circuit Court Administrator for the 2008 purchase of security radios.
- Budget Transfer 1,000 from 101-136-807-000 to 101-136-727-000 and 658.00 from 101-136-801-000 to 101-136-727-000 per the District Court Administrator for the 2008 purchase of security radios
- Budget 3,800 for 101-259-965-801 computer contractual services offset to contingency for workflow imaging project per memo from Information Systems Director.

### **Special Revenue Funds**

- **251 - Principal Residence Exemption**  
Fund expenses exceeded current revenue.  
Budget use of Fund Balance  
251-253-700-000 \$95,528
- **285 – Michigan Justice Training**  
Fund Expenses exceeded current revenue.  
Budget use of Fund Balance  
285-320-954-000 \$1,405
- **290 – Department of Human Services**  
Fund expenses and revenues exceeded budget  
Amend budget to reflect changes.  
Revenue  
290-670-400-000 \$39,956  
290-670-699-101 \$5,000  
Expenses (use of FB)  
290-670-700-000 \$48,543

- **291 – Medical Care Facility**  
 Fund expenses and revenues exceeded budget  
 Amend budget to reflect changes.  
 Revenue  
 291-671-400-000 \$241,168  
 291-671-699-298 (\$109,547)  
 Expenses (use of FB)  
 291-671-700-000 \$213,611  
 291-671-700-980 (\$203,600)
  
- **296 – Voted Bridge**  
 Fund expenses exceeded current revenue.  
 Budget use of Fund Balance  
 296-446-700-000 (\$541,000)  
 296-446-999-201 \$678,645
  
- **375 – Caro Sewer Series 2007**  
 Increase revenue budget 375-536-583-000 by 7,403 and Increase expense budget 375-536-995-000 by the same, due to final adjustments of interest expenditures on debt schedule.
  
- **475 – Caro Sewer 2007 Construction**  
 Increase revenue budget 475-536-400-000 by 298,405 and Increase expense budget 475-536-700-000 by 298,407 to reflect use of fund balance; this is due to final construction actual expense for year.

To: Tuscola County Board of Commissioners

From: Michael R. Hoagland, Controller/Administrator  
Clayette Zechmeister, Chief Accountant

Date: February 26, 2009

**RE: 2008 General Fund Unaudited Financial Overview**

**Weakening Financial Position - Use of Reserve (Savings) Required**

The county financial position continues to weaken. Preliminary 2008 year-end fiscal information (unaudited and still subject to change) verifies this declining fiscal condition showing a significant gap between general fund recurring revenue and expenditures of \$151,288. Total expenditures were \$12,161,187 compared to recurring revenue of \$12,009,899. This recurring revenue and expenditure disparity is an important financial indicator particularly because it is occurring in the general fund which is the main operating fund of the county.

Unfortunately, this situation requires the use of non-recurring revenue (reserves from savings) to comply with the balanced budget requirement. In order to overcome this revenue-expenditure gap and be able to maintain the same unreserved-undesignated general fund balance, \$151,288 in retirement reserve funds (savings) has to be transferred to the general fund. Although the 2008 general fund budget was premised on the need to use non-recurring retirement reserve funds (savings), county officials were hopeful that the situation would improve and the actual use of these reserves would not be required in 2008. Regrettably, this is not the case.

**Inability to Fund Capital Improvements**

Another indicator of the financial decline that occurred in 2008 is no general fund monies were able to be transferred to the capital improvement fund. For many years, the objective of county officials has been to have a reasonable amount of annual general fund dollars that can be transferred to the capital improvement fund for short and long range capital improvement needs. In other words, good financial planning necessitates achieving a balance with a portion of annual general fund recurring revenue available for annual operational costs and a portion available for current and future capital improvement needs.

The above described balance was not achieved in 2008. All recurring revenue plus \$151,288 in non-recurring revenue (retirement reserve savings) was required just to maintain the same general fund balance. From 2007 to 2008, the county financial position changed for the worse from having \$318,688 available for capital improvement needs to requiring an estimated \$151,288 in reserves just to maintain the same general fund balance. This is a significant one-year unfavorable change of approximately \$470,000.

**2008 General Fund Revenue/Expenditure Factors**

The following is a summary of significant 2008 year-end revenue-expenditure factors:

- Earnings on investments experienced a huge decline (approximately \$124,000 in the general fund and nearly \$1 million for all funds)
- District Court revenue continued to decline
- Register of Deeds revenue continued to decline
- Delinquent tax revenue declined primarily because of falling interest earnings

- Circuit/Family Court expenditures were well below budget primarily because the following line items were below budget: court appointed attorneys, health insurance, and permanent employee wage costs (the 2008 deficit would have been worse without the favorable situation in Circuit/Family Court))
- Drain Commission unfilled budgeted positions kept this cost center well below budget
- Jail costs escalated – this is the largest general fund cost center and ended the year over budget – the primary expenditure increases in the jail were the number and cost to house prisoners in other county jails along with prisoner medical costs and canteen food services

### **Outlook**

The county financial position is not anticipated to improve in 2009. Recurring revenue is again projected to be less than expenditures in the general fund. The 2009 general fund budget is premised on the need to use \$589,000 in non-recurring revenue (savings). This is nearly three times the amount needed in 2008. Fortunately, the county gained approximately \$267,000 by leasing a county building to the State Department of Human Services. Without this new significant revenue source, the budgeted use of non-recurring revenue (savings) would have increased to over \$850,000 or the Board may have decided to implement expenditure reductions for 2009.

The State has encountered eight consecutive years of devastating recessionary conditions and the nation's economy may be the worst since the great depression 75 years ago. The state unemployment rate is the highest in the nation and jobs continue to be lost primarily in the automobile manufacturing sector. After multiple years of budget cutting, the Governor has proposed a 2009/2010 State budget that cuts \$700 million and further cuts may be necessary. Available revenue for state and county services continues to shrink and is at historic lows. Of significant concern are projected declines in property tax values. Counties throughout the state made significant service and staffing reductions for 2009 to maintain balanced budgets and there is little question more will be made in 2010.

### **Recommended Action**

Unless a significant financial turn-around occurs in a short period of time, it is probable that for 2010 and very likely for 2011, reserves (savings) will be insufficient to balance the general fund budget without breaching long-standing county fiscal policy which could jeopardize bond rating and would be counter to good fiscal management. At this point, the Board would be left with four alternatives: increase revenue, cut expenditures, combination of both and/or change long-standing general fund and delinquent tax minimum fund balance policies.

The deficit that occurred in 2008 in the general fund is a strong signal that the Board needs to take action now by planning how the 2010 and 2011 county budgets will be balanced. It is recommended that the 2010 budgeting process begin within the next few weeks. It is also recommended financial planning and decision-making be based on more than one year. It is critical that commissioners become actively involved in this financial planning process because they will have to make the final budget balancing decisions. It is also recommended that a Financial Planning Task Force be formed to assist the Board by making suggestions and recommendations to balance 2010 and 2011 and future year budgets.

### **Information Qualification**

The above information is unaudited and preliminary. Although unaudited at this time, supplying preliminary information now is important considering the disturbing financial trends. Final audited information will not be available until June. Certain initial audit confirmation of this information will be available in April. There are still factors that could impact this information and if this occurs further adjustments can be made as necessary.

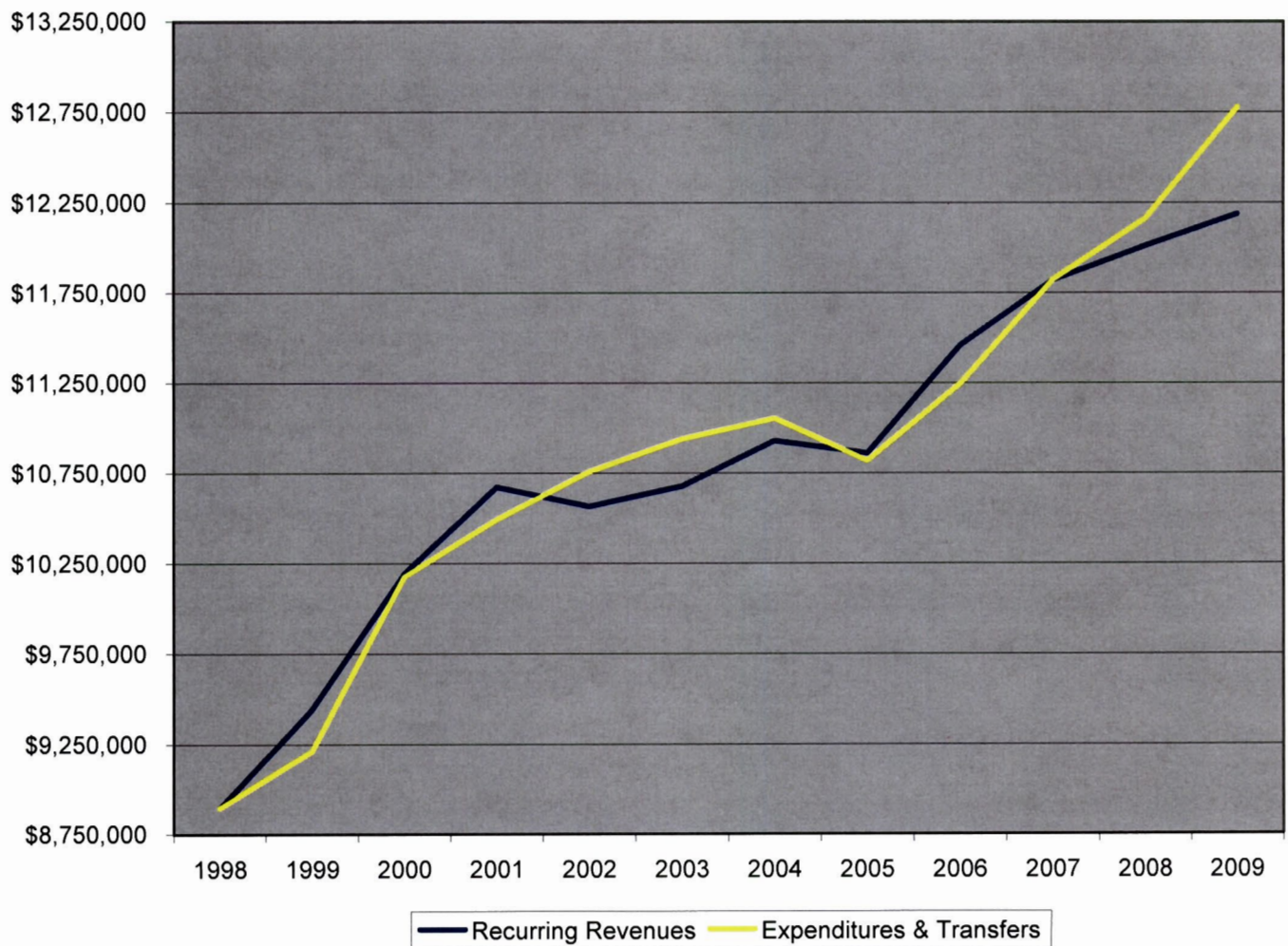


GENERAL FUND RECURRING REVENUES COMPARED TO EXPENDITURES/TRANSFERS

Year	Recurring Revenues	Expenditures & Transfers	Difference	Funds Transferred for Capital Improvements
1998	\$ 8,895,068	\$ 8,895,074	\$ (6)	Yes
1999	\$ 9,444,680	\$ 9,211,903	\$ 232,777	Yes
2000	\$ 10,196,911	\$ 10,178,222	\$ 18,689	Yes
2001	\$ 10,674,693	\$ 10,494,821	\$ 179,872	Yes
2002	\$ 10,569,298	\$ 10,759,147	\$ (189,849)	Yes
2003	\$ 10,680,391	\$ 10,940,208	\$ (259,817)	No
2004	\$ 10,931,455	\$ 11,054,667	\$ (123,212)	No
2005	\$ 10,861,070	\$ 10,820,553	\$ 40,517	No
2006	\$ 11,458,283	\$ 11,244,136	\$ 214,147	Yes
2007	\$ 11,821,012	\$ 11,821,279	\$ (267)	Yes
2008	\$ 12,009,899	\$ 12,161,187	\$ (151,288)	No
2009	\$ 12,187,742	\$ 12,777,000	\$ (589,258)	No

**Source: County Audits and Financial Reports**  
**Note: 2008 is projected and 2009 is budgeted**

General Fund Recurring Revenues Compared to Expenditures/Transfers

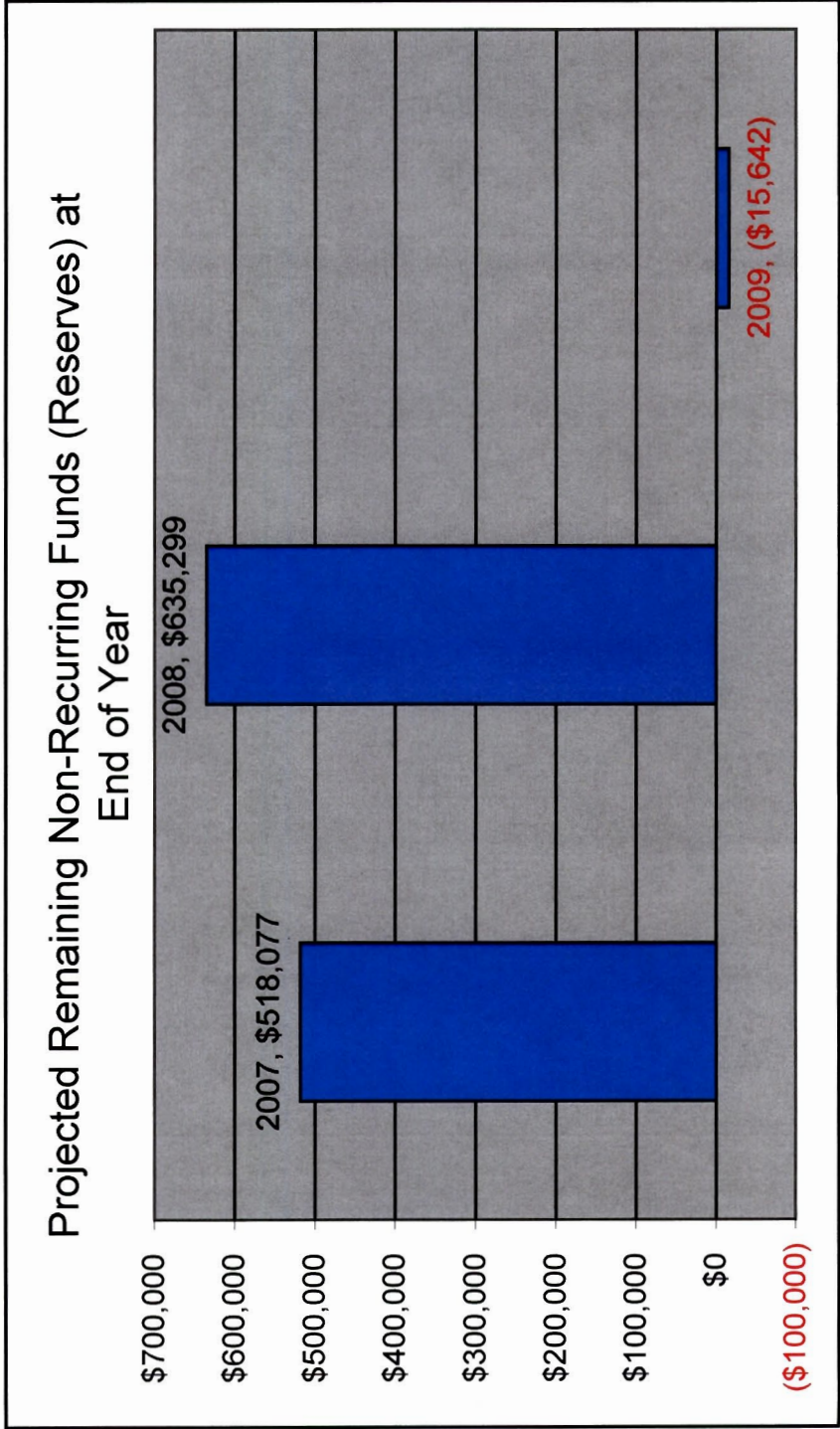




**Projected Available and Use of Non-Recurring Funds (Reserves)**

Year	Undesignated General Fund Balance	Undesignated Fund Balance Required for 10% Minimum Policy	Net Undesignated Fund Balance	Retirement Reserve Funds	Total Non-Recurring Reserves Start of Year	Projected Non-Recurring Reserves Used (See Notes 2 and 3)	Projected Non-Recurring Reserves End of Year
	2007	\$1,377,311	\$1,184,628	\$192,683	\$325,394	\$518,077	\$0
2008	\$1,677,311	\$1,216,118	\$461,193	\$325,394	\$786,587	\$151,288	\$635,299
2009	\$1,677,311	\$1,277,700	\$399,611	\$174,106	\$573,717	\$589,359	(\$15,642)

- Notes:**
- Undesignated general fund balance increased by \$300,000 from 2007 to 2008 because revolving drain funds became available
  - 2008 non-recurring funds projected to be used for 2008 is an estimate until the audit is completed
  - 2009 non-recurring funds used is the budgeted amount which may be different than actual



③



**Municipal Employees' Retirement System of Michigan**  
1134 Municipal Way, Lansing, Michigan 48917

Anne M. Wagner, Chief Executive Officer

Phone (517) 703-9030 • (800) 767-6377 • Fax (517) 327-8336 • Website: [www.mersofmich.com](http://www.mersofmich.com)

February 17, 2009

Dear MERS Employer,

As you know, the MERS Retirement Board is charged with the fiduciary responsibility of overseeing the retirement system. Specifically related to carrying out their duty, the Board requires the actuary to conduct an Experience Study on a five-year cycle. Over the years, the findings of those studies have resulted in adjustments to various assumptions to accurately reflect the actual experience of the plan. This study process ensures the health and sustainability of the plan. Please find attached an analysis from MERS actuary, Gabriel Roeder, Smith & Company, on the effect the most recent experience study will have for your specific retirement plan.

For the calendar year ending December 31, 2008, the MERS portfolio returned -25%. The 10-year smoothing of assets adopted by the Board in 2006 will mitigate some of the impact of these losses to your plan by recognizing only 1/10<sup>th</sup> of the loss in the 2008 actuarial valuation report. During these difficult economic times, the Retirement Board is very concerned about the impact increased contributions may have on your budget. For this reason, the Board has chosen a phased-in approach to assumption rate changes.

If you have any questions regarding the enclosed information on how the new rates will impact your plan, please call your regional manager at MERS (1-800-767-6377) for more clarification.

Sincerely,

Anne M. Wagner  
Chief Executive Officer

# Municipal Employees' Retirement System of Michigan (MERS)

## Tuscola County (7902)

### New Actuarial Assumptions for Fiscal Years Beginning in 2010, 2011 and 2012

At the May 14, 2008 meeting of the Retirement Board, the Board adopted a timetable for implementation of new Board-approved actuarial assumptions recommended by Gabriel, Roeder, Smith & Company, MERS' actuary. These assumption changes represent the final recommendations made by the actuary in the most recent study of MERS experience covering the 1999 - 2003 valuation years. Updating the assumptions to better match actual experience, with the resulting changes in near-term employer contributions, may prevent potentially larger changes in employer contributions at some point in the future.

Actuarial assumptions are reviewed every 5 years, and sometimes more often. The purpose of the periodic reviews is to increase the security of members' retirement benefits, by more accurately reflecting the 'real life' experience of MERS. This allows the actuary to better project future benefit payments, and better plan for the employer contributions needed to make those benefit payments secure. The implementation timetable for the new assumptions provides:

<b>Valuation Date December 31,</b>	<b>First Affecting Fiscal Years Beginning in</b>	<b>New Assumption</b>
2008	2010	Rates of expected employee turnover (withdrawal, or termination of employment before retirement)
2009	2011	Rates of expected employee retirement
2010	2012	Potential increases in employees' FAC *

\* Potential increases in employees' final average compensation (and lifetime pension benefits) due to increases in pay or lump sum payments made at or shortly before retirement (generally due to payments for accrued paid time off, vacation time, overtime, etc.)

The table on the next page shows the approximate changes in your employer contribution requirements in fiscal years beginning in 2010, 2011 and 2012 due to these changes in actuarial assumptions. This is in addition to changes in the contribution requirements (up or down) due to any changes in your active member payroll, changes in your benefit provisions, financial market influences, or other differences between projected and actual experience. The actual impact on required contributions will be determined by the 2008, 2009 and 2010 actuarial valuations, but the results on the next page (based on the 2007 valuation) show the approximate percentage change.

Later in 2009, MERS staff will contact municipalities and courts to discuss how final average compensation is computed, and how an employer's compensation policy affects MERS pension amounts and the required employer contributions to MERS.

**Overall MERS continues to be a well-funded and secure retirement plan.** Ongoing review and strengthening of actuarial assumptions to match actual events will better position MERS employers to meet their future benefit obligations. This improves the security of members' benefits. The next experience study, for the 2004 - 2008 period, will begin in the summer of 2009 after completion of the 2008 valuations.

**Comment on Actuarial Calculations -** The projections of your future employer contributions in this report indicate what the December 31, 2007 valuation results would have been, based on the new actuarial assumptions. As always, your required employer contribution rate changes every year, in response to demographic changes, financial experience, benefit provision changes, etc, within your specific plan. The results of future actuarial valuations will differ from the projections, sometimes materially. However, the estimates in this report should allow the employer to prepare for the approximate effect of the assumption changes.

Below is a table displaying your required employer contributions under each set of assumptions, *calculated as if the three new assumptions had been in place for your December 31, 2007 valuation*. This is *not* a prediction of the results of future annual valuations. It only shows the impact the new assumptions would have had on the 2007 annual valuation. Note that not every employer is affected by the new FAC increase assumption, based on the 1999 - 2003 study.

<u>Actuarial Assumptions</u>	<u>First Affecting Fiscal Years Beginning in</u>	<u>Estimated Total Required Annual Employer Contribution*</u>	<u>Accumulated Percentage Change Compared to Current Assumptions**</u>
Current assumptions		\$391,836	- %
<b>After new rates of expected turnover</b>	2010	454,332	16 %
<b>After new rates of expected retirement</b>	2011	484,932	24 %
<b>After potential increases in FAC</b>	2012	512,040	31 %

\* Estimate based on 2007 valuation payroll. Your actual future required contributions will be different.

\*\* These are the accumulated impact of changes recognized for the fiscal year stated. Do not add these percentages together. For example, for the fiscal year beginning in 2011, the accumulated impact of the change in the expected turnover assumption and the change in the expected retirement assumption is a 24% increase in the employer contribution requirement (24 cents on the dollar, not 24% of member payroll).

**Comment on the Investment Markets** - Investment markets were very volatile in 2008, and some volatility is likely to continue. The actuarial value of assets (funding value), used to determine both your funded status and your required employer contribution, is based on a 10-year smoothed value of assets. Only a portion (1/10<sup>th</sup>) of the 2008 investment market losses will be recognized in the first year, in your December 31, 2008 actuarial valuation report. This reduces the volatility of the valuation results (your required employer contribution and your funded percentage). The impacts of the 2008 market losses are estimated to be: i) a reduction of around 3% in your funded percent as of December 31, 2008, and ii) a 11% increase (11 cents on the dollar) in your employer contribution requirement for your fiscal year beginning in 2010.

Although final data has not been provided to the actuary, it is estimated that as of December 31, 2008 the actuarial value of assets is around 139% of market value. This means that meeting the actuarial assumption in the next few years will require average future market returns that exceed the 8% investment return assumption. As was true for past market downturns, MERS expects the market to rebound over time. By the time the 2008 market losses would be fully recognized (over the following 9 years), future market gains are expected to partly or fully offset 2008 market losses. This smoothing method is a powerful tool for reducing the volatility of your required employer contributions. However, if the financial markets do not rebound, the result would be increases in your employer contributions each of the next 9 years, comparable to the first year impact shown in the previous paragraph.

**Comment on Actuarial Calculations** – The projections of your future employer contributions in this report indicate what the December 31, 2007 valuation results would have been, based on the new actuarial assumptions. As always, your required employer contribution rate changes every year, in response to demographic changes, financial experience, benefit provision changes, etc, within your specific plan. The results of future actuarial valuations will differ from the projections, sometimes materially. However, the estimates in this report should allow the employer to prepare for the approximate effect of the assumption changes.

PERCENTAGE OF FUNDING						
Actuarial Year	Budget Year	% Funded	Employer Share	% Change	Notes	
1993	1995	105	\$0			
1994	1996	103	\$33,015		Prior to 1995, we were fully funded	
1995	1997	102	\$67,848	200%		
1996	1998	103	\$136,788	200%		
1997	1999	103	\$193,798	42%		
1998	2000	106	\$118,401	(-40%)		
1999	2001	115	\$23,474		2001 was a fully funded year except for Dispatch	
2000	2002	106	\$166,127	40%	There was a 40% increase from 2001 to 2002	
2001	2003	99	\$251,680	51%	Large increases are due to decline in stock market and large losses	
2002	2004	94	\$357,580	42%	in reserve funds. (See attachment)	
2003	2005	94.1	\$367,751	0.72%	Good interest returns for 2003 should hold funding fairly steady.	
2004	2006	94.1	\$358,524	(-2.5%)		
2005	2007	93.9	\$367,116	2.30%		
2006	2008	94.7	\$382,476	4%		
2007	2009	95.3	\$391,836	2.40%		
2007	2009	95.3	\$454,494	Budgeted	(Reflects 2009 wages - vs - 2007 actuarial)	
<b>2008</b>	<b>2010</b>	<b>92.3 est.</b>	<b>\$468,128</b>	<b>3.00%</b>	<b>Normal estimated annual increase</b>	
<b>2008</b>	<b>2010</b>	<b>92.3 est.</b>	<b>\$519,622</b>	<b>11%</b>	<b>MERS projected increase for Market loss</b>	
			519,622 x 60%	311,733		
			Budget - 2009	248,571		
			<b>Increase 2010</b>	<b>63,202</b>		



**MERS STATEMENT OF ACCOUNT - QUARTERLY REPORTS**

<b>Quarter Ending</b>	<b>Reserve for Employees</b>	<b>Reserve for Employer</b>	<b>Total Reserve</b>
3/31/1999	\$ 1,964,548	\$ 11,128,543	\$13,093,091
6/30/1999	\$ 2,035,346	\$ 11,899,838	\$13,935,184
9/30/1999	\$ 2,045,939	\$ 11,541,979	\$13,587,918
12/31/1999	\$ 2,066,876	\$ 13,049,219	\$15,116,095
3/31/2000	\$ 2,068,764	\$ 13,656,255	\$15,725,019
6/30/2000	\$ 2,106,357	\$ 13,236,739	\$15,343,096
9/30/2000	\$ 2,115,445	\$ 13,242,607	\$15,358,052
12/31/2000	\$ 2,264,594	\$ 12,222,857	\$14,487,451
3/31/2001	\$ 2,259,594	\$ 11,421,243	\$13,680,837
6/30/2001	\$ 2,287,244	\$ 11,986,056	\$14,273,300
9/30/2001	\$ 2,307,246	\$ 10,699,593	\$13,006,839
12/31/2001	\$ 2,432,429	\$ 11,407,956	\$13,840,385
3/31/2002	\$ 2,406,953	\$ 11,471,210	\$13,878,163
6/30/2002	\$ 2,446,208	\$ 10,756,532	\$13,202,740
9/30/2002	\$ 2,496,243	\$ 9,487,521	\$11,983,764
12/31/2002	\$ 2,613,791	\$ 9,832,708	\$12,446,499
3/31/2003	\$ 2,635,223	\$ 9,523,574	\$12,158,797
6/30/2003	\$ 2,657,424	\$ 10,596,729	\$13,254,152
9/30/2003	\$ 2,655,468	\$ 11,044,323	\$13,699,791
12/31/2003	\$ 2,640,080	\$ 12,672,807	\$15,312,888
3/31/2004	\$ 2,634,405	\$ 13,258,261	\$15,892,666
6/30/2004	\$ 2,690,494	\$ 13,285,096	\$15,975,591
9/31/2004	\$ 2,671,246	\$ 13,436,861	\$16,108,107
12/31/2004	\$ 2,749,725	\$ 14,654,385	\$17,404,110
3/31/2005	\$ 2,773,963	\$ 14,300,028	\$17,073,991
6/30/2005	\$ 2,729,045	\$ 14,743,101	\$17,472,146
9/30/2005	\$ 2,772,139	\$ 15,227,086	\$17,999,226
12/31/2005	\$ 2,875,549	\$ 15,443,147	\$18,308,696
3/31/2006	\$ 2,902,979	\$ 16,176,611	\$19,079,591
6/30/2006	\$ 2,927,298	\$ 16,005,305	\$18,932,604
9/30/2006	\$ 2,913,296	\$ 16,537,691	\$19,450,988
12/31/2006	\$ 3,088,056	\$ 17,329,665	\$20,417,721
3/31/2007	\$ 3,110,235	\$ 17,795,466	\$20,905,701
6/30/2007	\$ 3,147,515	\$ 18,594,177	\$21,741,692
09/31/2007	\$ 3,104,820	\$ 18,922,087	\$22,026,908
12/31/2007	\$ 3,204,956	\$ 18,592,855	\$21,797,812
3/31/2008	\$ 3,274,258	\$ 17,614,045	\$20,888,303
6/30/2008	\$ 3,245,468	\$ 17,701,049	\$20,946,518
9/30/2008	\$ 3,274,242	\$ 15,892,097	\$19,166,338

## **Proposed County Financial Planning Task Force**

### **Committee Members**

1. Commissioner – Jerry Peterson
2. Commissioner – Tom Bardwell
3. Controller/Administrator – Michael Hoagland
4. County Sheriff – Lee Teschendorf
5. County Treasurer – Patricia Donovan/Gray
6. Chief Accountant – Clayette Zechmeister
7. Fiscal/Personnel Analyst – Mari Young
8. County Equalization Director – Walt Schlichting
9. District Court Administrator – Donna Fraczek

### **Tentative Objectives**

- ❖ Review county revenue and expenditure trends and policies
- ❖ Develop, with individual department assistance, 2010 and 2011 revenue and expenditure assumptions along with overall financial projections
- ❖ Develop, with individual department assistance, potential methods of revenue enhancement
- ❖ Develop, with individual department assistance, potential methods of expenditure reduction
- ❖ Prepare a list of recommendations for Controller/Administrator and Board of Commissioner consideration for implementation to maintain a balanced county budget for 2010, 2011 and beyond

**Note: All of the above named individuals have agreed to serve on the Task Force**

Tuscola County Animal Control Shelter Statistics 2008

Month		Start In-house	Strays	Owner Surrender	Returned To Owner	Adopted	Rescue	Euthanized	Finish In-house
January	Feline	9	2	26	0	3	17	17	0
	Canine	12	17	7	5	0	23	0	8
February	Feline	0	0	53	0	1	36	12	4
	Canine	8	14	33	1	1	46	0	7
March	Feline	4	7	8	0	0	6	0	13
	Canine	7	28	19	7	5	29	1	12
April	Feline	13	8	32	0	0	29	15	9
	Canine	12	31	17	3	1	30	14	12
May	Feline	9	11	42	0	2	44	7	9
	Canine	12	23	16	8	1	29	1	12
June	Feline	9	9	43	0	0	17	16	28
	Canine	12	17	13	1	0	26	0	15
July	Feline	28	19	53	0	3	9	56	32
	Canine	15	24	25	7	2	38	9	8
August	Feline	32	18	63	0	0	5	96	12
	Canine	8	22	18	2	2	29	6	9
September	Feline	12	21	27	0	0	4	35	21
	Canine	9	32	19	3	1	28	10	18
October	Feline	21	36	59	2	1	10	77	26
	Canine	18	28	11	11	1	28	4	13
November	Feline	26	18	25	0	3	6	36	24
	Canine	13	26	3	5	3	16	3	15
December	Feline	24	16	36	0	3	9	32	32
	Canine	15	10	1	1	1	17	1	6
Year to Date	Feline	9	165	467	2	16	192	399	32
Totals	Canine	12	272	182	54	18	339	49	6



# Tuscola County Animal Control

# Shelter Statistics 2007

Month	Start In-house	Strays	Owner Surrender	Returned To Owner	Adopted	Rescue	Euthanized	Finish In-house
January	Feline 11 Canine 10	4	21	0	2	14	14	6
February	Feline 6 Canine 12	34	10	2	4	33	3	12
March	Feline 6 Canine 10	6	14	2	1	6	11	6
April	Feline 6 Canine 11	13	18	3	2	13	15	10
May	Feline 5 Canine 12	3	18	0	0	7	14	6
June	Feline 10 Canine 8	21	19	3	3	25	8	11
July	Feline 17 Canine 10	5	14	0	2	4	14	5
August	Feline 16 Canine 9	34	15	6	3	32	7	12
September	Feline 20 Canine 6	7	25	0	0	14	13	10
October	Feline 21 Canine 9	30	21	3	1	47	4	8
November	Feline 16 Canine 8	7	46	1	0	8	37	17
December	Feline 9 Canine 11	22	13	2	8	15	8	10
Year to Date	Feline 11 Canine 10	20	32	0	4	29	20	16
Totals	Feline 93 Canine 281	23	10	3	9	10	12	9
		13	42	0	3	5	43	20
		25	11	5	1	31	2	6
		13	33	0	3	8	34	21
		28	19	4	1	38	1	9
		4	33	0	2	10	30	16
		17	25	4	1	36	2	8
		9	28	0	3	14	27	9
		15	17	3	1	23	2	11
		2	23	0	0	7	18	9
		19	25	5	1	36	1	12
		93	329	3	20	126	275	9
		281	203	43	35	339	65	12

Sanilac Animal Control Cost Proposal - Tuscola Counter Proposals

	2008	Sanilac	Tuscola	Tuscola
Expenditure Categories	Actual	Proposal	Counter Proposal 1	Counter Proposal 2
<b>Costs Paid Direct by Tuscola</b>				
Supplies, Printing and Postage	\$1,379	\$1,379	\$1,379	\$1,379
Gas, Oil and Grease	\$10,089	\$10,089	\$10,089	\$10,089
Sanilac Reimbursement for Gas, Oil and Grease	(\$10,089)	(\$10,089)	(\$10,089)	(\$10,089)
Telephone	\$563	\$563	\$563	\$563
<b>Total Costs Paid Direct by Tuscola</b>	<b>\$1,942</b>	<b>\$1,942</b>	<b>\$1,942</b>	<b>\$1,942</b>
<b>Costs Paid to Sanilac</b>				
<b>Licensure Enforcement</b>				
Monthly Licensure Enforcement Supervisory Change	\$2,279	\$2,279	\$2,279	\$2,279
Licensure Enforcement Hourly Charges	\$6,984	\$6,984	\$6,984	\$6,984
Licensure Enforcement Hourly Truck Charge	\$3,840	\$3,840	\$3,840	\$3,840
Licensure Enforcement Mileage	\$4,022	\$5,899	\$4,505	\$4,505
<b>Total Licensure Enforcement</b>	<b>\$17,125</b>	<b>\$19,002</b>	<b>\$17,608</b>	<b>\$17,608</b>
<b>Regular Contractual Services</b>				
Base Contractual	\$39,600	\$40,800	\$40,800	\$42,000
Monthly On-Call Charge	\$7,553	\$7,553	\$7,553	\$7,553
Director Hourly Charge	\$12,755	\$12,755	\$12,755	\$12,755
Assistant Hourly Charge	\$1,918	\$1,918	\$1,918	\$1,918
Hourly Truck Charge	\$13,654	\$13,654	\$13,654	\$13,654
Mileage	\$17,066	\$26,073	\$19,910	\$19,910
Cellular Telephones	\$715	\$715	\$715	\$715
Veterinarian Services	\$902	\$902	\$902	\$902
Miscellaneous	\$0	\$0	\$0	\$0
Euthanasia	\$0	\$0	\$0	\$0
Animal Boarding in Sanilac County	\$0	\$0	\$0	\$0
<b>Total Regular Contractual Services</b>	<b>\$94,163</b>	<b>\$104,370</b>	<b>\$98,207</b>	<b>\$99,407</b>
<b>Total Costs Paid to Sanilac</b>	<b>\$111,288</b>	<b>\$123,372</b>	<b>\$115,815</b>	<b>\$117,015</b>
<b>Grand Total Animal Control Costs</b>	<b>\$113,230</b>	<b>\$125,314</b>	<b>\$117,757</b>	<b>\$118,957</b>

COUNTY OF TUSCOLA



**DEPARTMENT OF BUILDINGS & GROUNDS**

**MICHAEL MILLER**  
Director

207 E. Grant  
Caro, Michigan 48723  
(989) 672-3756  
FAX: (989) 672-4011

**THOMAS MCLANE**  
Assistant Director

**TO: MIKE HOAGLAND**

**FROM: MIKE MILLER**

**DATE: FEBRUARY 24, 2009**

**RE: Human Services**

In July of last year I had estimated \$60,000 in cost for replacement of the heating and cooling systems and a new control system. After further review with Johnson controls I would like to amend that amount by additional \$40,000. This is based on new pricing as a new refrigerant type is now required and by adding two split systems that were missed on the first estimate. The current estimate should now be \$100,000.

**COUNTY OF TUSCOLA**

**DEPARTMENT OF BUILDINGS & GROUNDS**

**MICHAEL MILLER**  
Director

207 E. Grant  
Caro, Michigan 48723  
(989) 672-3756  
FAX: (989) 672-4011

**THOMAS MCLANE**  
Assistant Director

**TO: BOARD OF COMMISSIONS / MIKE HOAGLAND**

**FROM: MIKE MILLER**

**DATE: FEBRUARY 25, 2009**

**RE: BUDGET FOR HUMAN SERVICES REMODEL**

The County will need to set a budget amount for the remodeling Space Inc. gave the County estimates based on the work to be completed on this project in July of 2008 the numbers were:

Low- \$112,400

Medium- \$132,500

High- \$149,650

HVAC- \$100,000

These numbers did include labor costs. We can accept that there will be an increase in these prices at this time. Also Human Services has indicated that they want to have the work completed on the weekends, with that in mind I have concerns that our labor cost could double if we allow this. The above numbers do not reflect after hour costs. It would be my recommendation that we complete this work during normal working hours, yes it would cause some inconveniences, but we can work through this. I would recommend that the budget be placed between the low and medium numbers at \$120,000 and that Johnson Controls be used to do the energy upgrades at an estimated cost of \$ 139,071(+/- 5%) for a total of \$ 259,071. If you were to elect to do the work on the weekends I would estimate a minimum of a 10% to 15% increase in cost that would be in amounts of \$25,908 to \$38,861.

**Mike Hoagland**

---

**From:** Steven Lark [SLark@TuscolaCounty.org]  
**Sent:** Monday, February 23, 2009 2:22 PM  
**To:** MHoagland@TuscolaCounty.org  
**Cc:** zclay@tuscolacounty.org  
**Subject:** 2009 budget amendments - imaging workflow  
**Importance:** High  
**Attachments:** 2009 BUDGET PREP COMPUTER OPERATIONS.xls; 2009 BUDGET PREP COMPUTER OPERATIONS CAPITAL.xls

In September of 2008 I submitted the two attachments related to the computer operations 2009 capitol and expense budgets. These were submitted prior to a final decision on the imaging workflow project.

At the same time we made the decision to zero out the entire capitol imaging line item (244-259-983-000) of \$30k as the project was not approved for 2009. We also reduced the Computer Operations contractual service line item (101-259-965-801) by \$3,800.

I am requesting that the computer operations 2009 capital budget be amended with line item 244-259-983-000 for \$30k in support of the imaging workflow project.

I am also requesting that the computer operations 2009 expense budget line item 101-259-965-801 be amended with an additional \$3,800 in support of the imaging workflow project.

I missed amending these two budget line items back in 2008 after the project was approved.

Thanks,

SL

GENERAL FUND - COMPUTER OPERATIONS

9/12/2008

	2009
259-727-000	800
259-729-000	1,500
259-809-000	500
259-957-000	900
259-965-020	215,000
259-965-040	10,000
259-965-801	30,000
<b>TOTAL</b>	<b>\$ 258,700</b>

**CAPITAL - COMPUTER OPERATIONS**

	<b>2009</b>
INTERNET FIREWALL	10,000
PRINTERS	5,000
LAPTOP COMPUTERS	2,000
WIRELESS BRIDGE	10,000
IT SERVERS	3,000
TAPE DRIVE AND TAPES	1,500
NETWORK SWITCHES	1,500
PC WORKSTATIONS	4,000
PROJECTORS	-
VIDEO ARRAIGNMENT	-
SCANNERS	4,000
IMAGING SYSTEM	30,000
WIRING	5,000
MEDIA SAFE	2,000
DATA CENTER ROOM	10,000
ELECTRONIC ATTENDANCE	16,600
<b>TOTAL</b>	<b>\$ 104,600</b>

①



**Tuscola County Sheriff's Office**

420 Court Street • Caro, MI 48723  
Lee Teschendorf, Sheriff  
Glen Skrent, Undersheriff

Phone (989) 673-8161  
Fax (989) 673-8164

**Date:** February 18, 2009

**To:** Tuscola County Board of Commissioners &  
Michael Hoagland, Controller/Administrator

**Authority:** Sheriff Lee Teschendorf

**Re:** COPS Grant ( Office of Community Oriented Policing Services )

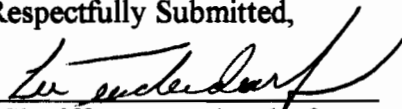
We received information from the United States Department of Justice regarding the pending COPS grants available. We wanted to make sure you were aware of the program and criteria they have imposed on implementing the program.

Tentatively in their letter it stated the grants provide 100 percent funding for approved entry-level salaries and benefits for 36 months for newly hired, full-time sworn officer positions.

After 36 months of federal funding, grantees must retain all sworn officer positions awarded under the grant. The retained position(s) should be added to the grantee's law enforcement budget with state or local funds, over and above the number of locally-funded positions that would have existed in the absence of the grant.

I felt it was important to make you aware of the program if you weren't already. In their letter they explained the procedure to apply for the grants and if we are interested that process should start immediately.

Respectfully Submitted,

  
\_\_\_\_\_  
Sheriff Lee Teschendorf





**Tuscola County Sheriff's Office**

420 Court Street • Caro, MI 48723

Lee Teschendorf, Sheriff  
Glen Skrent, Undersheriff

Phone (989) 673-8161  
Fax (989) 673-8164

February 18, 2009

To: Tuscola County Commissioners  
Mike Hoagland, County Controller

From: Sheriff Leland Teschendorf

Ref: Response to recommendations from the Independent Accountant's agreed-upon procedures.

**INMATE TRUST ACCOUNT**

The inmate Trust is verified each day by Record's Clerk, Deb Mika. The trust will be balanced on a monthly basis by Sheriff's Secretary, Pam Shelito. A copy of the monthly statement will go to the Treasurer's Office and one copy to Clayette Zechmeister in accounting.

**IMPREST CASH**

The Imprest Cash will be handled on a daily basis by Sheriff's Secretary, Pam Shelito. It will be verified on a monthly basis by Record's Clerk, Deb Mika.

Sincerely,

Leland Teschendorf  
Tuscola County Sheriff

**RECOMMENDATIONS FROM THE INDEPENDENT ACCOUNTANT'S AGREED-  
UPON PROCEDURES**

**SHERIFF'S DEPARTMENT**

1. The Inmate Trust account needs to be recorded on the County's General Ledger, and there needs to be a review process for all bank reconciliations on this account.
2. The Sheriff's Department needs to incorporate a periodic formal review on the process for reconciliations of the Imprest Cash and Petty Cash. This should be performed by the individual that is not responsible with the daily reconciliations.

**RECOMMENDATIONS FROM THE INDEPENDENT ACCOUNTANT'S AGREED-  
UPON PROCEDURES**

**DRAIN COMMISSIONER'S OFFICE**

1. Drain Ledgers need to be printed and reviewed on a regular basis.
2. Drain Commissioner should reconcile total expenditures on the drain ledgers with the County General Ledger.
3. Drain Commissioner needs to record correct journal entry for the bond note payables. These need to be done to match with the 434 Notes/Bond Due report.
4. When one drain borrows from another, the drain ledgers need the proper recognition of the note payable. Upon payment from the borrowing drain, Drain Commissioner needs to verify that the notes payable and notes receivable are being properly reflected in the Drain Ledgers.
5. Special assessment procedures in the Drain Office should include the requirement of either the Drain Commissioner's signature or the Deputy Drain Commissioner's signature on the computation cost of construction before assessments are levied to the taxpayers.
6. Drain Commissioner or the Deputy Drain Commissioner needs to review special assessment entries on the Drain Ledger after the special assessments are levied to ensure accuracy.
7. Special assessment receivables should be recorded on both the General Ledger of the County and the Drain Ledgers. Also, the special assessments per these ledgers should be reconciled with the special assessments per the tax rolls.
8. Employee timecards must be signed by both the Drain Commissioner and the employee to ensure proper recording of payroll expense.
9. Expenses on the Drain Ledger should be recorded as they occur to ensure they can be reconciled with the County's General Ledger System.
10. Employees should not use co-workers' passwords to log into any computer programs.
11. Management needs to take immediate steps to ensure backups of financial data in the Drain Office are being done on a nightly basis.
12. The County should consider providing additional training to the individuals that are responsible for recording Drain activity with the Drain Office.

**RECOMMENDATIONS FROM THE INDEPENDENT ACCOUNTANT'S AGREED-  
UPON PROCEDURES**

**REGISTER OF DEEDS**

- 1. Receipting and deposit functions should be performed by an employee other than the employee that prepares the Transmittal Advice and reconciles the Transmittal Advice to the Treasurer's Office.**
- 2. The Register of Deeds Office needs to make sure that all deposits to the Treasurer's Office are in a securable device to avoid the risk of misappropriation of assets.**
- 3. When the Register of Deeds receives cash on a charge account, they need to ensure the Treasurer's department records as deferred revenue. As copies are made against the prepaid accounts, the Register of Deeds Office needs to notify the Treasurer to relieve the deferred revenue account.**



**STATE OF MICHIGAN**

**54<sup>TH</sup> JUDICIAL CIRCUIT AND FAMILY COURT**

COURT ADMINISTRATOR  
440 NORTH STATE STREET  
CARO, MICHIGAN 48723-1594

KYLE A. JASKULKA, MA  
Court Administrator

(989) 672-0075

NICOLE M. FRIDAY  
Collections Officer

(989) 672-0278

**MEMORANDUM**

February 24, 2009

TO: Michael Hoagland  
Controller/Administrator

FROM: Kyle Jaskulka  
Court Administrator

RE: Amended I-Sign Agreement

Attached, please find copies of material related to the amendment to the agreement for the I-Sign application of the imaging system which will allow the Judge to sign orders electronically. The amended statement of work was required as the original did not include a module (iTiffRender) to allow for write-over capability and to integrate this with different document types, i.e., Word, HTML, PDF, etc. There will be no need for any additional appropriation to the 215 fund for this amendment and the cost for the clerk's portion will be \$7,840.00 total.

Please have the Chairperson sign the agreement and return the original to my attention.

Please add this item to the agenda for the Committee of the Whole meeting on 2/26/09.

Thank you.

Cc: Board of Commissioners  
Information Systems Director  
County Clerk  
Friend of the Court



## Statement of Work No. 2

This Statement of Work is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between ImageSoft, Inc., a Michigan Corporation with its principal offices at 40 Oak Hollow, Suite 120, Southfield, MI 48033 ("ImageSoft"), and Tuscola County Michigan with its principal offices at 449 Green St, Caro, MI 48723 ("Customer"):

This Statement of Work ("SOW") is to be attached to and is hereby made a part of the Professional Services Agreement ("PSA") entered into by and between Customer and ImageSoft dated November 12, 2008.

Unless otherwise specified, the products and services provided within this SOW are hereby added to and covered for the duration and under the terms of the System Maintenance Agreement (SMA) entered into by and between Customer and ImageSoft dated November 12, 2008.

To the extent that any terms and conditions contained in the related PSA or SMA are in conflict with, or in addition to the terms and conditions of this Statement of Work, the terms and conditions of this Statement of Work shall control.



## Table of Contents

1.	Introduction .....	3
2.	Hardware .....	3
2.1	Scanner Imprinters .....	3
3.	Software.....	3
3.1	OnBase Components .....	3
3.2	ImageSoft Components.....	4
4.	Professional Services .....	4
4.1	Analysis and Design.....	4
4.2	System Installation .....	4
4.3	Training .....	5
4.4	Project Management .....	5
4.5	Customer Care Support .....	5
5.	General Assumptions.....	5
6.	Charges .....	6
6.1	Payment Schedule .....	7
6.2	Time and Materials Services .....	7
6.3	Out-Of-Pocket Expenses.....	8
7.	Approval.....	9

## 1. Introduction

This SOW describes additional products and services for Phase 1 of an initiative to bring Enterprise Content Management (ECM) technology to Tuscola County. This SOW only covers the Phase 1 solution and only the specific products and services described herein.

## 2. Hardware

### 2.1 *Scanner Imprinters*

ImageSoft will provide pre-scan imprinters for the existing Canon DR 9080 and new DR 5010C scanners.

Deliverable: Scanner accessories as described above; delivered ready to be installed and connected. Installation will be provided by an Authorized Canon Service Company as proposed.

Assumptions:

1. Installation will be done at the Caro, MI offices.

## 3. Software

ImageSoft will provide the OnBase Electronic Document Management Services (EDM) component combined with the ImageSoft iSign and iTIFFRender software modules. This combination will allow for secure signing of department documents to improve processes.

### 3.1 *OnBase Components*

**Electronic Document Management (EDM) Services** controls and tracks the modification of documents stored in OnBase through revisions and versions. Through the library services and version control offered in EDM Services, organizations can centralize the management of critical business documents that are changed by providing offline synchronization for remote users, ensuring that they are always accessing version-accurate copies.

Users can save revisions and stamp versions of any document type stored in the OnBase repository. A seamless integration with Microsoft® Office allows users to open, edit, save and access other OnBase functionality related to Office documents, either directly in OnBase or from the native Office application. The ability to view multiple revisions of a single document and make specific versions available for public access (future Phases) through version control provides a complete audit trail of all changes and allows users to view the specific information they require.



### **3.2 ImageSoft Components**

**iSign** (Integrated Electronic Signature) – iSign provides a tool for signing documents electronically that produces an image with an actual signature. Allows users to mark document with a "sign here" flag, and allows signing by proxy. Includes electronic seals and stamps and signing license for up to 20 users.

**iTiffRender** - Plugs into workflow and adds a TIFF rendition to many document types. Works with Word, HTML, PDF, and others. This module is required to enable signing of documents with iSign.

## **4. Professional Services**

### **4.1 Analysis and Design**

ImageSoft will perform a detailed Analysis and Design process specific to iSign requirements and include the findings in the Functional Specification document.

#### Assumptions:

1. This phase of the project is focused on the FOC department and the Clerks interaction with FOC. Budgeting constraints have limited the scope of the design process to a very short timeframe. Due to the limited timeframe not all of the design topics shown above may be explored in detail during this process.

### **4.2 System Installation**

ImageSoft will work with the Tuscola IT department to install the modules for Customer. As part of this task, the ImageSoft PM for Customer will monitor and assign technical personnel to Customer, in order to perform the following subtasks:

- Services will include discovery, new scripts, workflow changes, system and user testing, rework, training and project management.

#### Assumptions:

1. The configuration of the iSign module will have an impact on the services required to design and build the department Workflow processes.
2. All installation will be done remotely. If necessary to be onsite it will be at the customer's facility in Caro, MI
3. Customer will utilize an existing SQL database. No database software is provided.
4. Scan workstation computer shall be provided by Customer. ImageSoft review is required to ensure scan workstation is adequate.
5. Nightly backup will be performed using an existing Customer server-connected backup subsystem.

6. Due to limited budget, Customer will provide significant assistance in setting up the server computer and connecting to the network.
7. ImageSoft will assist Customer with installation of iSign on one (1) machine. Customer is responsible for installation on additional machines.

Deliverable: Installed software as described above and further defined in the Functional Specification document.

### **4.3 Training**

System Administrator will be trained in the administration and use of these components.  
Deliverable: Training as described above.

### **4.4 Project Management**

During the tasks described herein, ImageSoft will work directly with Customer project management staff and make a good faith effort to control and monitor the project such that Customer and ImageSoft needs are met. To this end, ImageSoft agrees to monitor tasks, attend scheduled project management meetings as designated and agreed to by both parties and to provide regular status reports to Customer.

Deliverables:

1. Project Management services

### **4.5 Customer Care Support**

ImageSoft has included a comprehensive support contract for the system that is described in an external System Maintenance Agreement (SMA).

## **5. General Assumptions**

The following assumptions were made when preparing this Statement of Work. A significant change in any of these assumptions may affect the Work, Schedule and Cost.

- 1) Customer, at all times, during and after the performance of the Work, is responsible for maintaining adequate data backups to protect against loss of data.
- 2) Customer provides adequate user workstations, monitors, and operating system software.
- 3) Customer is responsible for providing adequate computer infrastructure required for operating and securing this system and the data. Such infrastructure includes, but is not limited to: power, networking, cooling, user PCs, and printers.



- 4) As part of Customer's responsibility for computer infrastructure, Customer is responsible for ensuring that data is secure and protected at all times.
- 5) The system will be implemented at Customer's facility in Caro, MI.
- 6) Technical assistance from Customer's Information Technology staff will be provided during the performance of the Work. In particular, Customer will provide:
  - a) Network connectivity and troubleshooting assistance.
  - b) Ability to monitor network traffic and isolate bottlenecks.
  - c) Technical assistance concerning the integration with existing Customer systems (if applicable).
  - d) Expertise to handle issues with printers, cabling, and PCs before, during, and after rollout.

## 6. Charges

The table below provides pricing for the Phase I hardware, software, and estimated services.

<b>Tuscola County</b>				
				2/19/2009
Imaging and Workflow Solution				
<b>Hardware</b>				
	Product	Unit Cost	# Units	Cost
<b>Scanner Imprinters</b>				
DR 5010C Pre-scan Imprinter (front)	0837B001	\$1,295	1	\$1,295
<b>Scanner Imprinters</b>				
DR 9080 Pre-scan Imprinter	8927A001	\$495	1	\$495
Imprinter Installation by Authorized Canon Service \$175 travel plus \$45 per quarter hour (2 imprinters on-site)		\$340	1	\$340
<b>Hardware Subtotal</b>				<b>\$2,130</b>
<b>Software</b>				
	Product	Unit Cost	# Units	Cost
<b>OnBase Software - Application</b>				
Electronic Document Mgmt (EDM) Module	DMIP11	\$5,000	1	\$5,000
OnBase Annual Software Maintenance	OBMAINT	\$900	1	\$900
<b>ImageSoft Software</b>				



iSign (Integrated Electronic Signature) - provides a tool for signing documents electronically that produces an image with an actual signature. Allows users to mark document with a "sign here" flag, and allows signing by proxy. Includes electronic seals and stamps. Includes signing license for up to 20 users. (Requires EDM Services and Archival API)	IS-ISIGN	\$10,000	1	\$10,000
iTiffRender - Plugs into workflow and adds a TIFF rendition to many document types. Works with Word, HTML, PDF, and others	IS-ITIFREN	\$5,000	1	\$5,000
ImageSoft Annual Software Maintenance	ISMAINT	\$1,800	1	\$2,700
<b>Software Subtotal</b>				<b>\$23,600</b>
<b>Services</b>				
	<b>Product</b>	<b>Unit Cost (Hours)</b>	<b># Units</b>	<b>Cost</b>
<b>Estimated Implementation Services</b>				
Project Management		\$165	8	\$1,320
Design and Planning		\$165	24	\$3,960
Software Installation		\$165	32	\$5,280
<b>Training Services</b>				
Technical Training and Knowledge Transfer		\$165	8	\$1,320
<b>Support</b>				
ImageSoft Customer Care Package (1 year), includes: - Version upgrade assistance - Configuration and custom development issue correction - Configuration and custom development upgrade assurance - Dedicated install/support team support				\$1,584
<b>Services Subtotal</b>				<b>\$13,464</b>
<b>Total</b>				
<b>Grand Total</b>				<b>\$39,194</b>
<i>Pricing valid for 30 days</i>				

## 6.1 Payment Schedule

All payments will be due on a Net-30 days basis.

## 6.2 Time and Materials Services

ImageSoft has provided an estimate of the required services hours to complete the tasks described herein and will provide services on a time and materials basis. ImageSoft will only bill for the actual hours expended on behalf of the Customer and has made a best-estimate based on current available information. Estimates may require updating after the Analysis and Design process is complete.



A purchase order or signed agreement is required to be in place to cover all ImageSoft estimated hours. The Standard Hourly Rate is \$165 per hour.

### **6.3 *Out-Of-Pocket Expenses***

Customer shall reimburse ImageSoft for all reasonable out-of-pocket expenses that ImageSoft incurs in performing the Work described herein. Out-of-pocket expenses shall include travel costs, travel time, meals, and lodging expenses and must be supported by proper invoices or other appropriate documentation.

Customer shall reimburse ImageSoft for travel time in excess of one (1) hour per day at an hourly rate equal to 50% of the Standard Hourly Rate.

## 7. Approval

Signature is required to accept this SOW. By signing below each party agrees to the proposed project scope and authorizes work to begin.

<i>Agreed to:</i> Tuscola County Michigan 449 Green St Caro, MI 48723	<i>Agreed to:</i> ImageSoft, Inc.. 40 Oak Hollow, Suite 120 Southfield, MI 48033
By: _____ Authorized Signature	By: _____ Authorized Signature
Date: _____	Date: _____
Name (type or print): _____	Name (type or print): <b>Scott Bade</b>
Title (type or print): _____	Title (type or print): <b>Vice President</b>
Project name: <b>FOC/Clerk Document Management</b>	

<i>Internal Use:</i> Opportunity #: <b>588</b> _____
Sales Order #: _____

9-1-1

Tuscola County Central Dispatch

Robert Klenk, Director

February 24, 2009

**VIA FACSIMILE**

Stephanie Condon  
Transaction Specialist  
Sprint Nextel  
2001 Edmund Halley Drive  
Reston, VA 20191

Re: Tuscola County, MI ("Incumbent")  
DL8910433905  
Request for Exercise of Planning Funding Agreement  
Change Order Provision

Dear Ms. Condon:

To effectuate the planning of the relocation of the frequency or frequencies licensed to the Incumbent pursuant to the Planning Funding Agreement dated March 29, 2007, this letter serves as the official request ("Planning Funding Change Notice") for the exercise of the PFA change order ("Change Order") provision, as required by the PFA.

A. Retention of Blue Wing Services.

The purpose of this Change Order is to request approval for the retention of Blue Wing Services (BWS) by Incumbent to assist Incumbent with respect to its planning activities under the PFA.

Incumbent operates an 800 MHz Trunked Radio System manufactured by EF Johnson. Incumbent also operates within the boundaries of a statewide Motorola 800 MHz radio system. BWS has knowledge and expertise with the EF Johnson system. Incumbent believes it is in its best interest to retain BWS, as its consultant, for the purpose of working with EF Johnson to develop a Cost Estimate and generally assisting Incumbent with its planning activities under the PFA.

It is anticipated that BWS will require 30 hours of Project Management time at the rate of \$160 per hour for a cost of \$4,800 and 35 hours of Engineering and Implementation Planning (Rebanding Plan Development) at \$160 per hour for a cost of \$5,600.

BWS' Project Management Services would be to coordinate Incumbent's rebanding project including, but not limited to, coordinating the project team, identifying and reviewing project tasks and their status, developing a project plan and schedule and facilitating periodic project meetings with Incumbent and other vendors to ensure planning activities are within the scope of the Cost Estimate and on schedule.

BWS' Engineering and Implementation Planning Services would provide Engineering Services to develop a rebanding plan and Cost Estimate.

B. Withdrawal of Doug Van Essen as Legal Counsel and Retention of Shulman Rogers Gandal Pordy & Ecker, P.A.

To assist Incumbent in the preparation and processing of this Change Order and other legal services to be rendered for the benefit of Incumbent, Incumbent would also like to retain the Firm of Shulman, Rogers, Gandal, Pordy & Ecker, P.A. ("SRGPE") as its legal counsel. SRGPE will replace Doug Van Essen as Incumbent's outside counsel. Doug Van Essen was allocated \$4,680.00 for Project Management and \$9,360.00 for Legal fees. Doug Van Essen will not be performing any Project Management planning services. Doug Van Essen was paid \$855.00 for legal services. SRGPE has \$4,516.55 in unbilled time to date (see attached invoice). SRGPE has advised Incumbent that in addition to the balance of legal fees previously allocated in the Cost estimate of \$8,505.00, SRGPE will require approximately \$5,000 (12.5 hours at a rate not to exceed \$400 per hour) of additional legal fees for legal advice, meetings, correspondence, filings, document preparation and related legal services in connection with Incumbent's planning tasks under the PFA. Notwithstanding the foregoing, SRGPE acknowledges it will only be compensated for legal fees and costs actually incurred.

As a result of the foregoing the total net cost increase of this proposed Change Order is \$10,720.00 (BWS costs of \$10,400.00 less deletion of Doug Van Essen's Project Management costs of \$4,680.00 plus additional legal fees to SRGPE of \$5,000).

As a result of the foregoing, Incumbent is requesting the following changes to the work currently encompassed by the Cost Estimate to Schedule C to the PFA:

<b>Description of Work to Be Performed</b>	<b>Payee (Separately Identify Incumbent and Each Vendor Being Paid for Work Performed)</b>	<b>Estimated Cost(s) for Incumbent and Each Vendor (Not to Exceed Listed Amount)</b>
Engineering and Implementation	Tuscola County Central Dispatch	\$3,651.44
	EF Johnson	\$9,100.00
	Blue Wing Services	\$5,600.00
Project Management	Tuscola County Central Dispatch	\$3,791.88
	Doug Van Essen	(\$4,680.00)



	Blue Wing Services	\$4,800.00
Legal Fees	Shulman Rogers Gandal Porody & Ecker, P.A. 11921 Rockville Pike, Third Floor Rockville, Maryland 20852 301-231-0930 (12.5 hours at a rate not to exceed \$400 per hour)	\$9,360.00     \$5,000.00
Total Estimated Costs (As A Result of This Change Order)		\$57,926.24

Please analyze the information provided here and contact our counsel at the information below to discuss how we can proceed to an amendment of the FRA.

Jeffrey W. Rubin, Esq.  
Alan S. Tilles, Esq.

Shulman Rogers Gandal Porody & Ecker, P.A.

11921 Rockville Pike  
3<sup>rd</sup> Floor  
Rockville, MD  
20852

(301) 230-5200

[atilles@srgpe.com](mailto:atilles@srgpe.com)  
[jrubin@srgpe.com](mailto:jrubin@srgpe.com)

Sincerely,

Tuscola County, MI

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

cc: Alan S. Tilles, Esq., Shulman Rogers Gandal Pordy & Ecker, P.A.  
Jeffrey W. Rubin, Esq., Shulman Rogers Gandal Pordy & Ecker, P.A.  
Heather P. Brown, Esq., Sprint Nextel  
William Jenkins, Sprint Nextel  
Robert Klenk, Tuscola County, MI  
Andy Maxymillian, Blue Wing Services

g:\126\800mhz re-banding\tuscola county, mi\tuscola cor 2-25-09v2.doc



**9-1-1**

**Tuscola County Central Dispatch**

Robert Klenk, Director



February 24, 2009

From: Robert J. Klenk, Director  
Subject: 9-1-1 Surcharge  
To: State 9-1-1 Office, Harriet Miller-Brown

State 9-1-1 Office,

Tuscola County is going to continue collection of the local 9-1-1 telephone surcharge with no change in the amount as currently approved under MPSC U-15489 between July 1, 2009 and June 30, 2010. The rate approved for Tuscola County under MPSC U-15489 is \$1.80.

If you have any questions please contact me at 989-673-8738, or email at [tc911@tuscolacounty.org](mailto:tc911@tuscolacounty.org), or at 1303 Cleaver Rd, Caro, MI 48723.

Thank you,

Robert J. Klenk, Director  
Tuscola County Central Dispatch

**Remittance Contact Information**  
**July 2009-June 2010**

County Name: Tuscola County

Name of Person completing form: Robert J. Klenk

Phone Number: 989-673-8738 E-Mail: tccd911@tuscolacounty.org

Is the County collecting local 9-1-1 surcharge from July 1, 2009, to June 30, 2010?

Yes  No (circle one)

If "yes" to the above, what is the monthly amount? \$1.80

Is the county interested in electronic fund transmittal? Y  N (circle one)

Primary Remittance Contact Name: Robert J. Klenk

Primary Remittance Contact Address: 1303 Cleaver Rd  
Caro, MI 48723

Primary Remittance Phone Number: 989-673-8738 Fax # 989-672-3747

Primary Remittance E-Mail address: tccd911@tuscolacounty.org

Geographical Contact Name: Tuscola County

Geographical Contact Address: 1303 Cleaver Rd  
Caro, MI 48723

Geographical Contact Phone Number: 989-673-8738 Fax # 989-672-3747

Geographical E-Mail Address: tccd911@tuscolacounty.org

County 9-1-1 Director/Coordinator: Robert J. Klenk

County 9-1-1 Director/Coordinator Address: 1303 Cleaver Rd  
Caro, MI 48723

County 9-1-1 Director/Coordinator Phone Number: 989-673-8738 Fax # 989-672-3747

County 9-1-1 Director/Coordinator E-Mail: tccd911@tuscolacounty.org

Return to:

**STATE 9-1-1 COMMITTEE**  
**714 S. HARRISON ROAD**  
**EAST LANSING, MICHIGAN 48823**

**DRAFT**  
**EMPLOYMENT DEPARTURE AGREEMENT AND RELEASE**

This **EMPLOYMENT DEPARTURE AGREEMENT AND RELEASE** (the "Agreement") is made and entered into between \_\_\_\_\_ ("Mr./Ms. \_\_\_\_\_") and the County of Tuscola (the "County") on the date set forth below.

**WHEREAS** the County employs \_\_\_\_\_ as a \_\_\_\_\_ (Position); and

**WHEREAS** the County and \_\_\_\_\_ desire to end this employment relationship and to clarify certain departure details.

**NOW THEREFORE**, the parties agree as follows:

1. The County agrees to take the following actions:

(a) **Acceptance of resignation.** The County agrees to accept \_\_\_\_\_'s resignation effective \_\_\_\_\_, 2009.

(b) **Payment of unused vacation.** The County will pay \_\_\_\_\_ amount of \$\_\_\_\_\_ as payment for \_\_\_\_\_ hours of unused vacation and \_\_\_\_\_ hours of unused sick time. This amount will be paid in a lump sum check as soon as administratively possible after completion of the revocation period set forth in Paragraph 5, and will be subject to all tax and payroll withholdings, but will not be subject to voluntary deductions.

(c) **Health Care Coverage.** The County will continue health insurance coverage for \_\_\_\_\_ and his/her dependents through \_\_\_\_\_, 2009 under the current terms of coverage and employee contribution. After \_\_\_\_\_, 2009, the County will provide \_\_\_\_\_ and his/her dependants the opportunity to continue this insurance coverage pursuant to COBRA, 29 U.S.C. § 1161 et seq.

(d) In the event that \_\_\_\_\_ should apply for unemployment benefits, the County will advise the Unemployment Agency that it requested his/her resignation for reasons that do not constitute misconduct and that it does not contest his/her eligibility for unemployment compensation for any period after \_\_\_\_\_, 2009.

(e) **Inquiries regarding \_\_\_\_\_.** The County will respond to all future inquires concerning \_\_\_\_\_'s employment with the County in the manner set forth in the attached letter identified as Exhibit A.

(f) **Non-disclosure of Agreement.** To the extent permitted by law, the County will decline to release this Agreement to third parties not signatory to this Agreement

except as to those individuals employed by the County or working under its control and direction on a "need to know" basis.

2. In consideration of the matters set forth in Paragraph 1, \_\_\_\_\_ agrees to take the following actions:

(a) **Resignation of employment.** \_\_\_\_\_ agrees to resign his/her employment with the County effective \_\_\_\_\_, 2009 and agrees not to seek reemployment with the County. Except as provided in Paragraph 5, this resignation shall be irrevocable upon execution of this Agreement. \_\_\_\_\_ agrees that this irrevocable resignation shall operate to satisfy any obligation that may exist under the County Personnel Policies or any other County created policy regarding procedures related to the termination of his/her employment.

(b) **Release of Claims against the County.** \_\_\_\_\_ voluntarily agrees to and hereby does knowingly, fully and completely waive and release any and all statutory, administrative or common law claims, rights or causes of action seeking damages, costs, expenses, compensation, or any other relief that he/she has or may have against the County, its officers, agents, servants and employees, as well as any predecessor or successor and assigns to them, which arises out of or is in any way connected with his/her employment at or the termination of his/her employment from the County. This waiver and release includes but is not limited to claims, rights or causes of action involving: negligence; defamation; duress; fraud or misrepresentation; harassment; invasion of privacy; due process of law under the United States Constitution or Michigan Constitution; wrongful discharge; violation of personnel policies; breach of contract (including breach of a collective bargaining agreement); violation of the Bullard-Plawecki Employee Right to Know Act (MCL 423.501 *et seq*); violation of the Family and Medical Leave Act (29 U.S.C. § 2601 *et seq*); violation of ERISA (29 U.S.C. § 1002 *et seq*); violation of any and all state and federal employment discrimination laws including sex, race, religion, creed, national origin, height, weight, age and handicap under Title VII of the Civil Rights Act (42 U.S.C. § 2000 *et seq*), the Age Discrimination in Employment Act as modified by the Older Workers Benefit Protection Act of 1990 (ADEA)(29 U.S.C. § 621 *et seq*), the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq*), the Rehabilitation Act (29 U.S.C. § 701 *et seq*), Michigan's Elliott-Larsen Civil Rights Act, MCL 37.2101 *et seq*), and Michigan's Persons With Disabilities Civil Rights Act (MCL 37.1101 *et seq*); violation of Michigan's Veteran's Preference Act (MCL 35.401 *et seq*); violation of the Uniformed Services Employment and Reemployments Rights Act of 1994 (38 U.S.C. § 4301 *et seq*); and violation of Michigan's Whistleblowers' Protection Act (MCL 15.361 *et seq*) or any other state or federal law or regulation protecting whistleblowers. This waiver and release applies to the right to initiate, proceed with or participate in any state or federal lawsuit, any local, state or federal administrative proceeding, or any arbitration proceeding arising out of or in any way connected with his/her employment at or the termination of his employment from the County. This waiver and release does not include claims regarding the alleged breach of the terms of this Agreement or claims arising under Michigan's Workers Disability Compensation Act (MCL 418.101 *et seq*). This waiver and release does not apply to rights or claims under the ADEA that may

arise after the date of this Agreement, nor does it prohibit \_\_\_\_\_ from filing a charge or complaint with the Equal Employment Opportunity Commission (the "EEOC"), including a challenge to the validity of this waiver agreement under the ADEA, or participating in any investigation or proceeding conducted by the EEOC.

(c) **Non-disparagement Agreement.** \_\_\_\_\_ agrees that he/she will not make any disparaging or hostile comments about the County, any officer or employee of the County, or any former officer or employee of the County. "Disparage" as used herein shall mean any communication, oral or written, that discredits or reflects negatively on the County, its officers and employees or its former officers and employees, but does not include the filing of a charge or complaint with the Equal Employment Opportunity Commission (the "EEOC") or participating in any investigation or proceeding conducted by the EEOC. In the event that the County concludes that \_\_\_\_\_ has violated the provisions of this subparagraph, the provisions of Paragraph 1(e) and (f) shall no longer be applicable.

3. This Agreement constitutes the entire understanding between the parties and there are no other agreements or understandings between \_\_\_\_\_ and the County. No prior, contemporaneous, oral or written, express or implied agreement shall have any effect and this Agreement may not be modified or amended except in writing signed by all of the parties.

4. The terms of this Agreement are to be interpreted, construed, enforced and performed under the laws of the State of Michigan. All disputes regarding an alleged breach of the terms of this Agreement or demanding enforcement of the terms of this Agreement shall be brought within six months of the events giving rise to the dispute. Disputes that are timely raised shall be brought only in a county/location determined by Tuscola County.

5. \_\_\_\_\_ has seven (7) days from the date he/she executes this Agreement to revoke his/her acceptance of the Agreement. In order to be effective, any notice of revocation of acceptance of this Agreement must be in writing and delivered to the County at its offices at 207 East Grant Street, Caro, MI 48723 prior to the expiration of the seven (7) day period. The notice of revocation should be addressed to Mr. Michael Hoagland, County Controller/Administrator, County of Tuscola.

6. Nothing in this Agreement is an admission or confession of liability or wrongdoing by \_\_\_\_\_, the County, or the County's agents, officers, employees, and representatives; nor shall this Agreement or the subject matter itself be interpreted or construed to be such an admission or confession.

7. \_\_\_\_\_ acknowledges that he/she has been allowed the opportunity to have twenty-one (21) days in which to consider the terms of this Agreement, that he/she has been advised in writing by the County to consult with an attorney before executing this Agreement, that he/she understands Paragraph 5 of the Agreement provides him/her with seven (7) days from the date he/she executes this Agreement within which to revoke it.

8. \_\_\_\_\_ further acknowledges that he/she has carefully read each provision of the

Agreement, that the Agreement was written in language that allowed him/her to understand its contents, that he/she knowingly executed the Agreement as his/her own free and voluntary act after consulting with such advisors and/or attorneys as he/she considered appropriate, and that the consideration provided by the County under Paragraph 1 of the Agreement includes matters of value to which he/she was not already entitled prior to the execution of this Agreement.

9. The parties have executed the Agreement on the day and year indicated below. This Agreement shall be effective upon the expiration of revocation period available to \_\_\_\_\_ pursuant to Paragraph 5 of the Agreement and shall be binding upon the heirs, representatives, successors and assigns to each party.

AGREED AND ACCEPTED:

\_\_\_\_\_

Dated: \_\_\_\_\_

THE COUNTY OF TUSCOLA

\_\_\_\_\_  
Michael R. Hoagland, Controller/Administrator

Dated: \_\_\_\_\_



**EXHIBIT A**

\_\_\_\_\_ was employed by Tuscola County during the period from \_\_\_\_\_ through \_\_\_\_\_, 2009. His/her last position with Tuscola County was \_\_\_\_\_. \_\_\_\_\_ resigned his/her employment with Tuscola County for personal reasons.

**Letter to \_\_\_\_\_**

Re: Employment Departure Agreement

Dear \_\_\_\_\_:

Attached for your consideration is an Employment Departure Agreement that contains terms regarding the ending of your employment relationship with Tuscola County. The County will allow you until 5:00 pm on \_\_\_\_\_, 2009 to consider the terms of this Employment Departure Agreement and you will have seven (7) days from the date you execute this Employment Departure Agreement within which to revoke it. The County recommends that you consult with an attorney before executing this Employment Departure Agreement, since it contains a waiver of rights that you may have under the federal Age Discrimination in Employment Act ("ADEA"). If you have any questions regarding the terms of this Employment Departure Agreement, please contact the undersigned at (989) 672-3700.



0

**TUSCOLA COUNTY MOSQUITO ABATEMENT**

1500 Press Drive  
Caro, MI 48723-9291

Tel# (989) 672-3748 or 673-3748

Fax# (989) 672-3724

Richard Colopy – Interim Director/Biologist

To: Tuscola County Board of Commissioners  
Michael Hoagland – Controller/Administrator

From: Richard Colopy – Interim Director Tuscola County Mosquito Abatement

Date: February 17, 2009

Re: Request for Rehiring of Seasonal Staff and Posting/Refilling of Utility Person Position

I am requesting permission to rehire Pam Shook ( Utility Person ); Gary Burda ( Foreman ); and Ron Botkins ( Mechanic ). These individuals would report in March (along with the Assistant Foreman and Assistant Mechanic).

I am also requesting permission to rehire twenty-one trained Technicians, and Biology Technician ( Jim Benjamin ), who would report in April.

Each of these returning employees would enjoy an increase in pay, based on established steps, while those individuals at “ the top “ would see their hourly rate increased by the same 2.5% given the rest of the County ( per Board approval of 03/11/08 ).

In addition, I would like to advertise on the Tuscola County website, and post throughout the county offices, for a vacant Utility Person position ( entry: \$8.25 per hour ).

Sufficient funds exist in the 2009 Tuscola County Mosquito Abatement Budget to fund all of these.

Respectfully,

A handwritten signature in cursive script that reads "Richard A. Colopy".  
Richard A. Colopy

(P)

**Mari Young**

**From:** Cathy J. Snyder [pebscsnyder@sbcglobal.net]  
**Sent:** Thursday, February 19, 2009 3:20 PM  
**To:** CATHY SNYDER  
**Cc:** Melissa Alcock; Dan Skiver; Angela Garner  
**Subject:** BC To Cover Food Supplements  
**Attachments:** Letter re metabolic food.pdf; Metabolic food discussion pts.pdf

Good Afternoon!

Effective July 1, 2009, Blue Cross will begin to cover special medical foods and formulas that treat certain inherited metabolic diseases that are present in infancy and early childhood. Self-funded Groups can "opt out" of this coverage if they wish, but otherwise, the plan will automatically cover the supplements and formulas.

Here's what will be covered:

Special formulas - Physician prescribed medical formulas for infants up to 24 months without a maximum when the formulas represent at least 50% of the child's food intake.

Medical foods - Physician prescribed medical foods and solids, modified food supplements for children through age 18 will be covered up to a yearly maximum of \$2,500.

Attached is additional information on this subject. **If you are self-funded and wish to opt-out, please let me know asap.**

Thank you!

Cathy J. Snyder, President  
Public Employee Benefits Solutions, LLC  
1605 Concentric Blvd., Suite #1  
Saginaw, MI 48604  
Phone: 989-249-5960, extension 14  
Mobile: 989-992-4466  
FAX: 989-249-5966  
[pebscsnyder@sbcglobal.net](mailto:pebscsnyder@sbcglobal.net)

This electronic message and all contents and attachments contain information from the insurance agency, Public Employee Benefit Solutions, which may be privileged, confidential or otherwise protected from disclosure. The information is intended to be for the addressee only. If you are not the addressee, then any disclosure, copy, distribution, or use of this message, or its contents, or any of its attachments, is prohibited. If you have received this electronic message in error, please notify us immediately and destroy the original message and all copies.

<DATE>

Dear <DECISION-MAKER NAME>,

Although Blue Cross Blue Shield of Michigan has always covered all of our members' medical care as needed, we're now taking an extra step to improve care for those with inherited metabolic diseases. On July 1, 2009, we'll begin covering metabolic foods and special formulas for our pediatric members with these diseases.

Metabolic foods and special formulas are used to treat inherited metabolic diseases present in infancy and early childhood that, if not addressed, can cause permanent, irreversible complications, including cognitive impairment or organ damage and failure. Access to these foods and formulas can help avoid that.

As you can see, although the incidence of these metabolic diseases is relatively small – one in 2,500 births in the U.S. – the effects can be significant. That's why providing this coverage is a small-cost, high-value step in improving care for our members. In addition, 37 other states and the District of Columbia already provide this coverage.


Here's what we're covering:

- **Special formulas** – Physician-prescribed medical formula for infants up to 24 months is covered without a maximum when these formulas represent at least 50 percent of the child's caloric intake.
- **Medical foods** – Physician-prescribed medical foods and solid, modified food supplements for children through age 18 will be covered up to a yearly maximum of \$2,500.

Members who use this benefit are required to obtain an annual prescription from the physician.

If you have questions, contact your sales representative or independent Blues-contracted agent. They'd be happy to discuss this exciting new benefit.

Best regards,

A handwritten signature in black ink, appearing to read "Ken Dallafior". The signature is fluid and cursive, with a long horizontal line extending to the right.

Ken Dallafior, Senior vice president  
BCBSM Group Sales and Corporate Marketing



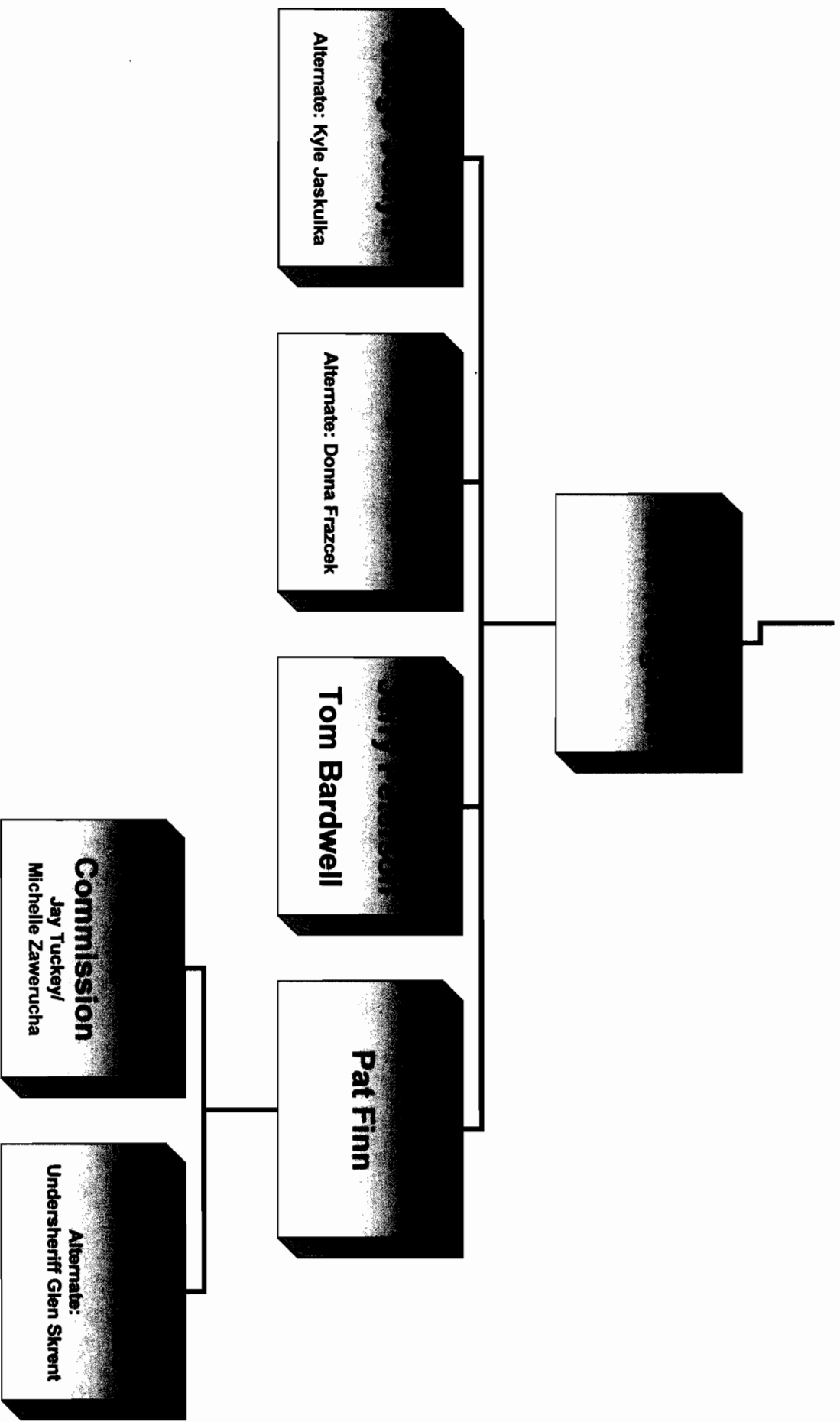
## **Metabolic foods discussion document**

- **As part of the Blues' mission to provide affordable, quality health care, we've always covered our pediatric members' medical care as needed. Now we're taking this extra step to improve care for those members with inherited metabolic diseases.**
- **Similar coverage is already mandated in 37 other states and the District of Columbia.**
- **Special formulas – We're covering medical formula for infants up to 24 months of age without a maximum when these formulas represent at least 50 percent of the child's caloric intake. Members will need an annual prescription from their physician.**
- **Medical foods – For members up to and including age 18, we're covering medical foods and low-protein, modified foods. The yearly maximum is \$2,500. Members will need an annual prescription from their physician.**
- **In 2005, the national incidence of inherited metabolic disease was 1 birth per 2,500.**
- **Access to medically necessary foods and formulas can avoid significant morbidity within this small population of members and possibly help avoid the medical costs these conditions can initiate.**
- **The cost of providing this benefit is relatively low at 2.5 cents per member per month.**



# During Hours Decision Making Call Tree

**Mike Miller**



Mike Hoagland

Tom McLane

Staff

Sherry Hoy

Staff

Susan Jensen

Staff

Maria Swick

Staff

Beth Todd

Staff

Cathy Patterson

Staff

Staff

Bob Menley  
Alternate:  
Patty Wolkovsky

Cathy Rogner

MEDIA

WKYO 1360AM 989-672-1360

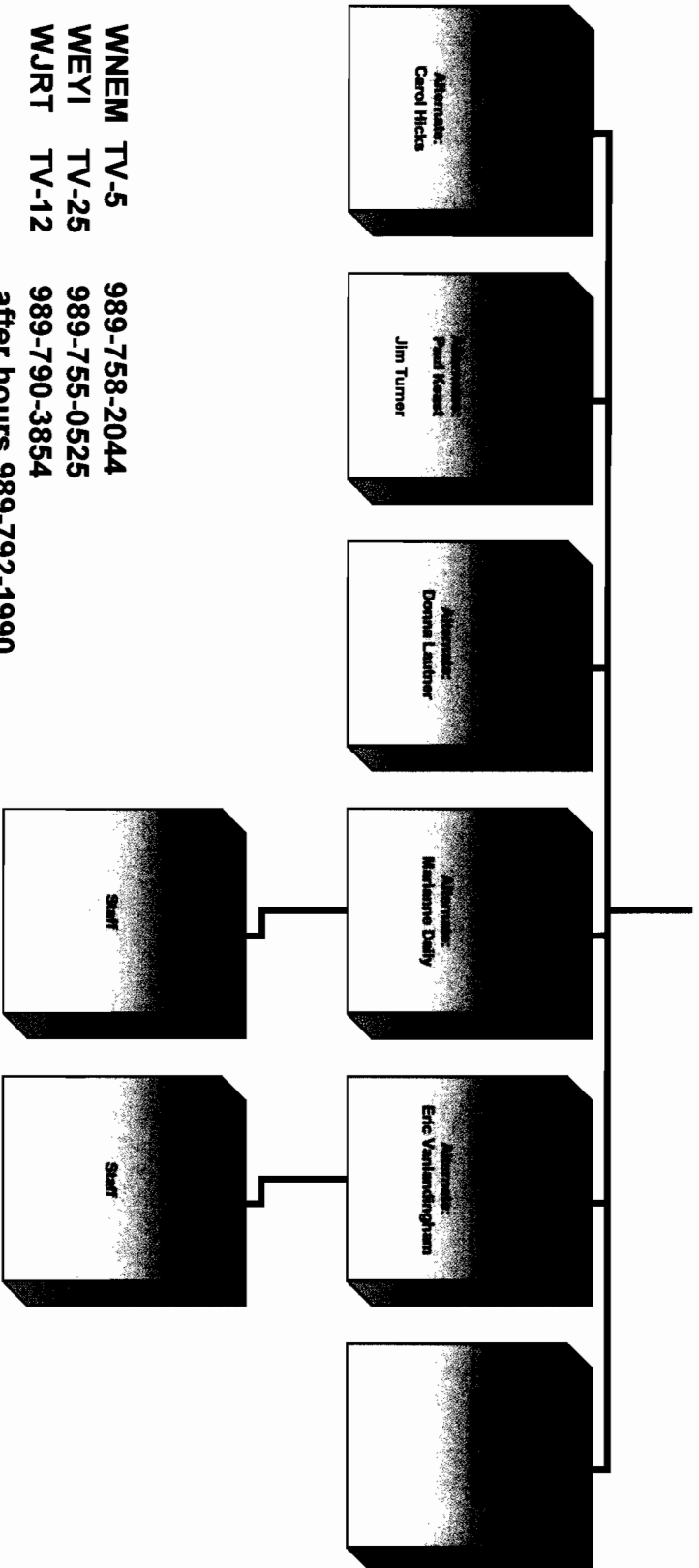
WIDL 92.1 989-673-6103

BE SURE TO STATE THE COUNTY OFFICES ARE CLOSING.



**During Hours Call Tree**

**Angie Daniels**



**WNEM TV-5 989-758-2044**  
**WEYI TV-25 989-755-0525**  
**WJRT TV-12 989-790-3854**  
**after hours 989-792-1990**

**BE SURE TO STATE THE COUNTY OFFICES ARE CLOSING.**

(R)



## Tuscola County Planning Commission

207 E. Grant St.  
Caro, MI 48723

[www.tuscolacounty.org](http://www.tuscolacounty.org)

989.672.3700  
Fax: 989.672.4011

February 5, 2009

Gerald Peterson, Chairperson  
Tuscola County Board of Commissioners  
207 E. Grant Street  
Caro, Michigan 48723

Mr. Peterson,

At the Tuscola County Planning Commission meeting of February 4, 2009, a public hearing was held in regards to adding a Farmland and Open Space Preservation Component to the Tuscola County General Development Plan. The component is a necessary element required for obtaining certification of Tuscola County's Farmland and Open Space Preservation Ordinance/PDR Program.

The unapproved minutes are attached for your review. There were no comments made during the public hearing, therefore, the Planning Commission is asking for approval of the Farmland and Open Space Preservation Component to be added to the General Development Plan.

Upon your approval, the ordinance along with the required component will be sent to the Michigan Department of Agriculture for program certification. The Planning Commission is excited about the completion of this farmland and open space preservation tool and looking forward to working with you as you begin the process of developing a Farmland Preservation Board, the next step in the county PDR Program.

Thank you for your support.

Sincerely,

Delores Damm, Secretary  
Tuscola County Planning Commission

Encl: 2-04-09 Meeting Minutes  
Farmland & Open Space Preservation Component

*Keith Kosik, Chairman ~ Ione Vyse, Vice-Chairman ~ Delores Damm, Secretary  
Amanda Roggenbuck, Board Representative ~ Joe Robbins ~ Don Richards  
Zygmunt Dworzecki ~ Debra Lung-Lipan ~ Angie Daniels, Office Secretary*

**TUSCOLA COUNTY PLANNING COMMISSION**  
**207 East Grant Street, Annex Building**  
**Caro, MI 48723**

**MINUTES**

**4:00 P.M. – Wednesday, February 4, 2009**  
**Tuscola County Annex, Board Room**

- I. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Chairperson Keith Kosik called the meeting to order at 4:00p.m.
- II. **ROLL CALL** –
  - a. **In attendance:** Ione Vyse, Zygmunt Dworzecki, Don Richards, Keith Kosik, Joe Robbins, Delores Damm, Debra Lung-Lipan, Board Representative Amanda Roggenbuck and Office Secretary Angie Daniels.
  - b. **Absent Excused:**
  - c. **Guests:** Bill Campbell, Bob Dickson, Gary Burns, Bob Wood, Paul Findlay, Patti Frenzel, Bob Mantey, Hal Hudson and Don Mantey.
- III. **APPROVAL OF MINUTES** – *Zygmunt Dworzecki moved to approve the January 7, 2009 meeting minutes. Debra Lung-Lipan seconded the motion. Motion carried.*
- IV. **APPROVAL OF AGENDA** – *Joe Robbins moved to accept the agenda as presented. Delores Damm seconded the motion. Keith Kosik asked to have Item X. placed after Item VI. Motion carried.*
- V. **PUBLIC COMMENT** – Bill Campbell noted the Tuscola County Planning Commission will be reviewing in March some zoning ordinance changes from Indianfields Township to comply with P.A.110. Bill also noted any correspondence to be sent to the Indianfields Township Planning Commission can be sent to him and he will see they get it.
- VI. **PUBLIC HEARING** – Amendment of the Tuscola County General Development Plan

At 4:07P.M. Chairperson Keith Kosik declared the meeting of the Planning Commission temporarily suspended for a Public Hearing on the 2009 General Development Plan Amendment.

Hearing opened at 4:07P.M.

No comments received.

*Joe Robbins moved to close the public hearing. Delores Damm seconded the motion. Motion carried.*

Hearing closed at 4:10P.M.

At 4:11P.M. Chairperson Keith Kosik called the Planning Commission back into session and continued with the Agenda.

**VII. OTHER, ON-GOING BUSINESS** –

- a. **Farmland and Open Space Preservation Component/Next Steps:** *Ione Vyse moved to send a recommendation of approval of the Farmland and Open Space Component to the Tuscola County Board of Commissioners. Delores Damm seconded the motion. Motion carried.*
- b. **Budget Committee Report:** *Zygmunt Dworzecki moved to approve the 2009 Planning Commission budget. Ione Vyse seconded the motion. Motion carried. Zygmunt Dworzecki*

*made a substitute motion to have \$750.00 put in to Education/Training, \$250.00 in to Travel. Ione Vyse seconded the motion. Motion carried.*

**c. Education/Training:**

**i. Citizen Planner ECMP&DR Update:**

**ii. Small Wind Energy/Informing the Citizens:** Committee met on the 26<sup>th</sup>. Delores went over the discussions that took place at the meeting. The Planning Commission's mission is going to be to gather as much information as possible to post on the county website to help with informing the citizens about wind energy and leasing. Bill Campbell stated the Michigan Townships Association, [www.michigantownships.org](http://www.michigantownships.org) has a wealth of information on their site. We could direct individuals there. If you can't find anything, he stated you can call the association and they will assist.

**iii. Master Plan Training:** May 5, 2009 is the tentative date. Cass City or Caro will be the tentative meeting place for the event. Ione wants to be sure a letter is sent out to the municipalities from the Planning Commission informing them of this event when date, time and location are finalized.

**d. Report on Parks and Recreation Commission:** The grant to do the coastal needs assessment is still progressing.

**e. Saginaw Bay Coastal Initiative:** No report.

**f. Township Communications/Township Planning Commission Chairpersons:** Letters were sent out to almost every township regarding master plan and zoning ordinance status. Commissioner Roggenbuck added that every committee funded by the county is being encouraged by the County Commissioners to communicate more (when appropriate) electronically.

**g. ECMP&DR:** Hal and Zygmunt went to a meeting in Mt. Pleasant for MAR. Focus was on combining efforts at the national level to lobby changing laws for businesses here in Michigan.

**VIII. COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA –**

**a. Michigan Land Use Leadership Academy Correspondence:** Correspondence was reviewed.

**b. Receipt of Village of Caro Zoning Ordinance:** A letter will be sent stating we received the document.

**c. Fax from Township of Watertown:** Watertown is in the process of revising their master plan.

**IX. UNFINISHED BUSINESS –**

**X. NEW BUSINESS –**

**a. Final Draft of Gilford Township Zoning Ordinance:** Delores and Ione went over the Zoning Ordinance. *Ione Vyse moved to recommend the commission send a letter stating concern with Section 204 of P.A. 110 (Provisions for Home Occupation-Craft & Fine Arts) missing from the zoning ordinance, but other than that recommend approval. Joe Robbins seconded the motion. Motion carried.*

**b. Carl Vollmar Farm P.A.116 Request:** Joe and Keith reviewed the request. *Joe Robbins moved to recommend approval of the P.A.116 request. Zygmunt Dworzecki seconded the motion. Motion carried.*

**c. By-Laws/Mandatory Commissioner/Potential for Voting:** The Commissioners are going through all commissions and boards they serve on requesting a copy of by-laws and checking voting procedures.

**XI. ADJOURN –** Chairperson Keith Kosik declared the meeting adjourned at 5:06P.M.

## 6.0 Farmland and Open Space Preservation

### The Agriculture Vision:

*The Community visualizes a Tuscola County that has maintained its rich agricultural heritage, retained its best farms and farmlands, provided ag-industry markets for both local and regional suppliers, and balanced farm retention goals with the need to accommodate growth.*

### 6.1 Required Farmland components for a Comprehensive Land Use Plan

The local unit of government has a **comprehensive land use plan** that has been adopted within the last 10 years and reviewed and/or updated within the last 5 years. [See Part 362 of the Natural Resources and Environmental Protection Act (MCL 324.36201 to 324.36207), and The Planning Act PA33 of 2008]. The comprehensive land use plan must contain an agricultural preservation component, consisting of:

- a) The areas intended for agricultural preservation are clearly depicted on the future land use map.
- b) A description of how and why the preservation area was selected.
- c) Goals for farmland preservation.
- d) Language indicating why farmland should be preserved in the community (cost of services studies, economic benefit to the community etc.)
- e) Text describing the strategies intended to be used in order to preserve the agricultural land, including Purchase of Development Rights (PDR) but should include other techniques.

\*\* The local unit of government may also be covered by a regional plan that has the agricultural preservation component described above, unless local unit of government has a PDR ordinance, then the comprehensive plan that is approved must be the plan on which the zoning ordinance is based.

## **6.2 Purpose**

Agriculture is an important part of the County's economy. In addition to jobs and contributing food and fiber production to society, agriculture preserves our heritage, provides a buffer between our unique landscapes and adds value to the quality of life for County residents.

## **6.3 Tying it together in Tuscola County**

Residents recognize the importance of agricultural land not only for its addition to the County's economic viability, but also for the beauty and sense of place that it provides. As farmland diminishes wildlife habitats are lost, the potential for locally grown food declines and fragmented development occurs.

A report based on observations made by the Community Assessment Team (CAT) during its visit to Tuscola County in December of 2006 supplied the basic information reflecting the community members concerns regarding, among other things, pertinent agricultural and open space issues facing our citizens.

The CAT process began with an application from members of the community to MSU Extension. The application described the community's situation and listed questions that community members wanted the CAT to address. The application was reviewed by the CAT advisory committee. The CAT then sent a small delegation to meet with the application committee to clarify questions raised in the application and recruited team members with skills appropriate to the community's needs. The full CAT visit involved two days of input and gathering from a variety of small and large meetings with residents and tours of the community. The team then analyzed, debated and categorized the information to produce a preliminary verbal report to the community. The full report is available and accessible at the following web site: <http://web1.msue.msu.edu/cdnr/tuscolacatreport.pdf>.



## **6.4 Highlights of the CAT report concerning farmland and open space preservation**

### **VALUE-ADDED AGRICULTURE**

- Utilize an asset-mapping exercise to identify current agricultural assets and potential alternative value-added agriculture opportunities.
- Explore alternatives to sugar beet production, given current market and trade uncertainty.
- Capitalize on alternative energy opportunities.
- Explore opportunities to diversify agricultural production and processing.

### **LAND USE AND HOUSING**

- Use existing cross-jurisdictional cooperation agreements as models for other collaborative opportunities for intergovernmental cooperation within the county.
- Ensure zoning ordinances are consistent and up-to-date with the Tuscola County General Development Plan.
- Continue aggressive use of land use development tools, such as brownfield remediation, to encourage redevelopment of underutilized sites in the county.
- Increase stewardship of the agricultural and natural resources within the county, especially water and soil conservation.
- Explore mechanisms to increase the variety of housing options available to current and future county residents at various stages of life.

## **6.5 Why Farmland and Open Space Should Be Preserved In The Community**

### **Conditions & Trends as reflected in the National Agricultural Statistics Service (NASS) 2002 Census of Agriculture County Profile for Tuscola County Michigan**

The County has a relatively strong agricultural economy despite a continued decline in active agriculture operations and a reduction in supporting infrastructure. In 2002, Tuscola County's farm economy ranked 14<sup>th</sup> out of 83 Michigan counties. County farms were ranked 21<sup>st</sup> in livestock, poultry, and their products while ranking 12<sup>th</sup> in crops. These rankings speak to the importance of Tuscola County's agricultural sector in the region and in Michigan. Over the past 10 years, agricultural operations have decreased dramatically due to economic conditions and development pressures:

- Between 1997 and 2002, Tuscola County has lost 7,956 acres, or an average of 2 percent of its total farmland. The total farmland acreage for Tuscola County in 2002 was 335,542 acres. Between 1997 and 2002 (latest agricultural census available), the number of active farms has decreased by 1%. In looking at the locations where agricultural lands have been converted to other uses, conversion is not only occurring in the urban and suburban fringe areas, but also throughout the County.

Despite the recent loss of farmland, Tuscola County remains a viable agricultural County. A critical mass of farmland for a local County farm economy is described as:

- 75,000 acres of farmland; or
- \$40 million annually of agricultural production of marketable products sold.

Tuscola County currently meets both of these two criteria as shown in the National Agricultural Statistics Service (NASS) 2002 Census of Agriculture County Profile:

- 335,542 acres of farmland
- \$93.8 million in market value of agricultural products sold

## **6-6 Mapping for Farmland and Open Space Preservation**

6.6.1 The Farmland and Open Space Preservation Map on the following page illustrates lands that meet **one** of the following criteria:

- Contain Class I and II Soils, non-irrigated capability suitable for most field crops, which are the best soils available for farming in Tuscola County.
- Areas within local units of government's master plans that are designated as "Agriculture" or "Open Space" in their respective future land use plans.
- Have been selected by their respective communities as being vital to the agricultural economy of the area.

**6.6.2 A Description of How and Why various Agricultural Preservation Areas were selected:**

1. The soils are rated by the USDA Natural Resources Conservation Service as Class II that are the highest soils for crop production in Tuscola County.
2. The USDA Natural Resources Conservation Service also classifies most of the area as "Prime or Unique Farmland"
3. Many large parcels of land (20 acres or more) are located within the designated area.
4. The land is classified as active agricultural land according to the latest East Central Michigan Planning and Development Regional Commission (ECMP&DR) land use inventory.
5. Selected areas are designated as either "Agricultural/Open Space Preservation" or "Agriculture" within local unit master plans.
6. The designated land is located outside of current, sewer service areas
7. The land selected is located outside of all Potential Activity Centers.

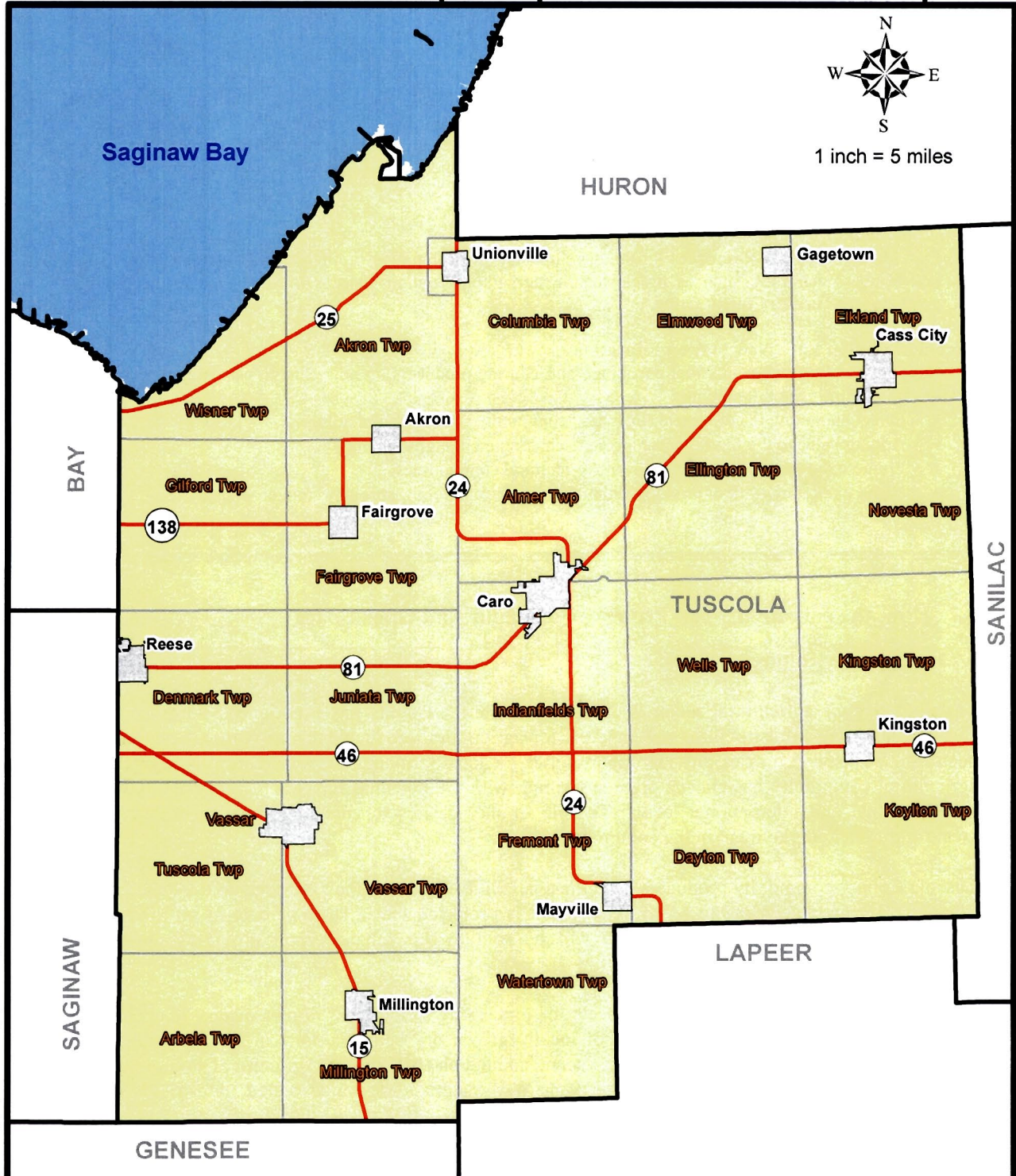
**GOAL for Farmland and Open Space Preservation :**

**To encourage and support programs that enhance the viability of Tuscola County's agricultural sector.**



# Farmland and Open Space Areas

# Map 16



### Legend

- City or Village
- Farmland and Open Space Areas

C:\CVT\_TuscolaCounty\2008\_Planning\_Report\Farmland\_OpenSource\_Preservation\Farmland\_Preservation.mxd Date: 10/30/2008

GIS GPS Mapping Services, LLC

**OBJECTIVE 1 : Encourage and support programs that will maintain the viability of agriculture through new and expanding markets for locally grown products.**

**Recommendation 1.1 New Market Opportunities**

Develop a collaborative effort between Tuscola County, MSU Extension, UM Business School, local governments, surrounding counties, state government, and agricultural organizations to find new market opportunities for Tuscola County and the region's agricultural sector. Opportunities include, but are not limited to, ethanol production, direct producer-to-consumer marketing of farm products, local food distribution network, grain elevators and livestock markets.

**Recommendation 1.2 New Market Zoning**

**Provide Educational Resources** for the development of local zoning ordinance language that allows small agri-business activities, such as processing, in agricultural zoning districts to add value to the products generated on Tuscola County farms.

**Recommendation 1.3 New Market Education**

**Support existing programs** that encourage and educate producers on new entrepreneurial opportunities in the agricultural sector, including:

- Direct marketing to consumers (includes "community supported agriculture").
- Adding value to the food (packaging, agri-entertainment, agri-tourism).
- Promote the use of by-products from Agricultural commodities.
- Niche marketing of farm products (ethnic foods, organic foods, specialty farm products).

## **6.7 How the community can Preserve Farmland And Open Space**

### **6.7.1 New Agriculture Markets:**

Tuscola County's agricultural sector is changing. While the County has experienced a loss of farmland and its supporting infrastructure, new markets for agricultural products such as corn, wheat, oats, sugar beets, dry beans, and pickles provide opportunities for local farmers to be successful. A segment of the agricultural community has chosen organic farming with the potential for new market opportunities at a local, national and international level. Tuscola County desires to encourage new markets that could create additional employment in the community.

Tuscola County commodity producers have the availability of selling their products to the local Michigan Ethanol plant and according to MSU extension it is projected that a large percent of all the combined grain production in the nearby counties will be sold to this ethanol plant providing an economic opportunity to the agricultural sector.

Agricultural producers also grow sugar beets for processing at the local farmer owned Michigan Sugar Factory. The processing and marketing of locally grown dry beans is done in a neighboring county, farmer-owned plant, that utilized a large vacant commercial building. Agricultural by-products from these and other commodities also supply some raw materials for value added industries within the community.

There has been an expansion of producers selling farm products directly to consumers. A number of these opportunities are being made available by word-of-mouth marketing. This direct producer-to-consumer delivery minimizes costs for both the producer and the consumer, and increases profits for the producer. For produce and nursery producers, many farmers' markets exist in the area that allow producers to sell many of their products. A number of produce-oriented farms include hobby and family entertainment aspects of their operations. These include farms that allow customers on their property for "u-pick" operations as well as hayrides, pumpkin patches, etc. These operations are providing multifaceted products and services to the growing urban market.



### **6.7.1 Supporting Infrastructure:**

Farm economies, like all sectors of an economy, do not cease at county boundaries. Goods and services, and those seeking those goods and services commonly cross county boundaries to conduct business. Data from regional telephone directories reveal that while the total number of agricultural support businesses has declined in Tuscola County and the neighboring counties of Bay, Genesee, Huron, Lapeer, Saginaw, and Sanilac, there still remains a significant base of agricultural support businesses and markets.

A number of organizations exist in Tuscola County. The purpose of these organizations is to provide an opportunity for consumers to purchase the rights to food before it is available on the market. A newsletter provides the announcement and availability of the produce. Growers come together in this effort to promote their products to consumers.

### **6.7.2 Agriculture as a Target Industry:**

The Tuscola County General Development Plan contains an extensive discussion of the agricultural economy, Section 5.2.9 (pgs. 5-21 to 5-25). The Tuscola County Citizens Vision for a Better Future Section 4.4 (pg 4-14) provides economic development goals and objectives for the community by maintaining the viability of the agricultural sector through development and support of new and enhanced markets for locally grown food. The accompanying recommendations identify efforts to build social capital among an alliance of stakeholders, elevate locally grown food as a target industry with supporting infrastructure requirements, educate the public on the value of a localized food system and “jump-start” the locally grown food economy by identifying and promoting markets in the short term.

## **OBJECTIVE 2**

**Encourage and support agricultural operations through federal and state farmland preservation programs.**

### **Recommendation 2.1 Farmland Preservation Funding**

Encourage landowners to apply for state and federal programs and encourage local governments to identify funding methods for farmland preservation including the following methods:

#### **Public**

- Purchase of Development Rights Program
- Transfer of Development Rights (through non-contiguous PUDs and Joint Planning Commissions between 2 or more local governments)
- Purchase and Leaseback Program
- Land Swap

#### **Private**

- Land Trusts
- Land Donations/Reserved Life Estates
- Land Swaps

### **Recommendation 2.2 PDR and Farmland Preservation**

For the Purchase of Development Rights program at the state, county, or local unit of government level, Tuscola County will use the Farmlands and Open Space Preservation Areas (Map 16) , found on page 6-5 of this element, as a guide for farmland preservation programs. This map reflects the possible lands in Tuscola County that should be preserved.

### **Recommendation 2.3 Model PDR/TDR Ordinances**

The county has developed a Purchase of Development Rights Ordinance and may develop in the future a Transfer of Development Rights Ordinance for local communities in Tuscola County.

## **6.8 Agricultural Land Preservation Programs**

### **6.8.1 State of Michigan Programs – Agricultural Land Preservation Programs**

The State of Michigan programs available to farmers, landowners, townships, local governments and counties include:

#### **Farmland Development Rights (PA116) Agreements**

A Farmland Development Rights Agreement is a temporary restriction on the land between the State and a landowner, voluntarily entered into by a landowner, preserving their land for agriculture in exchange for certain tax benefits and exemptions for various special assessments. The 2008 statistical information from the Michigan Department of Agriculture Land Use Division, verified nearly 3000 active PA 116 contracts involving slightly more than 200,000 farmland acres and enrolled for a minimum of 10 years exist within Tuscola county.

#### **Purchase of Development Rights**

Purchase of Development Rights (PDR) is a permanent restriction on the land between the state and a landowner. The restriction is voluntarily entered into by a landowner, preserving their land for agriculture in exchange for a cash payment for those rights. Currently this program is being restructured. At the present time the state has no provisions for funding this program.



## **6.8.2 The Federal Program – The Farm and Ranch Land Protection Program (FRPP)**

The Farm and Ranch Lands Protection Program (FRPP) is a voluntary program that helps farmers and ranchers keep their land in agriculture. The program provides matching funds to State, Tribal, or local governments and non-governmental organizations with existing farm and ranch land protection programs to purchase conservation easements. From 1996 through 2007, FRPP has enrolled over 533,000 acres in cooperation with more than 400 entities in 49 states.

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) manages this program.

**Legislative Changes:** FRPP was amended in the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill). This new legislation expanded the purpose of the Farm and Ranch Lands Protection Program from "protecting topsoil" to "protecting agricultural use and related conservation values of the land."

The program now allows for long term agreements with cooperating entities. Such agreements may be 5 years in duration for certified entities and 3 years for eligible entities that are not certified. The 2008 Farm bill defines a "certified entity" as an eligible entity with a proven record of acquiring and monitoring conservation easements.

Entities may submit proposals to protect farm and ranch lands throughout the term of the agreement and changes the authority of the Secretary of Agriculture from purchasing conservation easements to facilitating the purchase of conservation easements.

It also establishes that the Secretary may require a contingent right of enforcement in the conservation easement deed, but that the contingent right does not imply the acquisition is subject to Federal standards and procedures for land acquisition.

- \*Information taken from: Helping People Help the Land – May 2008
- \*For more information and updates about the FRPP go to <http://www.nrcs.usda.gov/programs/frpp>.

### **OBJECTIVE 3**

**Encourage and support local planning and zoning tools, along with state and federal policies that promote the viability of the county's and region's agricultural sector.**

#### **Recommendation 3.1 Local Agricultural Ordinances**

Assist in the development of local PDR ordinances and encourage the use of consistent land use and zoning tools at the township level.

#### **Recommendation 3.2 Agricultural Enabling Legislation**

Advocate changes at the state level to promote farming including dedicated funding for PDR, agricultural tax incentives, taxing agricultural land for its use versus potential use, local revenue sources and land division act reform.

#### **Recommendation 3.3 Agricultural Impact Statement**

Encourage local units of government to consider impacts on agricultural operations during the land use and development decision-making process by using the Farm Land and Open Space Preservation Area Map (pg. 6-5) as a guide for farmland and open space preservation programs.

## **6.9 Local planning and zoning tools for the preservation of farmland and open space**

Currently, many of the townships in Tuscola County are in the process of developing a farmland and open space component or element in their local master plan and/or zoning ordinance and look to the County for guidance in developing sound preservation strategies. Zoning techniques available to support the preservation of farmland and open space include:

- Sliding Scale Zoning.
- Quarter/Quarter Zoning.
- Large Lot Zoning (greater than 20 acre minimum lot size).
- Cluster development and planned unit development with appropriate design standards to provide open space buffer between residential and agricultural use.
- Voluntary Agricultural Security Areas (enables agricultural operators to have large blocks of land dedicated to farming operations).

Many effective and necessary farmland preservation tools exist in other states that are not available to County and local governments in Michigan. In order to complement and support an effective agricultural preservation program, several policy changes require advocacy at the state and federal levels including:

- Changes in the state tax structure to utilize a use-value taxing system.
- Enabling legislation that allows local jurisdictions and counties to use alternative sources of funding for purchase of development rights programs (i.e. sales taxes, excise taxes, impact fees, real estate transfer taxes, etc).
- Enabling legislation for local agricultural security area programs.
- Dedicated funding of the State Purchase of Development Rights matching grant program.
- Changes in the Land Division Act that will minimize the impact of lot splits on farmland preservation efforts.

## **6.10 The Agriculture Vision:**

*The Community visualizes a Tuscola County that has maintained its rich agricultural heritage, retained its best farms and farmlands, provided ag-industry markets for both local and regional suppliers, and balanced farm retention goals with the need to accommodate growth.*

The Tuscola County Planning Commission will...

1. Continue to play a leadership role in providing information to local units of government and residents on techniques and tools to effectively deal with agricultural preservation and rural character maintenance.
2. Identify and promote the protection of the best or unique agricultural parcels in the County from non-agricultural use.
3. Promote efforts to improve soil erosion practices throughout the County, as a way of slowing soil loss.
4. Address the issue of uncontrolled lot splits and subdivision development.
5. Assess the current needs of the local agricultural economy, encourage and promote programs or policies to address those needs in conjunction with all applicable stakeholders (individuals and organizations)..

Implementation:

1. Seek in-state assistance from Michigan State University Cooperative Extension Office and the Michigan Department of Agriculture for preparation of a market study that will provide assistance to the local or regional agricultural sector on possible future markets for local products.
2. Provide an extensive self-help component for local planning commissions and elected boards on alternative agricultural preservation and zoning techniques.
3. Prepare a map that identifies both prime and unique agricultural lands in Tuscola County with the assistance of the Soil Conservation Service, MSU Cooperative Extension Office, and the local municipalities.
4. Promote the use of PA 116 in Tuscola County and provide assistance to State legislators and staff regarding better alternatives to PA 116 or opportunities to improve the current legislation.
5. Research and implement the designation of "right to farm" areas within Tuscola County that offer protection to existing agricultural operations and educating the public on the meaning of "entering into a right to farm area".



THIS PAGE INTENTIONALLY LEFT BLANK





# MAC 7th District Meeting

Tuscola County Annex Building  
207 E. Grant St.  
Caro, MI 48723

Monday, March 16, 2009

- 9:00 A.M. Items of Interest to County Government**
- ◆ **Equalization Property Tax Values/Impact on County Budget**  
Walt Schlichting - Tuscola County Equalization Director  
Greg Hill - St.Clair County Equalization Director
  - ◆ **Wind Energy Information for County Commissioners**  
Hal Hudson, Ph.D. - Tuscola County MSU-Extension Director  
Delores Damm - Tuscola County Planning Commission Secretary
  - ◆ **Governor's Proposed Budget Reductions for MSU-Extension**  
Hal Hudson, Ph.D.
- 10:00 A.M. Legislative/Issues Update from Michigan Association of Counties**
- 10:30 A.M. 7th District Business Meeting**
- ◆ Minutes
  - ◆ Treasurer's Report
  - ◆ New Business
  - ◆ Old Business
  - ◆ Other Matters as Necessary
- 11:00 A.M. POET Biorefining**
- ◆ **Caro Ethanol Plant Tour**  
Dave Gloer - General Manager
- 12:00 P.M. Lunch**
- ◆ Back to the Annex for lunch catered by P.J. O'Brien's

Hosted By: The Tuscola County Board of Commissioners  
Please R.S.V.P. by March 9, 2009  
Charge: \$10.00/person



**Mike Hoagland**

---

**From:** Allan C Hooper [achooper@cmsenergy.com]  
**Sent:** Wednesday, February 11, 2009 7:07 PM  
**To:** 'Honke, Megghan'  
**Cc:** 'Allan C Hooper'  
**Subject:** Register Now for the Small Town and Rural Development Conference - April 21-23, 2009



**Looking for ways to make your communities and towns unique and inviting as places to live and work?**

**Learn new approaches from those already have success by registering now for the Small Town and Rural Development Conference**

The 5<sup>th</sup> Annual Small Town and Rural Development Conference will be rich in examples of programs and initiatives that have allowed communities across the nation to create their own niche and encourage entrepreneurs to flourish. The conference will be April 21-23 at Crystal Mountain in Thompsonville, Michigan.

To register online for the conference go to: <http://web2.msue.msu.edu/partners/registration.cfm>.

***The five featured topics for this year's conference are:***

**Why Some Rural Communities Prosper While Others Do Not  
An Alternative Way of Looking at Small Town and Rural Development**

*Andrew Isserman, Professor, University of Illinois*

"Surprisingly, geographic location factors generally considered significant such as proximity to cities are relatively unimportant in determining the 'prosperity' of rural places. The lack of these factors may curb growth, but prosperity is different, and arguably more important than growth."

**The Power of Networks in Rural Development**

*Angie Hawk Maiden, President and CEO, ACEnet, Athens, Ohio*

Recognizing that better communities are built on connections, ACEnet set about building better-connected communities in Ohio's Appalachia region, particularly around the grassroots food sector. Their concept of creating networks that link people and organizations to strengthen our capabilities in rural areas is important and represents another way to get the most from the more limited assets and resources we have in our smaller communities.

**Branding Communities For Growth**

2/12/2009

*Ed Burghard, Harley Procter Marketer, Procter & Gamble*

Ed Burghard is an "unlikely" community and economic developer. He is a distinguished marketing executive with Procter & Gamble, a name synonymous with consumer marketing. While representing P&G as chairman of the Ohio Business Development Coalition, Ed became intrigued with the notion of applying marketing and branding concepts to "places". He has since advised the State of Ohio and its communities on branding. Ed answered our call to look at what Michigan's smaller communities can do individually, and perhaps regionally and collectively, to differentiate themselves.

**Social Networking for Small Town and Rural Areas**

*Becky McCray, Publisher, Small Biz Survival, Alva, Oklahoma*

Becky has a passion for small towns. She understands the value of social networking not only in helping small town businesses, but also in strengthening rural communities. While the popular tools of Facebook, Twitter, Flickr and blogging are more often associated with the Millennials, GenX and those living in urban areas, Becky knows how to make them work with everyone and anywhere, especially in rural areas. She has written extensively on social networking concepts for small towns, and her Small Biz Survival blog is rated among the Top 100 small business blogs on the Internet.

**Using the Spaces in Our Places**

*Dan Carmody, President, Eastern Market; Principal, Carmody Consulting*

Although a self proclaimed "urbanist" Dan genuinely appreciates the urban/rural relationship especially as President of Detroit's Eastern Market where he was brought in to rebuild a robust local food system, and leverage the market to revitalize adjacent neighborhoods. Dan's other passion is small town downtowns. He sees unused spaces in upper stories and in vacant lots that represent rich assets that can help smaller communities better define themselves.

**Breakout Sessions** - Check out the agenda for the tentative list of breakout sessions designed to compliment the sessions above and challenge you to start a new approach in your community.

As the host for this conference, Rural Partners of Michigan encourages you to review the agenda for this important event at our Web site [www.ruralmich.org](http://www.ruralmich.org).

Registration for this year's conference will be \$150, a \$10 savings from year's past to help in these struggling economic times. To register online for the conference go to:  
<http://web2.msue.msu.edu/partners/registration.cfm>.

Consider attending and invite others to join you at this event. You are likely to learn what is working elsewhere to reverse the trends of social and economic decline and population out-migration that plague smaller communities. You will have the opportunity to interact with others representing local government, Chambers of Commerce and community foundations who will all have a role in helping Michigan's smaller communities pursue a new direction in the future.