

**TUSCOLA COUNTY BOARD OF COMMISSIONERS**  
**MEETING AGENDA**  
**TUESDAY, AUGUST 25, 2009 – 8:00 A.M.**  
**ANNEX BOARD ROOM**

207 E. Grant Street  
Caro, MI 48723-1660

Phone: 989-672-3700  
Fax : 989-672-4011

- 8:00 A.M. Call to Order – Chairperson Peterson  
Prayer – Commissioner Kern  
Pledge of Allegiance – Commissioner Bardwell  
Roll Call – Clerk White-Cormier  
Adoption of Agenda  
Action on Previous Meeting Minutes (See Correspondence #1 & #2)  
Brief Public Comment Period  
Consent Agenda Resolution (See Correspondence #3)  
New Business  
    -Human Development Audit Presentation  
    -Commercial Redevelopment District Request  
        (See Correspondence #4)  
    -Resolution Requesting General Fund Full Faith and Credit for  
        Financing of the Armbruster Drain (See Correspondence #5)  
    -Recycling Storage Building Update  
    -Out-of-State Travel Request (See Correspondence #6)  
    -Energy Efficiency Grants (See Correspondence #7)  
    -Financial Changes in Mental Health Treatment of Inmates  
        (See Correspondence #8)  
    -Request to use Courthouse Lawn (See Correspondence #9)  
Old Business  
Correspondence/Resolutions

**COMMITTEE AND LIAISON REPORTS**

**Committee of the Whole – FINANCE FOCUS** (See Correspondence #10)  
Commissioner Bardwell/Commissioner Peterson

Other Business/On-Going Matters  
Next Meeting Date Thursday, August 27, 2009 – 8:00 A.M.

**Committee of the Whole – PERSONNEL FOCUS** (See Correspondence #10)  
Commissioner Bardwell/Commissioner Roggenbuck

Other Business/On-Going Matters  
Next Meeting Date Thursday, August 27, 2009 – 8:00 A.M.

**Committee of the Whole – BUILDING AND GROUNDS FOCUS** (See  
Commissioner Kern/Commissioner Petzold Correspondence #10)

Other Business/On-Going Matters

Next Meeting Date Thursday, August 27, 2009 – 8:00 A.M.

**COMMISSIONER LIAISON COMMITTEE REPORTS**

**PETERSON**

Enterprise Facilitation  
Human Development Commission

**MEMS**

Michigan Association of Counties – Aging Work Group  
Michigan Association of Counties – Environmental

**LEPC**

**NACO**

Local Unit of Government Activity Report  
Parks & Recreation  
Dispatch Authority Board

**PETZOLD**

Recycling Advisory  
Resource Conservation and Development District  
Mid-Michigan Mosquito Control Technical Advisory Committee  
Thumb Area Consortium  
Multi-County Solid Waste  
**TRIAD**  
Local Unit of Government Activity Report  
Road Commission  
Health Board

**ROGGENBUCK**

Enterprise Facilitation  
Planning Commission  
Human Services/Medical Care Facility Liaison  
Board of Public Works  
Local Unit of Government Activity Report  
Human Services Coordinating Council  
MAC Judiciary & Public Safety Committee  
Great Start Collaborative – Tuscola County  
Parks & Recreation

**BARDWELL**

Caro DDA  
Brownfield Redevelopment Authority  
Economic Development Corporation  
Tuscola 2011  
MAC Economic Development/Taxation  
MAC 7<sup>TH</sup> District  
Local Unit of Government Activity Report

Michigan Association of Counties – Board of Directors  
NACO

KERN

Thumb Area Consortium  
Human Development Commission  
Health Board  
Senior Services Advisory  
Local Unit of Government Activity Report  
Community Corrections Advisory Board  
Behavioral Health Board

Closed Session (If Necessary)

Other Business as Necessary

Extended Public Comment

Adjournment

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.

## **CORRESPONDENCE**

- #1 August 11, 2009 Full Board Minutes
- #2 August 13, 2009 Full Board Minutes
- #3 Consent Agenda Resolution
- #4 Commercial Redevelopment District Request
- #5 Full Faith and Credit for the Armbruster Drain
- #6 Out-of-State Travel Request
- #7 Energy Efficiency Grants
- #8 Financial Changes in Mental Health Treatment of Inmates
- #9 Request to use Courthouse Lawn
- #10 August 13, 2009 Committee of the Whole and Statutory Committee Minutes
- #11 August 6, 2009 Recycling Advisory Committee Minutes
- #12 July 23, 2009 Tuscola County Road Commission Minutes

**DRAFT****Tuscola County Board of Commissioners**

**August 11, 2009 Minutes  
Courthouse Annex**

Chairman Gerald Peterson called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Annex Building in the Village of Caro, Michigan, on the 11th day of August, 2009 to order at 8:01 a.m. local time.

Prayer by Commissioner Bardwell  
Pledge by Commissioner Peterson

District #1 Amanda Roggenbuck, District #2 Thomas Bardwell, District #3 Tom Kern,  
District #4 Roy Petzold, District #5 Gerald Peterson

09-M-170

Motion by Bardwell seconded by Petzold to adopt the agenda as amended.  
Motion carried.

09-M-171

Motion by Bardwell seconded by Kern to approve the minutes of the 7/30/09  
regular meeting. Motion carried.

Brief Public Comment – none

09-M-172

It was moved by Bardwell and supported by Kern that the following Consent  
Agenda Resolution be adopted:

**CONSENT AGENDA**

**Agenda Reference:** B

**Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09

**Description of Matter:** Move that the current draft of the Request for Proposal (RFP) be submitted to the Michigan Association of County Attorneys (by Commissioner Bardwell) for review and comment. Also, upon receiving revisions from MAC attorneys, the County Board review and approve the draft (RFP) and upon Board approval the draft be sent to the Michigan Bar Association, posted on the county website and an advertisement be placed in the Tuscola County Advertiser to receive proposals.

- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09
- Description of Matter:** Move that as part of the work of the County Financial Planning Task Force or as part of the 2010 Budget Development process a letter be sent to county departments asking for an explanation and analysis of their staffing changes over the past 10 years.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09
- Description of Matter:** Move that Sheila Long be appointed to attend the LEAD Tuscola training program for 2009/2010 and Sherri Hoy be appointed to attend for the following year program 2010/2011.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09
- Description of Matter:** Move that authorization be given to purchase copies of Robert's Rules of Order for each Commissioner and office copies for the Controller/Administrator's Office and County Clerk's Office.
- Agenda Reference:** G
- Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09
- Description of Matter:** Move that per the July 20, 2009 letter from the County Sheriff to concur with the hiring of Donald Pisha and Robert Scott for part-time positions in the Sheriff's Department contingent upon satisfactory physicals and background checks.
- Agenda Reference:** H
- Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09
- Description of Matter:** Move that per the July 20, 2009 letter from the County Sheriff that the resignation of Kurt Solomon be received and placed on file with said resignation to be effective 6/12/09.
- Agenda Reference:** I
- Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09

**Description of Matter:** Move that the 71-B District Court Health Care Savings Program Participation Agreement with the Municipal Employee Retirement System be approved and all appropriate signatures be authorized.

**Agenda Reference:** J

**Entity Proposing:** COMMITTEE OF THE WHOLE 7/31/09

**Description of Matter:** Move that authorization be given to corporate counsel to submit a letter of demand to Blue Cross/Blue Shield of Michigan to reimburse Tuscola County for undisclosed "Access Fees" fraudulently charged to Tuscola County since 1995 associated with the Health Insurance Administrative Services Contract.

**IT IS FURTHER RESOLVED** that any motion, resolution, or other act of Tuscola inconsistent with this Resolution is hereby rescinded, modified, replaced or superseded by this Resolution.

YEAS: all

NAYS: none

ABSTENTIONS: none

RESOLUTION ADOPTED.

09-M-173

Motion by Kern seconded by Roggenbuck that per the August 3, 2009 email from the State Police to the Sheriff that the LEIN Access Fees be paid so the county can meet the compliance requirement of being in good financial standing with the State Police in order to enable the County to receive the PALM Live Scan Grant at an estimated value of approximately \$16,000. Also, all appropriate 2009 budget amendments are authorized for the payment of LEIN Access Fees. Motion carried.

09-M-174

Motion by Roggenbuck seconded by Kern to appoint Christina Martens to the parks & rec commission Roll call: Roggenbuck, yes; Kern, yes; Petzold, yes; Bardwell, yes; Peterson, yes. Motion carried.

09-M-175

Motion by Roggenbuck seconded by Bardwell that the attached resolution be approved honoring the 27 years of dedicated service to Tuscola County by Katherine Bradley. Motion carried.

Courthouse Painting Bid Opening  
Department of Human Services Remodeling Bid Opening

09-M-176

Motion by Bardwell seconded by Kern that the 2009 Budgeted Courthouse painting bid be awarded to Precision Painting LLC for an amount of \$\$2,864.00. Motion carried.

09-M-177

Motion by Roggenbuck seconded by Petzold that a Special Board of Commissioners' meeting be held on August 13, 2009 at 10:00 A.M. to review and award certain Human Service building bids in order to comply with project timeline requirements. Also, the County Clerk is authorized to post and advertise for this meeting. Motion carried.

09-M-178

Motion by Petzold seconded by Kern to authorize the transfer of \$58,199.80 in Primary Road Millage funds from the Voted Primary Road Millage Fund to the Road Commission Fund per voucher #03-09 (August 6, 2009) from the County Road Commission. Motion carried.

09-M-179

Motion by Petzold seconded by Kern to authorize the transfer of \$121,888.97 in Bridge Millage funds from the Voted Bridge Millage Fund to the Road Commission Fund per voucher #05-09 (August 6, 2009) from the County Road Commission. Motion carried.

09-M-180

Motion by Roggenbuck seconded by Kern to authorize the Tuscola Area Airport Zoning Ordinance Sub-Committee of the County Planning Commission to seek an estimate for professional renderings and request the Airport Authority provide the funding for the cost of professional renderings. Motion carried.

09-M-181

Motion by Roggenbuck seconded by Kern with the support of the Parks & Recreation Commission and Planning Commission the Board of Commissioners support and approve hosting and advertising a fundraiser at Vanderbilt Park August 19, 2009. Motion carried.

Dispatch Director Bob Klenk appeared regarding dispatch rebanding

09-M-182

Motion by Kern seconded by Bardwell that per the August 10, 2009 request from the Dispatch Director to authorize the change order related to the Sprint/Nextel rebanding change. Also, all appropriate signatures are authorized. Motion carried.



Friend of the Court Mary Lou Burns appeared regarding moving the FOC to the courthouse, hiring an FOC/Court IT staffperson, data workflow and imaging for circuit and family court and various personnel related items.

09-M-183

Motion by Roggenbuck seconded by Kern with regard to item 4 contained in the Court Proposals Regarding Budgets, deny at this point due to financial straits. Confirm 10 carry over days, change sick and personal to PTO time and 2.5% increase for 2009 for circuit/family court. Motion carried.

09-M-184

Motion by Roggenbuck seconded by Bardwell to accept the \$88,545 Byrne JAG video arraignment grant without condition other than those in the grant itself and suggest to the court they likewise accept the grant. Motion carried.

09-M-185

Motion by Kern seconded by Bardwell to approve the three-year Cooperative Reimbursement Agreement with DHS and the Circuit Court and authorize the chairman to sign. Motion carried.

09-M-186

Motion by Roggenbuck seconded by Kern to go into closed session under Section 8(h) of the Open Meetings Act. Roll call: Roggenbuck, yes; Kern, yes; Petzold, yes; Bardwell, yes; Peterson, yes. Motion carried.

09-M-187

Motion by Bardwell seconded by Kern to come out of closed session.

Meeting adjourned at 11:25 a.m. until 8 a.m., August 25, 2009.

Margie White-Cormier  
Tuscola County Clerk

# RESOLUTION

## County Of Tuscola

### State Of Michigan

WHEREAS, Katherine N. Bradley has given over twenty seven years of her life in dedicated service to the residents of Tuscola County, beginning her career on December 17, 1981 as a Clerk Typist in the office of the Tuscola County Prosecutor, and being promoted to Secretary II in August of 1982, a position she has held since that time, and

WHEREAS, during these twenty seven years, Katherine always went above and beyond the call of duty to complete her assignments in a most timely manner, and has proven herself to be a loyal and dedicated employee to all of the prosecutors for whom she served, as well as a valued colleague to her numerous fellow employees, and


WHEREAS, Katherine will be greatly missed by her fellow employees and many friends that she has acquired over these twenty seven years, both for her knowledge and expertise, and also for her bubbly and outgoing personality, and

WHEREAS, all of her friends, colleagues, and fellow employees, wish to congratulate Katherine on her retirement and wish her many years of happiness to spend with her grandson and doing all of the things she enjoys.

THEREFORE, BE IT RESOLVED, that this 2009 Tuscola County Board of Commissioners wishes to thank Katherine N. Bradley for her twenty seven years of service to the Tuscola County Prosecutor's Office and to the citizens of Tuscola County, and to wish her many happy years of retirement, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the official records of Tuscola County and that a copy be presented to Katherine N. Bradley.

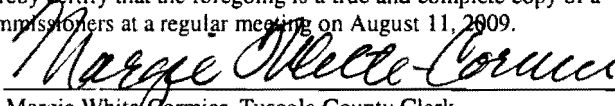
Date August 11, 2009

  
Jerry Peterson, Chairperson

Tuscola County Board of Commissioners

I, Margie White-Cormier, Tuscola County Clerk, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Tuscola County Board of Commissioners at a regular meeting on August 11, 2009.

Date August 11, 2009

  
Margie White-Cormier, Tuscola County Clerk

**DRAFT****Tuscola County Board of Commissioners****August 13, 2009 Minutes****Courthouse Annex**

Chairman Gerald Peterson called the special board meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Annex Building in the Village of Caro, Michigan, on the 13th day of August, 2009 to order at 10:11 a.m. local time.

Prayer by Commissioner Petzold  
Pledge by Commissioner Roggenbuck

District #1 Amanda Roggenbuck, District #2 Thomas Bardwell, District #3 Tom Kern,  
District #4 Roy Petzold, District #5 Gerald Peterson

09-M-188

Motion by Bardwell seconded by Kern to adopt the agenda. Motion carried.

Buildings and Grounds director Mike Miller outlined the previously opened bids. He recommends going with one builder and that the work be conducted outside of regular office hours. He recommends awarding the bid to Majestic Construction.

09-M-189

Motion by Bardwell seconded by Kern to approve the Majestic Construction bid at the night time rate of \$138,702. Motion carried.

Meeting adjourned at 10:28 a.m.

Margie White-Cormier  
Tuscola County Clerk

**'DRAFT'**

**COUNTY OF TUSCOLA**

**STATE OF MICHIGAN**

**RESOLUTION TO ADOPT CONSENT AGENDA**

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Annex Building in the Village of Caro, Michigan, on the 25th day of August, 2009 at 8 o'clock a.m. local time.

COMMISSIONERS PRESENT:

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COMMISSIONERS ABSENT:

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It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following Consent Agenda Resolution be adopted:

**CONSENT AGENDA**

**Agenda Reference:** A

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that the August 2009 General Fund Budget amendments as presented by the Controller/Administrator and Chief Accountant be approved and said changes be authorized for implementation.

**Agenda Reference:** B

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move to approve the Toxicology Contract proposed by Oakland County with one caveat, that the term in Section "XIII" be extended from December 31, 2009 until December 31, 2011, and with that modification that the Chair and Clerk be authorized to sign the Agreement on behalf of Tuscola County.

**Agenda Reference:** C

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that authorization be given for the County Parks and Recreation Commission to prepare and submit a Fisheries Grant application to construct a barrier free access ramp to the bay from Vanderbilt County Park. (This authorization is being given with the understanding no local county matching funds are required).

**Agenda Reference:** D

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that authorization is given for Commissioner Kern, Sheriff Teschendorf and Jail Administrator Penny Turner to attend the Michigan Municipal Risk Management Authority National Institute of Corrections Training Conference September 22-24, 2009.

**Agenda Reference:** E

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that the 54th Circuit/Family Court Health Care Savings Program Participation Agreement with the Municipal Employee Retirement System be approved and all appropriate signatures be authorized.

**Agenda Reference:** F

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that the Human Resources Director is authorized to send a letter via email to all Tuscola County Department Heads not currently covered by a Health Care Savings Program Participation Agreement to see if any are interested in participating in the Health Care Savings Program.

**Agenda Reference:** G

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that the Sheriff Department Fitness & Exercise Facility Waiver, Release, Covenant & Stipulation as recommended by the County Attorney and County Insurance Company be approved.

**Agenda Reference:** H

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that beginning in September of 2009 a Schedule be developed to periodically conduct County Board of Commissioner Meetings in each County Commissioner's district.

**Agenda Reference:** I

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that the attached resolution be adopted related to the purchase of the building at 141 S. Almer Street to house the Michigan Department of Corrections Adult Probation operation.

**Agenda Reference:** J

**Entity Proposing:** COMMITTEE OF THE WHOLE

**Description of Matter:** Move that per the August 11, 2009 letter of request from Margaret Phillips, that the Courthouse lawn be authorized for use on September 12, 2009 from 1-3 P.M. Also, the Building and Grounds Director contact this person to explain that their request has been granted.

**IT IS FURTHER RESOLVED** that any motion, resolution, or other act of Tuscola inconsistent with this Resolution is hereby rescinded, modified, replaced or superseded by this Resolution.

YEAS:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

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Jerry Peterson, Chairperson  
Tuscola County Board of Commissioners

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Margie White-Cormier  
Tuscola County Clerk

STATE OF MICHIGAN  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
**RESOLUTION**

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Building in Caro, Michigan on the \_\_\_\_ day of August, 2009, at \_\_\_\_\_ o'clock \_\_.m. local time.

PRESENT:

Commissioners: \_\_\_\_\_

ABSENT:Commissioners: \_\_\_\_\_

It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following resolution be adopted.

WHEREAS, MCL §791.223a(5) (“Act”) obligates each county board of commissioners to provide physical space to house circuit court probation operations administered in that county by the Michigan Department of Corrections (“Adult Probation”);

WHEREAS, the Act was made effective on January 10, 1980, after Michigan’s Headlee Amendment was adopted in November of 1976 (“Headlee”), which prohibits the State of Michigan from mandating that counties incur obligations without providing state funding;

WHEREAS, Tuscola County (“County”) considers the Act’s space obligations to violate Headlee:

WHEREAS, in 2004, the Michigan Department of Corrections (“DOC”) approved the Niland Building in downtown Caro, Michigan for use as the Adult Probation Office in Tuscola County and requested that the County obtain a tenancy in this building for this purpose;

WHEREAS, in reliance on the DOC’s approval and request and to mitigate its exposure under the Act and its damages under Headlee, Tuscola County (“County”) fulfilled its responsibilities under the Act by leasing space on a 10-year lease in the Niland Building in downtown Caro, Michigan (“Niland Lease”);

WHEREAS, until a recent fire, the County has received no complaints from the DOC, the Village of Caro or any other person about the Niland Building’s suitability for Adult Probation and, in fact, DOC had requested that the County expand its use and development of this tenancy;

WHEREAS, since DOC refused to return to the Niland Building, forcing the County to lease alternative space at 141 S. Almer Street (“Almer Lease”) at rental rates in excess of twice the amount incurred at the Niland Building and forcing the County to sublease the Niland



Building, relieving itself of some but not all of the rent it is incurring for that building until the 10 year lease expires;

WHEREAS, the County, in a further effort to mitigate its damages under the Act, issued a Request For Proposals for the Adult Probation Office and no one except the owner of the 141 S. Almer, submitted a proposal;

WHEREAS, the County has attempted to find space alternatives for Adult Probation that are less financially burdensome than 141 S. Almer, on either a rental or purchase basis, and no such alternatives could be found;

WHEREAS the County has received an offer from BBC Enterprises for the County to purchase the Building at 141 S. Almer Street Caro, Michigan for an amount of \$245,000 (“Almer Offer”);

WHEREAS, the County has determined that acceptance of the Almer Offer is the least costly way for the County to achieve compliance with the Act, but in doing so, also wishes to preserve its claim that the Act’s cost imposition on the County is unlawful as violative of Headlee:

NOW, THEREFORE, BE IT RESOLVED that the County accepts the Almer Offer as reflected in the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that all signatures necessary by county officials to finalize the Almer Offer and subsequent closing are authorized and directed, including but not limited to execution of the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that a budget be established in the 483 Capital Improvement Fund in an amount of \$265,000 through the use of fund balance to purchase the building plus make required building repairs and conduct remodeling work;

BE IT FURTHER RESOLVED that none of the above actions are taken voluntarily or in waiver of the County’s claim against the State of Michigan under Headlee for the Adult Probation costs it has incurred under the Act, including but not limited to the Niland Lease, the Almer Lease and the present Almer Purchase Offer, all such rights being preserved and, rather, that all of these actions are taken and costs incurred merely to mitigate the County’s Headlee claim damages;

BE IT FURTHER RESOLVED that the attached press release is authorized to be issued to explain the Act’s requirements on the County to pay the cost of housing Adult Probation which is a State Department of Correction operation and the fact that purchase of the Almer Building is the least costly alternative for the County in which to mitigate its damages;

BE IT FURTHER RESOLVED that the County Controller shall forward a copy of this Resolution to the Governor of the State of Michigan and the Director of the Department of Corrections;

BE IT FURTHER RESOLVED that this resolution replaces, modifies or supersedes any prior resolution on the same or similar subjects.

YEAS:

Commissioners: \_\_\_\_\_

NAYS:

Commissioners: \_\_\_\_\_

ABSTENTIONS: Commissioners: \_\_\_\_\_

RESOLUTION ADOPTED:

\_\_\_\_\_  
Jerry Peterson, Chairperson, Tuscola County  
Board of Commissioners

\_\_\_\_\_  
Margie White-Cormier, Tuscola County Clerk

## REAL ESTATE PURCHASE AGREEMENT

Tuscola County, whose official address is 207 East Grant Street, Caro, Michigan 48723, (hereinafter referred to as "Buyer"), agrees to purchase, and BB & C Enterprises, LLC, a Michigan limited liability company, whose address is 715 E. Frank Street, Caro, MI 48723 (hereinafter referred to as "Seller"), agrees to sell, on the terms and subject to the conditions set forth herein, that parcel of real estate located in the Village of Caro, Michigan, commonly known as "141 S. Almer Street", and more particularly described on Exhibit A hereto, together with the personal property described on Exhibit B hereto (collectively referred to herein as the "Property"). Upon mutual execution by Seller and Buyer, this understanding shall constitute a binding Agreement

1. **Purchase Price/Bathroom Improvement.** The purchase price for the Property shall be Two Hundred Forty-Five Thousand Dollars (\$245,000.00), payable in full at the closing by cashier's check or bank money order. The Buyer is purchasing the Building "as is"

2. **Default.**

(a) If Buyer defaults, Seller may elect to have specific performance of this Agreement or, in the alternative, to declare a forfeiture, terminate this Agreement.

(b) If Seller defaults, Buyer may declare a forfeiture and terminate this Agreement.

3. **Title.**

(a) Seller shall convey and Buyer shall accept marketable record title (or, at the Seller's option, insurable title) to the Property, subject only to zoning ordinances and governmental limitations and to existing easements and restrictions. As evidence of his title, Seller shall, at Seller's expense, provide Buyer with either an abstract of title, certified to a date subsequent to this Agreement, prepared by an abstractor authorized to do business in the State of Michigan, or a commitment (issued by a title insurer authorized to do business in the State of Michigan) for a standard form A.L.T.A. owner's policy of title insurance in the amount of the purchase price. Such abstract or title insurance commitment shall constitute conclusive evidence of the state of Seller's title.

(b) If, in the written opinion of Buyer's attorney, the abstract or title insurance commitment discloses any unpermitted matters of title, Seller may, but need not, cure or obtain insurance over them within a reasonable time. If Seller is unable to cure or obtain necessary insurance over all unpermitted exceptions within a reasonable time or elects not to do so, this Agreement shall terminate, and neither party shall be obligated further to the other. In the alternative, Buyer may elect to accept such title to the Property, as Seller is able to provide, without reducing or abating the purchase price or crediting or allowing any sum against the purchase price, and without creating any liability in the Seller.

(c) Any encumbrance on Seller's title to the Property, which may be removed by paying money, may be removed by Seller out of the sale proceeds, provided that evidence of this removal is presented to Buyer when the purchase price is paid.

4. **Closing.** The closing shall occur on September 30, 2009, or at such a time and date as the parties may agree upon at the office of the attorney or other closing agent designated by Seller; provided, however, that the closing must take place on or before October 30, 2009, unless delayed by reasons of title work or Seller's efforts to cure the title defects, in which case closing shall occur as soon as possible thereafter.

At closing, Buyer shall tender the purchase price as provided in Sections 1 above. Each party shall execute a closing statement reflecting the transaction. Buyer shall pay all recording fees and all of its other costs. Seller shall be responsible for (i) the Michigan real estate transfer tax and (ii) payment of the title insurance premium if title insurance is to be provided pursuant to Section 3 above. Seller must provide a warranty deed, subject to all easements, restrictions, and rights-of-way of record

**5. Taxes and Assessments.**

(a) Seller shall pay all real estate taxes with respect to the Property that become due and payable prior to the date of closing. All real estate taxes becoming due and payable on or after the date of closing shall be the Buyer's responsibility.

(b) Seller shall pay all special assessment payments with respect to the Property that become due and payable prior to the date of closing. All special assessments payments due and payable on or after the date of closing shall be Buyer's responsibility.

6. **Possession and Termination of Lease.** Buyer shall have full possession of the Property upon closing, and any lease existing between the parties regarding the Property shall be extinguished at that time, with all ongoing obligations terminated at the time of closing, with any rent pro-rated until the date of closing

7 **Conditions Subsequent.** Prior to closing, this Agreement is subject to the following conditions:

(a) This Agreement is contingent upon Buyer's satisfaction, in its sole discretion, with the Property's environmental condition after receiving environmental reports. In this regard, Buyer shall have the right, at its expense, to procure any environmental studies and assessments of the Premises as Buyer desires, including a Phase I environmental site assessment and, if appropriate, a Phase II environmental site assessment, a Baseline Environmental Assessment ("BEA"), and/or Section 7a Compliance Analysis ("Compliance Analysis"), as those latter two terms are defined in Part 201 of Public Act 451 of 1994, as amended ("Part 2201"). Buyer shall have the right to submit the BEA and Compliance Analysis to and petition for review of them by the Michigan Department of Environmental Quality ("MDEQ"), at Buyer's sole expense

8 **Indemnification.** Seller agrees to indemnify, defend and hold Buyer harmless for any environmental contamination of, or hazardous substance release onto or below, the Property prior to the closing, including but not limited to claims for injunctive relief and damages

9. **Real Estate Broker.** The parties agree and represent to one another that neither has dealt with a broker. Each agrees to hold the other harmless for any damage or liability, including reasonable attorneys' fees and costs, accruing if this representation proves untrue. This paragraph shall survive the closing and the conveyance of the deed

10. **Survey** If Buyer desires a survey of the Property, Buyer shall promptly procure one at his expense. If Buyer elects not to procure a survey, Buyer agrees that in purchasing the Property, Buyer is relying solely upon Buyer's own judgment as to the location, area and boundaries of the Property without regard to any representation that may have been made by any other person.

11 **Time of the Essence.** Time is of the essence of this Agreement, except that Seller may waive this provision for the purpose of curing title defects

12. **Heirs, Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns; provided, however, that Buyer shall not assign this Agreement without Seller's prior written permission.

13. **Offer to Purchase.** This Agreement, when dated, signed, and delivered to Buyer by Seller, shall constitute the Seller's offer to sell the Property. This Agreement shall become a binding real estate sale Agreement when it has been approved by Buyer's Board of Commissioners and it has been dated and signed by the Buyer and a copy delivered to Seller. If Buyer has not accepted this Offer, Seller may rescind this Offer for any reason at any time by serving written notice of its rescission

14. **Amendment.** This Agreement represents the entire agreement between the parties. It may not be amended, altered or modified unless the party against whom enforcement of any waiver, modification or discharge is sought does so in writing

15 **Mutual Negotiation.** This Agreement is the result of mutual negotiations and discussions regarding form and content and any ambiguity should not be construed against one party or the other on the basis of draftsmanship

16 **Attorneys' fees and costs.** In the event of an action to enforce the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

Seller has executed this Offer to Sell Real Estate on August \_\_\_\_, 2009.

**BB & C Enterprises, LLC.**

\_\_\_\_\_  
Robert Tuckey, Manager

\_\_\_\_\_  
Witness

John C. Burns, PC  
Attorneys for BB & C Enterprises  
6352 Garfield Avenue  
PO Box 26  
Cass City, MI 48726  
(989) 872-2197

**BUYER'S ACCEPTANCE**

The foregoing Offer to Purchase Real Estate is hereby accepted as of August \_\_\_\_, 2009.

**Tuscola County**

\_\_\_\_\_  
Jerry Peterson, Chairperson  
Tuscola County Board of Commissioners

\_\_\_\_\_  
Margie White-Cormier  
Tuscola County Clerk

Silver & Van Essen, P.C  
Attorneys for Tuscola County  
Douglas W. Van Essen  
116 Ottawa Avenue, N.W.  
Grand Rapids, MI 49503  
(616) 988-5600

**EXHIBIT A**

**Description of Real Estate**

The real estate commonly known as "141 S. Almer Street" and legally described as follows:

This parcel shall include any and all buildings and fixtures located thereon at the time of the execution of this Agreement:

## **EXHIBIT B**

### **Description of Personal Property**

All fixtures and the following personal property, including an assignment of all warranties thereto. The Seller hereby stipulates that all furnishing, equipment, furniture, utensils, small and large appliances, window treatments and draperies, and other household effects either already belong to the Buyer or are being transferred as part of the above sale price and consideration.



## **PRESS RELEASE**

### **Tuscola County Board of Commissioners**

Date: August 25, 2009

Contact: Tom Kern, Tuscola County Commissioner  
Phone – 989-872-3838

Roy Petzold, Tuscola County Commissioner  
Phone – 989-871-3789

#### **Building Purchase for Adult Probation Operation**

Tuscola County recently purchased the Building at 141 S. Almer Street in Caro, Michigan from BBC Enterprises to house the Adult Probation operation. Although Adult Probation is a State of Michigan-Department of Corrections operation, the State has made it a legal requirement that the County pay for the office space needs of the operation.

The number of individuals assigned to probation by the State is increasing with the State decision to divert more prisoners from state prisons. This State change requires more probation officers and more office space. The former office building that was being leased for Adult Probation was determined to have insufficient floor space for the expanded Adult Probation office space needs.

The County had no choice but to obtain a different office building to meet the growing office space needs of Adult Probation. The County Board drafted building lease and purchase specifications that were reviewed and approved by Department of Correction and other officials. Notification was put in the newspaper that proposals were being accepted to meet the office space needs of Adult Probation. Only one proposal from BBC Enterprises was received which was a purchase option. Negotiations were conducted and BBC lowered the cost of the building.

The purchase cost of the building was \$245,000. The County has been leasing this same building for \$33,000 per year. Purchasing, rather than leasing, is more cost effective. If the County continued leasing, in slightly over 7 years the same amount as the purchase cost would have been spent, but the County would not own the building and lease payments would still continue.

The County Board realizes these are difficult financial times, but believes the most cost effective method to meet its legal obligation of providing office space for Adult Probation is to make a direct purchase of the BBC Enterprises building. Fortunately, through good financial planning in better financial years, reserves have been established in the County Capital Improvement Fund that enables the purchase of this building. It is important to note that the Capital Improvement Fund is a separate source of funds dedicated to meeting County capital improvement needs. County services and operational costs are paid from other funds.

Minutes of a regular meeting of the Akron Village Council held on August 19, 2009 at the Akron Village Hall, 4380 Beach Street, Akron, Michigan.

PRESENT:

ABSENT:

The following preamble and resolution were offered by \_\_\_\_\_ and supported by \_\_\_\_\_.

**Resolution Establishing a Commercial Rehabilitation District for Busy B Flowerland (Brenda Ryan)**

WHEREAS, pursuant to Act No. 210 of 2005, as amended, this Akron Village Council has the authority to establish a Commercial Rehabilitation District within the Village of Akron; and

WHEREAS, Brenda Ryan of Busy B Flowerland has petitioned this Akron Village Council to establish a Commercial Rehabilitation District on its property located in the Village of Akron hereinafter described; and

WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on August 19, 2009 a public hearing was held at which all of the owners of real property within the proposed Commercial Rehabilitation District and all residents and taxpayers of the Village of Akron were afforded an opportunity to be heard thereon; and

WHEREAS, the Akron Village Council deems it to be in the public interest of the Village of Akron to establish the Commercial Rehabilitation District, as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Akron Village Council that the following described parcel of land situated in the Village of Akron, Tuscola County, and State of Michigan, to wit:

(INSERT LEGAL DESCRIPTION)

be and hereby is established as an Commercial Rehabilitation District pursuant to the provision of Act 210 of 2005 to be known as Busy B Commercial Rehabilitation District

AYES:

NAYS:

**Mike Hoagland**

---

**From:** Mike Hoagland [MHoagland@TuscolaCounty.org]  
**Sent:** Thursday, August 20, 2009 3:22 PM  
**To:** 'rmantey@tuscolacounty.org'  
**Subject:** RE: Armbruster

Bob

Thanks for the update and the good news.

Mike h.

---

**From:** Robert Mantey [mailto:rmantey@tuscolacounty.org]  
**Sent:** Thursday, August 20, 2009 1:43 PM  
**To:** Mike Hoagland  
**Subject:** Armbruster

Mike,

I can not make the meeting next Tuesday when we are asking for the full faith and credit on the Armbruster Inter County Drain. A brief update on this project is that the total project cost came in \$100,000 less than expected, the county apportionment also came back suggested from the engineers less than we estimated, and the length of payment is going to be lengthened to a 15 year instead of 10 years. This reduces the 2009 and 2010 payments to approximately \$4000 and \$6000 respectively, instead of the \$10,000 I previously estimated.

When we get our final spraying bills in we should be able to update all our estimates.

Patty will be attending the meeting, if you have any questions.

Bob

Robert Mantey  
Tuscola County Drain Commissioner  
440 N. State St., Caro, MI 48723  
Hours: 8:00 a.m. - 4:30 p.m. Closed Noon to 1:00 p.m.  
Office Day: Wednesday  
PH. 989-672-3820 FAX 989-673-3497

8/20/2009

NOTICE OF REGULAR MEETING

BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA

AUGUST 25, 2009

Please take notice that the next regular meeting of the Board of Commissioners of the County of Tuscola will be held on Tuesday, August 25, 2009, at 8:00 A.M. in the Annex Board Room in the Tuscola County Annex Building, 207 E. Grant Street, Caro, Michigan.

The agenda for the meeting will include consideration by the Board of Commissioners of a resolution authorizing the limited tax full faith and credit pledge of the County of Tuscola to the Armbuster Intercounty Drain Bonds, Series 2009 in the principal amount of not to exceed \$655,000 (the "Bonds") to the extent of special assessments assessed against property and public corporations in the County. The Bonds are expected to be issued by the Armbuster Intercounty Drain Drainage District to finance part of the cost of improvements to the Armbuster Intercounty Drain, such cost to be allocated between the Counties of Huron and Tuscola, Michigan. \$448,586.79 of the cost of such improvements to be financed by the Bonds has been apportioned to the County of Huron and has been assessed against property and public corporations in the County of Huron, and \$206,413.21 of the cost of such improvements has been apportioned to the County of Tuscola and has been assessed against property and public corporations in the County of Tuscola.

This notice is given pursuant to Section 308 of Act 34, Public Acts of Michigan, 2001, as amended.

Margie A. White-Cormier  
Clerk, County of Tuscola

At a regular meeting of the Board of Commissioners of the County of Tuscola held in the Village of Caro, Michigan, on August 25, 2009.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION RE: Armbuster Intercounty Drain Bonds, Series 2009**

WHEREAS, proceedings have been taken by the Drainage Board for the Armbuster Intercounty Drain for improvements to the Armbuster Intercounty Drain under the provisions of Chapter 8 of the Drain Code of 1956, as amended, pursuant to a petition filed with the Board of County Road Commissioners of the County of Huron, acting as the Huron County Drain Commissioner pursuant to Act No. 3, Michigan Local Acts of 1943; and

WHEREAS, in order to pay for part of the costs of the improvements for said Drain, the Drainage Board has authorized and provided for the issuance by the Armbuster Intercounty Drain Drainage District (the "Drainage District") of bonds designated "Arbuster Intercounty Drain

Bonds, Series 2009” (the “Bonds”) in the aggregate principal amount of not to exceed \$655,000 and bearing interest at a rate not to exceed 7% per annum, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Tuscola) in the Counties of Tuscola and Huron in the Drainage District, said special assessments having been duly confirmed as provided in the Drain Code; and

WHEREAS, \$448,586.79 of the cost of the improvements for said Drain to be financed by the Bonds has been apportioned by the Drainage Board to Huron County and has been assessed against property and public corporations in Huron County, and \$206,413.21 of the cost of such improvements to be financed by the Bonds has been apportioned by the Drainage Board to Tuscola County and has been assessed against property and public corporations in Tuscola County; and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County of Tuscola on the Bonds to the extent of special assessments assessed against property and public corporations in the County; and

WHEREAS, the improvements for said Drain are necessary to protect and preserve the public health and it is in the best interest of the County of Tuscola that the Bonds be sold.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA:

1. Pursuant to the authorization provided in Section 132 and 276 of the Drain Code of 1956, as amended, the Tuscola County Board of Commissioners, by a majority vote of its members elect, does hereby irrevocably pledge the full faith and credit of the County of Tuscola for the prompt payment of the principal of and interest on the Bonds to the extent of special assessments against property and public corporations in the County, and does agree that in the event that property owners or public corporations in the County shall fail or neglect to account to the County Treasurer of the County of Tuscola for the amount of any such special assessment installment and interest (in anticipation of which the Bonds are issued) when due, then the

amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Tuscola advances out of County funds, all or any part of the principal of and interest due on the Bonds, it shall be the duty of the County Treasurer, for and on behalf of the County of Tuscola, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. The issuance and sale of the Bonds is subject to permission being granted therefor by the Department of Treasury of the State of Michigan pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and the County Treasurer is hereby authorized and directed, if necessary, to file with the Department of Treasury an application for approval of the Bonds.

4. All resolutions and parts of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

ADOPTED: Yeas: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_



STATE OF MICHIGAN    )  
                                  ) SS  
COUNTY OF TUSCOLA    )

I, the undersigned, the duly qualified and acting County Clerk of the County of Tuscola, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by a majority vote of the members elect at a regular meeting of the Tuscola County Board of Commissioners, held on August 25, 2009, the original of which is on file in my office.

I further certify that notice of the meeting was given pursuant to and in compliance with the Open Meetings Act.

\_\_\_\_\_  
County Clerk

## Mike Hoagland

---

**From:** Tom Bardwell [tbardwell@hillsanddales.com]  
**Sent:** Wednesday, August 19, 2009 4:45 PM  
**To:** Mike Hoagland (E-mail)  
**Cc:** Amanda Ruggenbuck; Jerry Peterson; Tom Kern  
**Subject:** Out of State Travel Request  
**Attachments:** DOC0819091.pdf

<<DOC0819091>>

Mike,

As announced in our last Finance meeting last week, Valerie Brown, President of NACO appointed me as a Vice Chair to the Rural Action Caucus which is the voice for America's rural counties on Capitol Hill, the Administration and with federal agencies. I've attached the information that has been sent to me my NACO which outlines the reason for the request. I'll need a decision soon as the attachments have requested the hotel may run out of rooms..

The projected expenses are : Hotel \$89.00 plus tax per night for three nights  
Airfare: TBD  
Meals: County Policy

Let me know if you need any other information.

Thomas Bardwell



## Memorandum

**TO:** RAC Steering Committee Members, Sponsors and Friends of the Caucus  
**FROM:** Keith Langenhahn, Board Chair, Marathon County, Wisconsin  
Chair, NACo Rural Action Caucus  
**DATE:** August 7, 2009  
**RE:** Registration Materials for 2009 RAC Steering Committee Retreat

Congratulations to the 2009-2010 RAC Steering Committee appointees. Thank you for your continued support and participation in NACo's Rural Action Caucus (RAC). I am honored to have the opportunity to work with you as RAC chair.

Our first order of business is to develop the caucus' legislative priorities for the upcoming year. Our gracious hosts from South Dakota are preparing an event that we will not soon forget. I encourage you to attend and take part in the important planning that will take place in Rapid City, South Dakota on October 8-10, 2009.

A registration form with details to plan your participation and an agenda are included with this letter. In order to participate, fax or email your registration form to Erik Johnston, NACo Associate Legislative Director, at (202) 942-4281 or [ejohnston@naco.org](mailto:ejohnston@naco.org). The deadline to return the registration form is Tuesday, September 8, 2009. This is also the deadline to register at the conference hotel, but the room block may fill up faster than that date, so reserve your room as soon as possible.

I look forward to your participation in this important Rural Action Caucus meeting and to working with you throughout the year ahead on the pressing issues facing our nation's rural counties.

Sincerely,

A handwritten signature in cursive script that reads "Keith Langenhahn".

Keith Langenhahn  
Board Chair, Marathon County, Wisconsin  
Chair, NACo's Rural Action Caucus

**Registration Form**

***NACo Rural Action Caucus  
2009 Steering Committee Retreat  
October 8-10, 2009  
Pennington County (Rapid City), South Dakota***

**Participant Registration (check all that apply)**

- No, I will not be able to attend the 2009 RAC Retreat.  
 Yes, I will attend the 2009 RAC Retreat.  
 Yes, I will attend the opening reception on Thursday, October 8<sup>th</sup>.  
 Yes, I will attend the offsite dinner on Friday, October 9<sup>th</sup> in Historic Deadwood.  
 Yes, I will attend the offsite tour on Saturday, October 10<sup>th</sup>. *(There is no cost for RAC Steering Committee Members or RAC sponsors to participate in the offsite tour. Other participants and guests/spouses must register and pay the discounted fee of \$150, which must be paid on site at the conference. Checks must be made out to the South Dakota Association of County Commissioners.)*

Arrival Date and Time: \_\_\_\_\_ Departure Date and Time: \_\_\_\_\_

**Participant Information**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
County/Organization: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State: \_\_\_\_\_

**Spouse/Guest Registration (check all that apply)**

- No, I will not bring a guest/spouse to the RAC Retreat  
 Yes, I will bring a guest/spouse to the RAC Retreat

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Title: \_\_\_\_\_ (write spouse or guest's title)

- Yes, my guest/spouse will attend the opening reception on Thursday, October 8<sup>th</sup>.  
 Yes, my guest/spouse will attend the offsite dinner on Friday, October 9<sup>th</sup>.  
 Yes, my guest/spouse will attend the offsite tour on Saturday, October 10<sup>th</sup>. *(There is no cost for RAC Steering Committee Members or RAC sponsors to participate in the offsite tour. Other participants and guests/spouses must register in advance by checking this box and pay the discounted fee of \$150, which should be paid on site at the conference. Checks must be made out to the South Dakota Association of County Commissioners.)*

**This registration form must be received by Tuesday, September 8<sup>th</sup>, 2009**

You still must register for housing directly with the hotel.

**See next page for additional details.**

**Please email or fax to:** Erik C. Johnston

**Fax:** 202-942-4281 / **Email:** [ejohnston@naco.org](mailto:ejohnston@naco.org) / **Questions, call:** 202-942-4230

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### **Hotel Registration Information**

Best Western Ramkota Hotel & Conference Center is located at 2100 North LaCrosse Street in Rapid City, SD 57701. Participants must make their hotel reservation directly by calling the hotel at **(605) 343-8550**. The negotiated discount group rate is **\$89** for single/double occupancy plus 8% room tax & \$2 occupancy tax. Reference “**NACo**” to receive the discounted group rate. Reservations must be made by **September 8, 2009** to get this rate. However, the room block is not guaranteed to last until September 8, therefore make your reservation as soon as possible.

### **Air Travel**

Plan to fly into Rapid City Regional Airport (RAP), South Dakota. Direct flights are available from Minneapolis, Denver, Salt Lake City, Chicago, Phoenix and Las Vegas.

### **Ground Transportation**

The Best Western Ramkota Hotel & Conference Center is located approximately 20 minutes from the Rapid City Regional Airport. The hotel offers a courtesy shuttle that runs whenever needed, except 1pm-3 pm. When you arrive at the airport call the hotel at **(605) 343-8550** and request the shuttle. If the hotel shuttle is unavailable they will direct you to use the Airport Express Shuttle. This shuttle will also be complimentary as the hotel will reimburse the driver. Transportation to the offsite events will be provided.

### **Budget**

All participants must register to participate and are responsible for their own transportation, food, lodging and other miscellaneous costs. The meals listed in the tentative schedule will be provided by RAC sponsors and our host site to registered participants. Registered spouses/guests are welcome to attend the opening reception on Thursday and offsite dinner on Friday. There is no cost for RAC Steering Committee Members or RAC sponsors to participate in the offsite tour on Saturday. Other participants and guests/spouses are welcome to attend the offsite tour, but must register in advance and pay the discounted fee of \$150, which should be paid on site at the conference. Checks must be made out to the South Dakota Association of County Commissioners.



**NACo Rural Action Caucus Steering Committee Retreat**  
Pennington County (Rapid City), South Dakota  
Best Western Ramkota Hotel & Conference Center

**Agenda**  
**October 8-10, 2009**

**Thursday, October 8**

- 7:30 p.m. Registration
- 8:30 p.m. Welcome Reception  
Best Western Ramkota Hotel & Conference Center  
Rapid City, South Dakota

**Friday, October 9**

- 8:30 a.m. Breakfast  
Best Western Ramkota Hotel & Conference Center
- 9:00 a.m. RAC Steering Committee Meeting  
Welcome and Introductions  
Speakers  
Lunch  
Discuss and Select 2010 RAC Priorities
- 5:00 p.m. Adjourn
- 6:00 p.m. Depart for Offsite Dinner  
Historic Deadwood, South Dakota

**Saturday, October 10**

- 7:00 a.m. Breakfast at hotel  
Best Western Ramkota Hotel & Conference Center
- 8:00 a.m. -Depart for Black Hills Tour (transportation provided)  
-Crazy Horse Memorial  
-Custer State Park  
-Lunch at State Game Lodge, built by Teddy Roosevelt  
-Mount Rushmore National Memorial  
-Dinner and Lighting Ceremony at the Face of Mount Rushmore
- 9:00 p.m. Return to Hotel (The tour will last all day. Plan to depart from Rapid City on Sunday, October 11.)

**Sunday, October 11** - No events. Plan to schedule your return flight this morning

---

# Rural Action Caucus Steering Committee

## Chair

Hon. Keith Langenhahn  
Board Chair  
Marathon County  
4126 County Road B  
Marathon, WI 54448-9667

Phone: (715)581-6908  
Fax: (715)443-3411  
Email: [ssdandg@verizon.net](mailto:ssdandg@verizon.net)

## Vice Chairs

Hon. Thomas Bardwell  
Commissioner  
Tuscola County  
3540 N. Hurds Corner Road  
Caro, MI 48723-1652

Phone: (989)673-0409  
Fax: (989)672-4648  
Email: [tbardwell@tuscolacounty.org](mailto:tbardwell@tuscolacounty.org)

Hon. Lu Barron  
Supervisor  
Linn County  
930 First Street SW  
Cedar Rapids, IA 52404-2164

Phone: (319) 892-5000  
Fax: (319)892-5009  
Email: [Lu.Barron@linncounty.org](mailto:Lu.Barron@linncounty.org)

Hon. Doris M. Karloff  
Supervisor  
Saunders County  
PO Box 153  
Yutan, NE 68073-0153

Phone: (402)625-2327  
Fax: (402)443-5010  
Email: [ck63931@windstream.net](mailto:ck63931@windstream.net)

Hon. William Kennedy  
Commission Chair  
Yellowstone County  
PO Box 35000  
Billings, MT 59107-5000

Phone: (406)256-2701  
Fax: (406)256-2777  
Email: [bkennedy@co.yellowstone.mt.gov](mailto:bkennedy@co.yellowstone.mt.gov)

Hon. Leslie Korgel  
Treasurer/Auditor  
McLean County  
PO Box 1108  
Washburn, ND 58577-1108

Phone: (701)462-8541  
Fax: (701)462-3542  
Email: [mcleanco@westriv.com](mailto:mcleanco@westriv.com)

Hon. John C. Maynard  
Supervisor, Chair  
Santa Cruz County  
2150 N. Congress Dr.  
Nogales, AZ 85621-0000

Phone: (520)375-7810  
Fax: (602)761-7843  
Email: [jmaynard@co.santa-cruz.az.us](mailto:jmaynard@co.santa-cruz.az.us)

## Members

Hon. Michael D. Anaya  
Commissioner, Chair  
Santa Fe County  
102 Grant Ave.  
Santa Fe, NM 87505

Phone: (505)986-6293  
Fax: (505)995-2740  
Email: [manaya@co.santa-fe.nm.us](mailto:manaya@co.santa-fe.nm.us)

Hon. Frank Bigelow  
Supervisor  
Madera County  
Government Center  
200 West Fourth Street  
Madera, CA 93637

Phone: (559)662-6010  
Fax: (559)673-3302  
Email: [fbigelow1@madera-county.com](mailto:fbigelow1@madera-county.com)

Hon. Richard Billings  
Police Juror  
Rapides Parish  
3390 Hwy. 112  
Forest Hill, LA 71430-0000

Phone: (318)748-4345  
Fax: (318)748-7047  
Email: RPPJ@aol.com

Mr. Paul C. Bryan  
County Administrator  
Jefferson County  
217 E. Broad Street  
P.O. Box 658  
Louisville, GA 30434-1621

Phone: (478)625-3332  
Fax: (478)625-4007  
Email: jpcpbryan@bellsouth.net

Hon. Kenneth A. Dahlstedt  
Commissioner  
Skagit County  
1800 Continental Place, #100  
Mount Vernon, WA 98273-5625

Phone: (360)336-9300  
Fax: (360)366-9307  
Email: kend@co.skagit.wa.us

Hon. Billy Dryer  
Associate Commissioner  
Polk County  
102 E Broadway Rm 12  
Bolivar, MO 65613-1687

Phone: (417)326-2922  
Fax: (417)326-3525  
Email: commissioners@polkcountymo.org

Hon. Lenny Eliason  
Commissioner  
Athens County  
15 S Court Street-Room 234  
Athens, OH 45701-2894

Phone: (740)592-3222  
Fax: (740)594-8010  
Email: lellason@athenscountygovernment.com

Hon. John Ellison  
Commissioner  
Elko County  
P.O. Box 683  
Elko, NV 89803-0000

Phone: (775)738-6284  
Fax: (775)753-8503  
Email: ellisonelectric@frontiernet.net

Hon. Bob Fox  
Commissioner, Chair  
Renville County  
P.O. Box 100  
Franklin, MN 55333-0000

Phone: (507)557-8265  
Fax: (320)523-3747  
Email: bklfox@means.net

Hon. Sam Fulton  
Police Juror  
Vernon Parish  
P. O. Box 2565  
Leesville, LA 71446-0000

Phone: (337)238-9412  
Fax: (337)238-0240  
Email: jane@lpgov.org

Hon. Alan D. Gardner  
Commissioner  
Washington County  
197 East Tabernacle  
St George, UT 84770-3443

Phone: (435)634-5700  
Fax: (435)634-5753  
Email: alan.gardner@washco.utah.gov

Hon. Julia W. Gouge  
President, Board of County Commissioners  
Carroll County  
225 North Center Street  
Westminster, MD 21157-5108

Phone: (410)386-2043  
Fax: (410)386-2485  
Email: jgouge@ccg.carr.org



Hon. Jane Halliburton  
Supervisor  
Story County  
900 Sixth Street  
Nevada, IA 50201-2052

Phone: (515)382-7201  
Fax: (515)382-7206  
Email: jhalliburton@storycounty.com

Hon. John Andrew Harris  
Commissioner  
Lee County  
PO Box 666  
Opelika, AL 36803-0666

Phone: (334) 749-5100  
Fax: (334)742-9478  
Email: johnhr50@aol.com

Hon. Lin F. Hintze  
Commissioner, Chair  
Custer County  
P.O. Box 125  
Mackay, ID 83251-0125

Phone: (208)390-2849  
Fax: (208)588-3038  
Email: linhintze8@cs.com

Hon. Carol H. Holden  
Commission Vice Chair  
Hillsborough County  
329 Mast Road, Suite 114  
Goffstown, NH 03045-0000

Phone: (603)627-5602  
Fax: (603)627-5603  
Email: ccomm1sh@rcn.com

Hon. Robert E. Koch  
Commissioner  
Franklin County  
1016 North Fourth Avenue  
County Courthouse  
Pasco, WA 99301-3706

Phone: (509) 545-3535  
Fax: (509)545-3573  
Email: rkoch@co.franklin.wa.us

Hon. Donald Larson  
Commission Chair  
Brookings County  
2533 54th St W  
Brookings, SD 57006-4261

Phone: (605)693-4210  
Fax: (605)693-3602  
Email: larsons@itctel.com

Hon. Timothy L. Loewenstein  
Supervisor  
Buffalo County  
9393 2nd Ave  
Kearney, NE 68847-8468

Phone: (308)237-0000  
Fax: (308)233-0000  
Email: Timothy@Loewenstein.net

Hon. Vikki Magee-Bauer  
Supervisor, Chair  
Mono County  
P.O. Box 25  
June Lake, CA 93529

Phone: (760)648-7831  
Fax: (760)932-5531  
Email: vbauer@mono.ca.gov

Hon. Robert Manuel  
President  
Evangeline Parish  
200 Court Street, Suite 207  
Ville Platte, LA 70586

Phone: (337)363-5651  
Fax: (337)363-5652  
Email: cajunjunk@excite.com

Ms. Sherri McNamara  
Deputy Executive Administrator  
Outagamie County  
410 South Walnut Street  
Appleton, WI 54911

Phone: (920)832-5051  
Fax: (920)832-1534  
Email: mcnamasl@co.outagamie.wi.us

Hon. Michael Nelson  
Supervisor/Primary Member  
Merced County  
2222 M Street  
County Courthouse  
Merced, CA 95340-3729

Phone: (209) 385-7366  
Fax: (209) 726-7977  
Email: mikenelson@co.merced.ca.us

Hon. Otto L. Nicely  
Commissioner  
Defiance County  
500 Court Street Suite A  
Defiance, OH 43512-2157

Phone: (419) 782-4761  
Fax: (419) 782-8449  
Email: commissioners@defiance-county.com

Hon. Dexter Payne  
Commissioner  
Muskogee County  
901 S. 74th West  
Muskogee, OK 74401

Phone: (918) 682-1910  
Fax: (918) 687-5500  
Email: okle3443@yahoo.com

Hon. Jeffrey Quyle  
Commissioner  
Morgan County  
6441 East Coal Bluff Ct  
Camby, IN 46113-9688

Phone: (317) 342-1007  
Fax: (765) 342-1015  
Email: jqquyle@alumni.indiana.edu

Hon. Franklin D. Rivenbark  
Commissioner  
Pender County  
4286 Cora's Grove Road  
Willard, NC 28478-0000

Phone: (910) 259-2717  
Fax: (910) 259-7480  
Email: rivenbarkf@pender-county.com

Hon. Amanda Roggenbuck  
Commissioner  
Tuscola County  
6505 Main St  
Cass City, MI 48726-1523

Phone: (989) 872-8881  
Fax: (989) 872-8011  
Email: aroggenbuck@tuscolacounty.org

Hon. Malory Shaughnessy  
Commissioner, District Three  
Cumberland County  
142 Federal Street  
Portland, ME 04101

Phone: (207) 871-8380  
Fax: (207) 871-8292  
Email: malory.shaughnessy@gmail.com

Hon. George S. Smith  
Supervisor, Chair  
Hinds County  
316 South President  
PO Box 686  
Jackson, MS 39205-0686

Phone: (601) 968-6699  
Fax: (601) 968-6794  
Email: Gsmith@Co.Hinds.Ms.US

Hon. Eric Soileau  
Police Juror  
Evangeline Parish  
200 Court Street  
Parish Courthouse Building  
Ville Platte, LA 70586-4463

Phone: (337) 363-5651  
Fax: (337) 363-5652  
Email: ericsoileau@yahoo.com

Mr. Jim Strafuss  
Western District Commissioner  
Taney County  
P.O. Box 1086  
Forsyth, MO 65653

Phone: (417) 546-7204 (2604)  
Fax: (417) 546-3931  
Email: jims@co.taney.mo.us

Hon. Richard Vanderlick  
Police Juror  
Rapides Parish  
400 Gladys Drive  
Alexandria, LA 71303

Phone: (318)445-4378  
Fax: (318)473-6634  
Email: hotelbayou@suddenlink.net

Hon. Johnny D. Ward  
Commissioner, Chair  
Coal County  
4 N Main, Suite 3  
Coalgate, OK 74538-2844

Phone: (580)927-3384  
Fax: (580)927-4003  
Email: coalcocommjdward@yahoo.com

Hon. Larry W. White  
Commissioner  
Escambia County  
P.O. Box 1913  
Flomaton, AL 36441

Phone: (251)296-2471  
Fax: (251)296-2473  
Email: commissionerwhite@hotmail.com

Mr. Tom White  
Supervisor  
Apache County  
P.O. Box 1170  
Fort Defiance, AZ 86504-1170

Phone: (928)729-2141 (26)  
Fax:  
Email: cwauneka@co.apache.az.us

**NACo Staff Liaison**

Mr. Erik Johnston  
Associate Legislative Director  
National Association of Counties  
25 Massachusetts Avenue, NW  
Washington, DC 20001-1430

Phone: (202)942-4230  
Fax: (202)661-4281  
Email: ejohnston@naco.org

**Mike Hoagland**

---

**From:** Mike Hoagland [MHoagland@TuscolaCounty.org]  
**Sent:** Thursday, August 20, 2009 3:45 PM  
**To:** John Biscoe (jbiscoe@lapeercounty.org); John Males (John Males); JODI ESSENMACHER  
**Cc:** Mike Miller (Mike Miller); 'Kathleen TenWolde'; Kate Neese (recycle@tuscolacounty.org); Hal Hudson (Hal Hudson); Amanda Roggenbuck (aroggenbuck@tuscolacounty.org); 'Jerry Peterson'; 'Tom Bardwell (tbardwell@hillsanddales.com)'; Tom Kern (commishkern@gmail.com)  
**Subject:** Energy Efficiency & Conservation Block Grant Program  
**Attachments:** Grant Information.pdf

John, John and Jody

Recently, Kathy Tenwolde who is a staff planner with the East Central Michigan Council of Governments provided an overview of the Energy Efficiency & Conservation Block Grant Program to myself and other staff members in Tuscola County. The purpose of the program is to reduce fossil fuel emissions and decrease energy usage. It appears Governmental Buildings are targeted for the grant funds. We were informed that statewide 1,750 communities are eligible and approximately 115 grants will be awarded. It appears approximately \$15 million is available statewide. Attached is the summary of the program provided to us by Kathy Tenwolde. ***Several times during our discussion with Kathy the importance of collaboration was stressed to be able to demonstrate the most bang for the buck.***

***The primary reason for writing you is to determine if your county would be interested in collaborating on a multi-county project which may generate more grant dollars per county.*** If your county is interested in collaboration on an application we would need to begin discussion soon because the RFP's are suppose to come out late August or first of September. Applications must be submitted 30 days after RFP's are available.

Energy Efficiency & Conservation (EEC) Block Grant  
Program Overview

For  
Non-entitlement Counties, Townships, Cities

754-2486  
ktemwold@  
fun@.com  
ⓔ

**Purpose:**

- Reduce fossil fuel emissions
- Reduce total energy use within those communities
- Improve energy efficiency in **Building – Transportation – Other Appropriate**

**Goals:**

- **Broaden Education, Awareness and Value of Energy Efficiency & Conservation** statewide
- **Initiate cost effective energy efficiency upgrades in 900 local government buildings**; up to 10% may include renewable energy generation
- Provide 20-40 (LED) demonstration projects  
(LED includes both entitlement and non-entitlement)

**Who:**

- All EMCOG counties, townships, cities (no villages)
- Statewide approx. 1,750 communities are eligible for approx. 115 grants
- This is why **COLLABORATION** is important.

**When:**

- Feds will approve state plan and RFPs will go out sometime between **late August and early Sept.**
- There will be **only 30 days** between RFP announcement and submittal deadline
- **Half will be awarded in October** – the other half will be awarded sometime during the spring
- Projects **MUST be completed with 12 months** of award date.
- These are reimbursable grant monies (can invoice monthly or sooner)

**Total State Fund Dollar Distribution: \$76.6 million**

- **\$19.6 million allocated to the state for non-entitlement communities**
  - **\$15.48 million (79%) to non-entitlements via competitive grants**
  - **\$1.96 million (10%) to ALL communities for LED demo projects**
  - \$196,000 (1%) for non-profit competitive grants to provide technical assistance to the grantees. (not now)
  - \$1.96 million (10%) for State administration

**General Requirements:**

- Complete a **National Environmental Policy Act** questionnaire for EACH site submitted
- **SHIPO** is required to review all building-related projects
- Prevailing wage rates and "Buy American" stipulations apply.

## **EECBG Grants**

- **Multi-purpose grants:** non-entitlement applicants only
- **Light Emitting Diode/solid state lighting (LED) demonstration grants :**
  - Both entitlement and non-entitlements

### **Options:**

- **Submit for either or BOTH**
- **Submit as a single or multi-jurisdictional applicant**

### **Multi-purpose Grants:**

#### **Eligible Activities;**

- Develop/implement energy efficiency strategy or hire technical consultant to develop one
- Residential/commercial building audits
- Financial incentive programs for energy improvements
- Provide grants for energy efficiency building retrofits to nonprofit organizations and government agencies
- EE and conservation programs for buildings and facilities
- Develop/implement energy efficiency transportation programs
- Train building code officials on state energy codes: promote EE/C through increased inspections programs
- EE energy distribution technologies
- Material conservation programs
- Reduce, capture, use methane & greenhouse gases generated by landfills and similar sources
- EE traffic signals, street lighting
- Renewable energy technologies on government buildings

**Funding levels – see insert pages**

#### **Limitations:**

- **10% of multi-use grants can be used for administrative**
- **Up to 20% of grant funds can be used to establish a revolving loan fund for eligible EECBG activities**

### **LED Grants:**

#### **Eligible Activities:**

- Street lighting
- Traffic signals
- Parking structures/parking lots
- Indoor lighting

**Required component:** Public information/education/demonstration

#### **Funding levels:**

- **\$50,000-%250,000**
- **Grants will cover 90% of equipment costs**
- **Grantee covers 10% of equipment costs, plus all labor, training, educational costs**



**Selection Criteria:**

- **Energy savings and Cost effectiveness**
- **Job creation and retention**
- **Reduction of greenhouse gases**
- **Strength of project/program management and implementation plans**
- **Is project "shovel ready"?**
- **Leveraging additional dollars**

**Improving Your Funding Odds:**

- **Draft your proposals NOW**, including
  - **COSTS and SAVINGS** estimates
  - Share with key stakeholders
- **Identify any collaboration** interests from other jurisdictions
- **Leveraging:**
  - **Identify leverage funding sources and secure commitments**
    - No match required – but leveraging is very important
  - Should include a brief strategy or plan for attracting additional resources for long-term energy or conservation activities.
  - Examples include:
    - Change in operational policy
    - Support for a community volunteer program
    - Commitment of public or private funds or in-kind resources
    - Michigan Leveraging Opportunities:
      - Michigan Green Communities Challenge:
        - MML program for ALL governments
      - Energy Optimization Plans
        - Utility efficiency services for ALL sectors
      - Low Income/Energy Efficiency Fund programs
        - MI Public Services Comm. Program for schools and governments
      - Michigan Saves Program
        - Developing a pilot program that will allow repayment of energy efficiency/renewable energy investments through utility bill payments.

• **NOTE:** State looking for the words **collaboration and leverage a good 5 times at least** in these proposals

- **Secure required permits and environmental reviews** for any activities not listed as categorical exclusions
- **Additional Technical Assistance Services:** Ongoing State Energy Office programs
  - Rebuild MI and RETAP for building projects
  - Clean Cities for renewable energy, green building materials, recycling, etc

# EECBG Multi-purpose Grants

## Funding Levels for Cities & Townships

(Guideline for single applicants)

<u>Population</u>	<u>Grant Amount</u>
0-5,000	\$ 50,000
9,500	\$ 70,000
14,000	\$ 85,000
19,000	\$100,000
24,000	\$115,000
30,000	\$130,000
34,999	\$140,000





# EECBG Multipurpose Grant

## Funding Levels for Counties\*

(Guideline for single applicants)

<u>Population</u>	<u>Grant Amount</u>
5,000 - 10,000	\$50,000 - \$75,000
25,000	\$120,000
45,000	\$175,000
70,000	\$275,000
100,000	\$400,000
135,000	\$540,000
163,000	\$650,000

\* Less entitlement community and tribal populations in the county



# EECBG Multi-Jurisdictional Grants

## Funding for Multi-jurisdictional Applicants

(Guideline for multiple small jurisdictions filing a joint proposal)

<u>Population</u>	<u>Grant Amount</u>	<u>Population</u>	<u>Grant Amount</u>
0 – 5,000	\$50,000	58,000	\$232,000
9,500	\$70,000	66,000	\$264,000
14,000	\$85,000	74,000	\$296,000
19,000	\$100,000	83,000	\$332,000
24,000	\$115,000	92,000	\$368,000
30,000	\$130,000	100,000	\$400,000
36,000	\$145,000	135,000	\$540,000
43,000	\$172,000	163,000	\$650,000
50,000	\$200,000		



**EMCOG**

**2007 US Census Bureau County Population Estimates**

(ONLY population estimates that will be accepted)

Arenac	16,552
Clare	30,680
Gladwin	26,187
Gratiot	42,288
Iosco	26,197
Isabella	66,790
Ogemaw	21,246
Roscommon	25,406
Tuscola	56,683
TOTAL	312,029

Released: March 19, 2009

**Michigan Green Communities Challenge:**

- ANY member of MML, MAC and MTA may apply.
- All members of the Michigan Municipal League who enroll before August 15, 2009, will receive recognition at the Leagues's Annual Convention, Sept. 22-25, 2009.
- Upon enrollment a community will receive additional materials designed to assist the completion of the Challenge.

**An Energy Efficiency and Conservation Strategy**

**Step 1**

- Obtain Organizational Support (resolution): template available
- Complete the Intention and Progress Survey: (copy available)

**Step 2**

Assign responsibility

**Step 3**

Collect all energy data for governmental operations  
EPA Energy Star Challenge – **Portfolio Manager \***

**Step 4**

Assess situation and ID gaps

**Step 5**

Develop: Goals and Activities: Planning for the future

- 21<sup>st</sup> Century Mission Statement: Investment in EE&C is an important element of economic development – achieve community stability – improve quality of life
- Strategy Plan

**Step 6 Measure Performance and Quality Results**

- |  |
|--|
| <ul style="list-style-type: none"><li>• <b>*Portfolio Manager: What it can do....</b></li><li>• Manage energy and water consumption for all buildings</li><li>• Rate your building's energy performance</li><li>• Set investment priorities</li><li>• Verify and track progress of improvement projects</li><li>• Gain EPA Energy Star recognition</li></ul> |
|--|

**MICHIGAN GREEN COMMUNITIES CHALLENGE**

**ATTACHMENT A - Sample Resolution**

Whereas:

The \_\_\_\_\_ of \_\_\_\_\_ wants to emphasize the benefits of energy efficiency and conservation;

The \_\_\_\_\_ of \_\_\_\_\_ wants to demonstrate that energy efficiency and conservation practices can be applied to the daily governmental operations and to infrastructure projects;

The \_\_\_\_\_ of \_\_\_\_\_ seeks to find methods of service delivery and operations that conserve energy and resources, saving taxpayer dollars and protecting and preserving the environment;

The \_\_\_\_\_ of \_\_\_\_\_ recognizes that sound energy efficiency and conservation practices can reduce government costs over the long-term;

The \_\_\_\_\_ of \_\_\_\_\_ will lead by example to show the practicality and effectiveness of these practices; and

The \_\_\_\_\_ of \_\_\_\_\_ seeks to encourage its citizens and businesses to initiate stewardship activities that benefit the environment and their community;

ACCORDINGLY, IT IS RESOLVED THAT THE \_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ accepts the Michigan Green Communities Challenge and  
pledges to work toward achieving the goals of the *Basic Challenge* over the next  
three years.

Adopted by the \_\_\_\_\_ of \_\_\_\_\_ this \_\_\_\_  
\_\_\_\_\_ (date).

**CONTACT INFORMATION:**

*Michigan Municipal League in collaboration with the Bureau of Energy Systems / State of Michigan*

1675 GREEN ROAD, P.O. BOX 1487, ANN ARBOR, MI 48106-1487

PHONE: 734-662-3246 FAX: 734-662-8083

**MICHIGAN GREEN COMMUNITIES CHALLENGE**  
**ATTACHMENT B - Intention and Progress Survey**

In order to enroll in the Michigan Green Communities Challenge, please return this form by fax to 734-662-8083 or go online to [www.mml.org](http://www.mml.org) and complete the online version.

The (city/township/village) of \_\_\_\_\_ accepts the Michigan Green Communities Challenge.

Name \_\_\_\_\_

Title \_\_\_\_\_

Email \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

**Basic Challenge**

Have you. . .

1. Formally adopted a support resolution of your governing board?  
\_\_\_\_\_ Yes, date: \_\_\_\_\_ \_\_\_\_\_ Not yet

2. Assigned responsibility for energy policies and practices within the municipality?  
\_\_\_\_\_ Yes, date: \_\_\_\_\_ \_\_\_\_\_ Not yet

3. Collected data to establish a baseline for energy usage for governmental operations?  
\_\_\_\_\_ Yes, date: \_\_\_\_\_ \_\_\_\_\_ Not yet

4. Assessed data and identified gaps in governmental operations?  
\_\_\_\_\_ Yes, date: \_\_\_\_\_ \_\_\_\_\_ Not yet

5. Developed goals and activities?  
\_\_\_\_\_ Yes, date: \_\_\_\_\_ \_\_\_\_\_ Not yet

6. Measured outcomes?  
\_\_\_\_\_ Yes, date: \_\_\_\_\_ \_\_\_\_\_ Not yet

If there is someone in your community who would be available as a green resource to other communities, please give us his/her contact information.

Name \_\_\_\_\_

Title \_\_\_\_\_

Email \_\_\_\_\_

Phone \_\_\_\_\_

**CONTACT INFORMATION:**

*Michigan Municipal League in collaboration with the Bureau of Energy Systems / State of Michigan*  
1675 GREEN ROAD, P.O. BOX 1487, ANN ARBOR, MI 48106-1487  
PHONE: 734-662-3246 FAX: 734-662-8083

08/12/2009

Ms. Sharon Beals  
Chief Executive Officer  
Tuscola Behavioral Health Systems  
P. O. Box 239  
Caro, Michigan 48723

Ms. Beals,

In response to your letter regarding the opinion of Michigan Attorney General Mike Cox and the responsibility of costs associated with the mental health treatment of inmates in the custody of the sheriff's office I would like to reply with the following information.

It appears there has been no case law by any Michigan court or any statute or regulation that deals directly with the issue. There has been some related precedent and statutory obligation that would require the county to pay for services that we request on our behalf. One example would be crisis intervention in the event of a threatened or attempted suicide.

On the other hand MCL 330.2002a statutorily obligates community mental health to provide services to jail inmates that request it. I feel the county is not obligated to pay for these services since we are not making the request.

In addition we often receive inmates that are already one of your agencies clients and your staff may need to see them for follow-up or maintenance purposes. I do not feel the county should be responsible for any expense in these cases since your agency is continuing to provide the predetermined level of care.

Please feel free to contact me at any time to discuss this very important issue so a workable protocol can be developed before the State of Michigan begins its new fiscal year on 10/01/2009.

Sincerely,

Leland Teschendorf, Sheriff

## Mike Hoagland

---

**From:** Douglas W. Van Essen [dvw@silvervanessen.com]  
**Sent:** Thursday, August 20, 2009 9:23 AM  
**To:** MHoagland@TuscolaCounty.org  
**Cc:** Lee Teschendorf; Amanda Roggenbuck; 'Jerry Peterson'; tbardwell@hillsanddales.com; Tom Kern  
**Subject:** RE: Financial Responsibility for Paying Inmate Mental Health Services

Mike: I couldn't have drafted the Sheriff's letter better than he did. He captures my opinion exactly, which is that CMH remains obligated to treat in the jail on its budget any existing client or a "new" client who would otherwise be eligible for community mental health services and requests the services. In other words, the incarceration doesn't change cmh's obligation. The only thing the AG got right was that counties cannot expand the cmh mandate in the jail beyond cmh's normal mandate, which is what some counties were doing--i.e. having mental health do general screening or having cmh treat inmates who didn't want the service (but needed it). I think the letter is advisable to stake out this position. Good job, Sheriff. --Doug

Douglas W. Van Essen  
Silver & Van Essen, P.C.  
116 Ottawa N.W.  
Grand Rapids, MI. 49503  
(616) 988-5600  
(616) 988-5606 (fax)  
dvw@silvervanessen.com

Web Page: [www.silvervanessen.com](http://www.silvervanessen.com)

THIS TRANSMISSION MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED MATERIAL

**From:** Mike Hoagland [mailto:MHoagland@TuscolaCounty.org]  
**Sent:** Wednesday, August 19, 2009 4:55 PM  
**To:** Douglas W. Van Essen  
**Cc:** Lee Teschendorf; Amanda Roggenbuck; 'Jerry Peterson'; tbardwell@hillsanddales.com; Tom Kern  
**Subject:** Financial Responsibility for Paying Inmate Mental Health Services

Doug

The Sheriff requested that this **draft** letter regarding the potential shift in who pays for inmate mental health treatment be sent to you for review. Please review and comment regarding any potential changes or revisions you would suggest. As you know this is a significant budgetary issue to the county.

Thank you.

Mike h.



**Mike Hoagland**

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**From:** Donna Fraczek [fraczekd@tuscolacounty.org]  
**Sent:** Thursday, August 20, 2009 2:35 PM  
**To:** MHoagland@TuscolaCounty.org  
**Subject:** Use of Courthouse Lawn

**The Friends for Life, Relay for Life Team, would like to use the "back yard" of the courthouse during the lunch hour on August 28th. We are hosting a picnic fund raiser for employees with all proceeds going to the American Cancer Society. Should the weather not cooperate we will move the "picnic" to the lobby of the courthouse.**

**Donna Fraczek**

**DRAFT**  
**Tuscola County Board of Commissioners**  
**Committee of the Whole Minutes**  
**Thursday, August 13, 2009 – 8:00 A.M.**  
**Annex Board Room (207 E. Grant Caro, Mi.)**

Commissioners present: Roggenbuck, Bardwell, Kern, Petzold, Peterson. Also present: Mike Hoagland, Margie White-Cormier, Mary Drier, Kate Neese, Jim Matson, Pat Donovan-Gray, Clayette Zechmeister, Mari Young, Mike Miller, Kyle Jaskulka, Mary Lou Burns, Donna Fraczek, Steven Lark

### Finance

**Potential Changes in Dog License Issue Periods** – the county treasurer is proposing converting to a 3-year license period. The financial impact will be researched.

**TNU Grant Funded Position Request** – a JAG grant in the amount of \$400,000 (Tuscola County's share, \$174,000) has been awarded. The sheriff is requesting assigning a deputy to the drug team.

**August 2009 Budget Amendments** – (see consent agenda resolution)

**ATM for Courthouse** – information is being sought

**BCBSM Administrative Contract Claim** – corporate counsel has provided an update

**MMRMA Training Seminar** – targets jails: holding the line on claims, etc. The sheriff, jail administrator and Commissioner Kern will attend (see consent agenda resolution)

**Medical Examiner Toxicology Contract** – 3 year contract (Dr. Virani) has been reviewed by corporate counsel (see consent agenda resolution)

**Financial Update** – requested adding this to each meeting's agenda

**Fisheries Grant** – improve access to the Great Lakes. The acting Parks & Recreation chairperson would like approval to submit a grant for a handicap ramp at Vanderbilt Park. No local match dollars required (see consent agenda resolution)

**Rural Action Caucus (NACo)** - takes place in Rapid City, North Dakota in October

#### Secondary/On-Going Finance Items

1. Treasurer Bank Statement Reconciliation (Balanced through June)
2. ACS Contract Potential Changes – Corporate Counsel Language Needed
3. Enterprise Facilitation Fiduciary Change from County Official
4. Audio/Recording of Minutes
5. Policy Regarding Recording and Publishing of Meetings – combine with #8 below
6. County Financial Planning Task Force – Next Steps \* **Need to Make Priority of the Board and Others**
7. Format and Procedure for 2010 County Budget Development
8. Review of the Policy Regarding Seeking Legal Opinions and Assistance
9. East Central Michigan Planning and Development Region 2009/2010 Work Program and Budget
10. Update Regarding Broadband Application – letter went out
11. MERS Annual Meeting

## Personnel

**Sheriff Exercise Room Waiver Release** – reviewed by corporate counsel (see consent agenda resolution)

**Circuit/Family Court Health Care Savings Program** – the Human Services Director distributed a policy similar to the one adopted by the unions and District Court (see consent agenda resolution). It was also requested this be offered to all employees (see consent agenda resolution)

**RFP for Labor/Personnel Legal Services** – next step to be reviewed by the MAC attorney  
**County Organizational Chart** – a draft was distributed. It was suggested to furnish a draft copy to various department heads for input regarding any omitted items.

### Secondary/On-Going Personnel Items

1. Incorporate County Personnel Policies and Other key Personnel Information on the County Web Site
2. Next Department Head Meeting – August 25, 2009 – 11:00 A.M.
3. Employee Recognition
4. Open Meetings Act Discussion for Boards and Commissions – Corporate Counsel and County Prosecutor
5. Mosquito Abatement Committee – Policy Review
6. Electronic Time Recording System – Cost Evaluation - \$17,000 – forge ahead!
7. Farmland Preservation Committee
8. Expanded Local Official Email List
9. Potential of Town Hall Meetings – hold BOC meetings throughout the county (see consent agenda resolution 5 meetings, one per month)
10. Speakers Bureau - a list is created and circulated to the public (see consent agenda resolution)
11. Disciplinary Action for Employees
12. Potential to use Visual Explorer
13. Staff Evaluation and Performance Evaluations
14. Job Descriptions – it was suggested this topic be brought up at the next department head meeting. Advanced notice of job description and evaluations will be included in the department head meeting notice

## Building and Grounds

**Contractual Information Regarding County Use of Village of Caro Property for Recycling** – a discussion with the Village of Caro will be initiated.

**Recycling Storage Building** – determined to be unsafe. The Village of Caro (owner) will be notified.

**Energy Meeting with Kathy Tenwald ECMCOG Regarding Energy Efficiency Grants** – occurred last week. The purpose of the grant funds is to reduce fossil fuel emissions, reduce total energy use within those communities and improve energy efficiency.

**Meeting with New Era Energy** – they're interested in locating 66 wind generators in the northern part of the county

**Request to Use Courthouse Lawn** – for a Freedom Festival on Saturday, September 12, from 1 to 3 p.m.

**Circuit Court Probation** – the owners will not move on price (see consent agenda resolution to purchase)

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

1. Update Emergency Services Plan for County Operations
2. Human Services Building Remodeling Update
3. Vanderbilt Park Operational Cost Sharing Request with Wisner Township
4. Sheriff Auction – September 26, 2009
5. Follow-Up Work for NACO Energy Star Program
6. FOC Potential Relocation to the Courthouse

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

1. 2009 Work Program Update
2. August 24, 2009 Wind Energy Meeting - Attending
3. National Flood Insurance Program
4. Airport Zoning Ordinance Development – Timeline Layout
5. Inmate Trust Account
6. Other County Resolutions
7. Economic Development
  - SBCI – Great Lakes Restoration Initiative Grant Funds, **Set Meeting Date with Bay County Executive**
  - County EDC Strategic Planning and CAT Integration – Next Steps
  - County Web Site – Business Development Reference
  - Enterprise Facilitation Update – **Next Meeting August 25, 2009** – Cass City Municipal Building
  - Revolving Loan Fund – Federal financial Assistance Request – Need to Prepare Follow-Up Letter to Representative Kildee
  - Economic Gardening
  - RBEG 3<sup>rd</sup> Year Application
  - ECMPDR Coastal Zone Management Grant
  - ECMPDR Wind Energy Grant and Planning Structure
  - Regional Tourism
  - American Recovery and Reinvestment Act - Federal Stimulus Funds

FOIA Request from the Advertiser– requested documentation regarding emails

Meeting adjourned at 11:29 a.m.

Margie White-Cormier  
Tuscola County Clerk

**Statutory Finance Committee Minutes  
Thursday, August 13, 2009  
Annex Board Room  
207 E. Grant St., Caro, MI**

Called to order: 11:31 a.m.

Commissioners present: Roggenbuck, Bardwell, Kern, Petzold, Peterson

Also present: Margie White-Cormier

Claims and per diems were reviewed and approved

Public Comment - none

Meeting adjourned at 11:37 a.m.

Margie White-Cormier  
County Clerk

# Tuscola County Recycling Advisory Committee

#11

Tod Fackler  
*Chairperson*  
989-823-7831  
[TodFackler@sbcglobal.net](mailto:TodFackler@sbcglobal.net)

Sharon Mika  
*Vice Chairman*  
989-673-6956  
[mantooth@centurytel.net](mailto:mantooth@centurytel.net)

Kate Neese  
*Recycling Coordinator*  
989-672-1673  
[recycle@tuscolacounty.org](mailto:recycle@tuscolacounty.org)

## August 6, 2009 Meeting Minutes

**MEMBERS PRESENT:** Sharon Mika, Patricia Frazer, Tod Fackler, Jim McMinn, Jane Ryba and Norma Wallace

**MEMBERS EXCUSED:** Don Duggar

**OTHERS PRESENT:** Commissioner Roy Petzold, Kate Neese; Tuscola County Recycling Coordinator

Tod Fackler called the meeting to order at 4:33pm and Kate Neese took roll.

The minutes from the June 4, 2009 meeting were reviewed. Ms. Frazer moved to accept the minutes as written and Ms. Mika seconded the motion. The motion carried.

No Public Comment at this time.

Ms. Neese reminded the Committee that the fall Household Hazardous Waste collection is set for Saturday September 12<sup>th</sup> and that volunteers are needed to run this event.

Ms. Neese said the Clean Sweep program is going slowly but well and that the Center accepts pesticides and mercury. She stated that the Clean Sweep program itself had been renewed at the State level through 2016 but funding for the mercury disposal may end as soon as September 30, 2009. Ms. Neese asked the Multi-County Solid Waste Task Force (MCSWTF) for \$2,500.00 to help offset the costs involved in moving the building to Tuscola County and the MCSWTF did approve that request on Friday July 31<sup>st</sup>. Ms. Neese is hoping to get estimates soon on installing solar power and wind power to the building. Discussion was held.

Ms. Neese stated that the electronics collection has begun to pick back up and that the other collection programs were all going well.

New Business was discussed at this time. Ms. Neese stated that Judge Joslyn has allowed one Tuscola County inmate from the P.A. 511 Community Corrections Work Crew back at the Center as of Monday June 15<sup>th</sup>. Ms. Neese will keep the Committee up to date on this situation.

Ms. Neese presented the Committee two projected budgets through 2016; one with current labor costs and one with a potential part time employee lay off. Discussion was held. The Committee asked Ms. Neese to make a couple edits and resubmit the spreadsheets prior to October's meeting. The Committee also asked Ms. Neese to coordinate a meeting with the Human Resources Director and the Union Representative to review the projected budget spreadsheets. This item will be on the October agenda.

The current sale of materials report & division figures for 2009 were handed out at the meeting and reviewed. Ms. Neese also shared information on paper products values. The Budget Status Report for July was distributed and reviewed at this time.

Ms. Mika asked Ms. Neese to check into the \$5,000.00 settlement from the World Waste case. It is her understanding that this money has been earmarked for Environmental Education.

Mr. Fackler adjourned the meeting at 5:27pm. The next meeting is October 1, 2009 at 4:30pm and will be held in the Board of Commissioner's room at the Annex Building. All meetings are open to the public.

July 23, 2009

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, July 23, 2009 at 8:00 A.M.

Present: Commissioners John Laurie, Gary Parsell, and Mike Zwerk, County Highway Engineer Michele Zawerucha, Superintendent/Manager Jay Tuckey, Director of Finance/Secretary-Clerk Michael Tuckey.  
Also present: County Commissioner Roy Petzold.

Motion by Parsell seconded by Zwerk that the minutes of the July 9, 2009 regular meeting of the Board be approved. Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell that the minutes of the closed session of the Board dated July 9, 2009 be approved. Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$97,822.29 and bills in the amount of \$224,785.62 covered by vouchers #09-18 and #09-19 were presented and audited.

Motion by Parsell seconded by Zwerk that the payroll and bills be approved. Zwerk, Parsell, Laurie --- Carried.

**Brief Public Comment Segment:**

(1) Tuscola County Commissioner Roy Petzold asked the Board about clear vision of the stop sign at the intersection of Irish Road and Millington Road.

County Highway Engineer Zawerucha presented to the Board the results of researching the effectiveness of using in-lane rumble strips as a safety measure. Zawerucha reported that there is not enough data to support that rumble strips reduce vehicle crashes. Zawerucha also reported the criteria for installing in-lane rumble strips and 4-way Stop Signs. After reviewing the report and further discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk that the Board has received and reviewed the results of researching the effectiveness of using in-lane rumble strips and 4-way Stop Signs as a safety measure. Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell approving the request from the Richville Fire Department to close Van Buren Road between M-15 and Wilder Road for a Waterball Tournament held on August 16, 2009 from 11:00 A.M. to 5:00 P.M.; and that the Road Commission will provide standard traffic control signs for the closure. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the Board go into closed session at 8:35 A.M. for the purpose of discussing union negotiations. Zwerk, Parsell, Laurie --- Carried.

At 9:10 A.M. the Board returned to open session.

Motion by Zwerk seconded by Parsell that the meeting be adjourned at 9:15 A.M. Zwerk, Parsell, Laurie --- Carried.



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Chairman

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Secretary-Clerk of the Board