

DRAFT – Agenda
Tuscola County Board of Commissioners
Committee of the Whole – Monday, July 22, 2013 - 7:30 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

Finance

Committee Leaders-Commissioners Kirkpatrick and Trisch

Primary Finance

- 1. Road Commission Action – Off Road Vehicle Ordinance (See A)**
- 2. Digital Parcel Mapping – Potential Contract with Saginaw Valley University (See B)**
- 3. Nextera Tax Appeal Status – Escrow County Funds – 7/24/13 Meeting**
- 4. Financial Projections for Labor Negotiations and Budget Development**
- 5. Animal Control Communication Regarding Kennel Fees (See C)**
- 6. Health Department Fee Schedule Changes (See D)**

On-Going Finance

1. Prepare Bids for the 2013 County Comprehensive Annual Financial Report (Audit)
2. Potential Bonding Regarding Retirement System Costs
3. Medical Care Facility Certificate of Need for Small House Project Update
4. MAC Workers Compensation Update
5. Denmark Township Litigation Update
6. Register of Deeds Land Transaction Recordings Regarding Wind Energy
7. BC/BS Access Fees Lawsuit
8. Tuscola "In Sync"
9. Fixed Asset Inventory
10. 911 Audit
11. Dentist Legal Cost – Request for County Cost Sharing
12. Animal Control – Sanilac County Contract
13. Health Insurance (Second July 25, 2013 Board Meeting)
 - Health Insurance Bids
 - 2013 BC/BS Renewal
 - Affordable Care Act

Personnel

Committee Leader-Commissioners Kirkpatrick and Trisch

Primary Personnel

- 1. AFSCME Deputies Contract Extension (See E)**
- 2. Sheriff Request for Step 2 on Records Clerk Wage Schedule (See F)**

On-Going Personnel

1. Court Personnel Policy Revisions
2. Preservation of the Joint Tuscola/Huron Equalization Director
3. MERS Employee Delegate

Building and Grounds
Committee Leader-Commissioners Allen and Beirlein

Primary Building and Grounds

On-Going Building and Grounds

1. Jail Bed Addition Project Update
2. Update to the County Solid Waste Management Plan – EDC
3. Cass River Greenway
4. State Purchase of Private Land in Tuscola County
5. Camp Tuscola Potential Reuse
6. Courthouse Panic Button Replacement

Other Business as Necessary

Public Comment Period

Closed Session – If Necessary

Other Business as Necessary

Statutory Finance Committee

1. Claims Review and Approval

Notes:

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.

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.

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.

MEMORANDUM

TO: MIKE HOAGLAND
 FROM: BRAUN KENDRICK FINKBEINER PLC / MATT HONAMAN
 DATE: JULY 10, 2013
 SUBJECT: TUSCOLA COUNTY / PROCEDURE TO AMEND ORV ORDINANCE

The following procedures should be followed in order to amend the ordinance concerning the Off Road Vehicles, as authorized under MCL 324.81131:

- **Hold a Public Hearing.** Before the amended ordinance is voted on, a public hearing must be conducted pursuant to statute in order to give members of the community an opportunity to address the Board of Commissioners.
- **Give Notice of Public Hearing.** Not less than 45 days prior to the public hearing on the proposed amendment to the ordinance, the Tuscola County Clerk must send notice of the hearing to the Tuscola County Road Commission by certified mail. The notice must also be provided to the Michigan Department of Natural Resources, since state forestland is located within Tuscola County.
- **Vote to Adopt Amended Ordinance.** After the public hearing is conducted, the affirmative vote of the majority of the Board of Commissioners is required in order to adopt the amended ordinance. MCL 46.11(j).
- **Certification of Amended Ordinance.** Once adopted, the amended ordinance must be signed by the chairperson of the Board of Commissioners and certified by the clerk of the Board of Commissioners. *Id.*
- **Publish Notice of Adoption in Newspaper.** The amended ordinance becomes effective when notice of the adoption is published in a newspaper of general circulation in Tuscola County. *Id.*
- **Public's Right to Referendum.** Once notice of the adoption is published in the newspaper, the amended ordinance will remain effective, unless a petition requesting that a public ballot be held as to whether the amendment should be approved or rejected is submitted to the Tuscola County Clerk within fifty (50) days after adoption of the ordinance. The petition must be signed by at least twenty percent (20%) of the County's registered voters. Once the petition is filed, the amendment ceases to be effective until approved by a majority vote of the electors. *Id.*

Please contact us if any additional guidance is needed in order to comply with the above statutory procedure.



Wednesday, July 10, 2013

Tuscola County/Controller Administrator
125 W. Lincoln
Caro, MI 48723

Dear Michael R. Hoagland:

This contract confirms our agreement that SVSU students and Drs. Miller and Mohler will be working with your organization from September 1, 2013 – August 30, 2014.

Project Needs to Produce Deliverables	SVSU deliverables
<p>A single contact who will coordinate the collection and delivery of original material (full and reduced size scans) needed to create and produce the parcel layer.</p> <ul style="list-style-type: none"> • Copies of all original tax and plat maps the county and its associated townships/municipalities hold • Registered land survey • Location of surveying benchmark locations within the county • Legal descriptions of properties (as needed) • Access to/digital copies of all spreadsheets and databases associated with the parcel maps to ensure parcel maps can be linked using similar data fields. <p>Note: All material must be provided before the beginning of the project. The published scans of the tax map books are not sufficient for the project.</p>	<ul style="list-style-type: none"> • Standard parcel layer (parcel ID, property ID, land-use or zoning code, acreage/area, street frontage) in .shp and .gdb format. Parcel layer will be created based on the most recent published tax maps and plat maps available from the townships. <p>Note: A legal disclaimer will be provided in the metadata stating the team producing the data is not liable for any issues arising from the use of the parcel layer (or its associated contents) in a manner it was not intended for. A similar disclaimer will also be required at the same location of the product should it become available for distribution for the public. A disclaimer should be made similar to the one found here: http://gis.dallascityhall.com/findClosestWICCLinic/CO/DEnterpriseGIS_DataDisclaimer8_22_2011.pdf</p>

SVSU will retain rights to hold and use the produced data for educational purposes. Any personal identifying information (re: landowners) may be redacted for educational use. SVSU will retain the rights to own and publish the research associated with the production of the parcel data. **Note:** The data produced under this contract (specifically the parcel layer) may not be sold under any circumstances as it violates the software acceptable use policy.

Timetable: A tentative production schedule for the 25 townships/municipalities will be as follows: 5 townships by 12/22/13; 8 townships by 5/10/14; and the remaining 12 townships by 8/30/14.

Please let me know the dates and times you will need to meet with us during the year to review the progress of the project. Feel free to bring anyone with you that have interest in or will use this information to provide input as we work to complete the project. If needed, your organization may be asked to provide additional materials to complete the project.

Contract Expenses

All funds will be retained by the University. The funds will be used to cover expenses for the project. Funds are deposited into an SVSU account controlled by the Dean's office, College of Arts & Behavioral Sciences.

The contracted price for this project is \$83,000 or \$3,320/township/municipality. All contract fees to support resources required for the project will be paid upfront before the start of the project. There will be two student internships supported with this funding to prepare the parcel maps for Tuscola County and Drs. Miller and Mohler's time during the SP/Sum terms. The contract includes costs for computer stations, software, and the scanner necessary for the project. University policies will govern expenditures - see <http://www.svsu.edu/sponsoredprograms/procedures-university-policies.html>

To close out the project, Dr. Miller will certify that the client received the agreed upon parcel maps by the end date of the project.

I look forward to working with you and your staff and I know the interns will benefit from their experiences with this project.

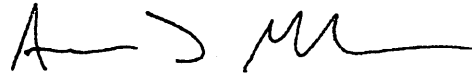
I accept the contract conditions.

Name	Date
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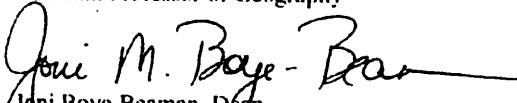
(Please sign, date and return one copy to Dr. Miller and keep the second copy for your files.)

Please call if you have any questions—Office: (989) 964-4653 – Cell: (513) 404-7635 – e-mail – ajmille4@svsu.edu

Sincerely,



Andrew J. Miller, PhD
Assistant Professor of Geography



Joni M. Boye-Beaman, Dean
College of Arts & Behavioral Science

Mike Hoagland**From:** Sanilac County Animal Shelter [scac@avci.net]**Sent:** Wednesday, July 17, 2013 12:14 PM**To:** Mike Hoagland**Subject:** Fw: FYI - and Risk Management Tuscola Commissioners

Mike This is what I have been told by Jim Young the Sanilac County Prosecutor. I will also see you any info I get from Walt in Genesee County. Jim Matson

----- Original Message -----

From: [Jim Young - PA](#)**To:** [Sanilac County Animal Shelter](#)**Sent:** Wednesday, July 17, 2013 10:48 AM**Subject:** Re: FYI - and Risk Management Tuscola Commissioners

Jim, This Provision of the Dog Law does not apply as we have an animal control ordinance providing rules and regulations concerning dogs and the setting of fees by the board of commissioners which I assume is being done here. Jim Young

From: [Sanilac County Animal Shelter](#)**Sent:** Wednesday, July 17, 2013 9:31 AM**To:** jyoung@sanilaccounty.net**Subject:** Fw: FYI - and Risk Management Tuscola Commissioners

Jim In Sanilac we charge 35 dollars for the for the first 10 dogs and 35 dollars for each group of 10 dogs after that. I do a kennel check for each kennel every year. Let me know if you see a problem with how we do we are doing things. Thanks Jim Matson

----- Original Message -----

From: [Mike Hoagland](#)**To:** [Jim Matson](#)**Sent:** Monday, July 15, 2013 7:18 AM**Subject:** FW: FYI - and Risk Management Tuscola Commissioners

Jim.....what are your thoughts with respect to the letter below.....please give me a call so we can discuss this further.....

Mike

Michael R. Hoagland
Tuscola County/Controller Administrator
125 W. Lincoln
Caro, MI. 48723
989-672-3700

7/19/2013

mhoagland@tuscolacounty.org

From: Kay Lauro [mailto:kaylor2008@yahoo.com]
Sent: Saturday, July 13, 2013 12:44 PM
To: mhoagland@tuscolacounty.org
Cc: beetman95@yahoo.com; tbardwell@tuscolacounty.org; ctrisch@tuscolacounty.org;
 kirkpatrick_craig@sbcglobal.net; mbierlein@tuscolacounty.org
Subject: FYI - and Risk Management Tuscola Commissioners

Controller/Administrator Michael Hoagland
 District #1 - Roger Allen
 District #2 - Thomas Bardwell
 (Chairman of the Board)
 District #3 - Christine Trisch
 District #4 - Craig Kirkpatrick
 District #5 - Matthew Bierlein

Tuscola County

Controller/Administrator Michael R. Hoagland
 And Board of Commissioners

RE: Kennel licenses in Tuscola County

There is a movement afoot of dog owners and kennel owners that are a bit weary of overbearing local governments who are overstepping their authority with regard to dogs. Some are even preparing to bring suit against some counties with egregious ordinances that do not comply with state law (the dog law of 1919, as amended). I have been researching kennel licensing in the State of Michigan for some time. I believe your county is currently charging \$45 for a kennel license for up to ten dogs and another \$45 for each additional 10 dogs. That could put your elected commissioners and your county at risk.

The Michigan dog law of 1919 (Section 10) **mandates that kennel licenses be \$10 for up to ten dogs and \$25 for over ten dogs.** You are overcharging your kennel owners to the extreme. It would be wise to bring these charges in line with state law. Your budget process will be starting soon and that would be the ideal time to correct this. Fees collected for kennels hardly amounts to a hill of beans anyway. Between \$2,000 and \$3,000 annually. Certainly not worth taking any risk for anything.

I requested a copy of the treasurer's list of kennel licenses. I received much more than I bargained for. They sent me a copy of every kennel inspection certificate, charged a bit much for it, too. (I dealt with them on that.) What I did notice is that this inspection claims to be in conformity with Section 10, 10b & 11 of Act No. 339 of P.A. of 1919 (the dog law of 1919). I don't mean to be a pain, but I've already mentioned the overcharge and this appears to be an annual inspection that is not in compliance.

The dog law of 1919 does not require an annual inspection. You have no authority to conduct an annual inspection.

The dog law of 1919, as amended, **requires one inspection prior to issuing a kennel license to a new kennel.** The annual inspection may seem like a good idea, but there is no

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provision in law for it, and there is no provision in the law for a county to promulgate regulations pertaining to kennels. There is also no provision for charging a fee for a kennel inspection. **A county does not have the authority to adopt any rule, regulation or policy with regard to kennels. AG 1897**

As it is, your claim to conform with those sections of the dog law is false. You do not conform to the dog law and that puts your county at risk of a lawsuit. Actually, puts you, personally, at risk, too. You, personally, are only immune from prosecution if you are acting within the law. Your risk management people may be able to explain things better than I.

I certainly hope to hear these things are corrected and I hope not to hear of lawsuits being brought against you or your county.

cc: kennel owners

Kay Lorraine-Lauro
4244 Cook Rd
Owosso, MI 48867-8918
Bennington Township
Shiawassee County, Michigan
989 723-1174



Tuscola County Health Department
Board of Commissioners Monthly Report for July 2013

Prepared by: Gretchen Tenbusch, RN, MSA, Health Officer

Visit our website at www.tchd.us

Outcomes for the Month:

- The Health Department is finalizing our FY12-13 budgets as we are in the last quarter of our fiscal year. We will begin working on our FY13-14 budgets shortly.

Issues under consideration by the Local Health Department:

- The Dental Clinic progress is still waiting on legal opinion.
- We continue to watch the debate on Medicaid Expansion and the changes to the Affordable Care Act.
- The Family Planning Program will undergo a federal audit on July 17th. The State actually got to choose who the Feds will audit and they selected us as we are in the region that is being audited. We do not expect any difficulties with the audit.
- Not having Medical Examiner Secretarial support on Mondays is still creating some difficulties.

Issues to be brought to Board of Commissioners:

- We need approval for the revised Immunization fee schedule effective August 1, 2013. The fee from the flu vaccines were changed from \$25 to \$12 administration fee + vaccine cost + 10%. The flumist was changed from \$30 to \$12 administration fee + vaccine cost + 10%. These changes are consistent with the rest of our immunization fee schedule.



Dawn Bowden

From: Susan Jensen [sjensen@tuscolacounty.org]

Sent: Thursday, May 16, 2013 3:22 PM

To: 'Dawn Bowden'

Subject: Deputies AFSCME Contract

Hello Dawn,

As chairperson for the Deputies Unit, I would like to inform you that we would like to ratify the extension agreement (one year extension with no changes) that was offered to us, as well as the rest of the bargaining units, until the end of 2013 (per our conversation). If you have any questions, please don't hesitate to contact me. Thanks - Susan

7/18/2013



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

July 18, 2013

Tuscola County Board of Commissioners
Mr. Michael Hoagland, County Controller

I am pleased to advise you that Shannon Gwizdala has accepted a full time position as a records clerk to replace Barbara Peters who has decided to transfer back into the corrections division to fill a vacancy. Her full time start date will be July 22, 2013.

I am requesting that Shannon start at step 2 of the current wage schedule making her wage \$ 14.11 per hour. Her current wage is \$ 15.06 per hour with no benefits. She has been employed as a part time secretary for approximately 1 year and 8 months and is fully trained to take over this important clerks position. I have informed the corrections division POAM bargaining unit if my intentions and do not anticipate any objection on their part.

Additionally Barbara Peters has approximately 7 months prior seniority as a corrections officer. Although she will revert to step 1 of the current corrections officer wage scale, \$ 15.50 per hour, I would ask that she be entitled to step two wages when her cumulative seniority reaches one year and her wage anniversary date be adjusted from that date to accommodate the required wage steps. In addition she was hired prior to 1/1/2011 and will fall under the four step wage schedule.

Sincerely,

Leland Teschendorf, Sheriff

Cc/Dawn Bowden, Tuscola County Personnel Director
Nathan Licht, POAM Union Steward