

TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
TUESDAY, NOVEMBER 24, 2009 – 6:00 P.M.
WELLS TOWNSHIP HALL
2190 FRANKFORD ROAD
CARO, MI

207 E. Grant Street
Caro, MI 48723-1660

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

6:00 P.M. Call to Order – Chairperson Peterson
Prayer – Commissioner Petzold
Pledge of Allegiance – Commissioner Roggenbuck
Roll Call – Clerk White-Cormier
Adoption of Agenda
Action on Previous Meeting Minutes (See Correspondence #1)
Brief Public Comment Period
Consent Agenda Resolution (See Correspondence #2)
New Business
 -2010 County Budget Development Update
 -Draft Assessor Services Agreement (See Correspondence #3)
 -Annual County Planning Commission Report
 -Great West Deferred Comp Agreement Amendment
Old Business
Correspondence/Resolutions

COMMITTEE AND LIAISON REPORTS

Committee of the Whole – FINANCE FOCUS (See Correspondence # 4)
Commissioner Bardwell/Commissioner Peterson

Other Business/On-Going Matters
Next Meeting Date Thursday, December 10, 2009 – 8:00 A.M.

Committee of the Whole – PERSONNEL FOCUS (See Correspondence # 4)
Commissioner Bardwell/Commissioner Roggenbuck

Other Business/On-Going Matters
Next Meeting Date Thursday, December 10, 2009 – 8:00 A.M.

Committee of the Whole – BUILDING AND GROUNDS FOCUS (See
Commissioner Kern/Commissioner Petzold Correspondence # 4)

Other Business/On-Going Matters

Next Meeting Date Thursday, December 10, 2009 – 8:00 A.M.

COMMISSIONER LIAISON COMMITTEE REPORTS

ROGGENBUCK

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
NACo Agricultural Committee
NACo Rural Action Caucus
MAC Agriculture & Tourism

BARDWELL

Caro DDA
Brownfield Redevelopment Authority
Economic Development Corporation
Tuscola 2011
MAC Economic Development/Taxation
MAC 7TH 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

PETERSON

Enterprise Facilitation
Human Development Commission
MEMS
Michigan Association of Counties – Aging Work Group
Michigan Association of Counties – Environmental
LEPC
NACo

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

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 November 10, 2009 Full Board Minutes
- #2 Consent Agenda Resolution
- #3 Draft Assessors Services Agreement
- #4 November 12, 2009 Committee of the Whole Minutes
- #5 Flood Risk Information Open House
- #6 October 29, 2009 Tuscola Road Commission Minutes

DRAFT

**Tuscola County Board of Commissioners
November 10, 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, on the 10th day of November, 2009 to order at 8:00 a.m. local time.

Prayer by Commissioner Kern
Pledge by Commissioner Petzold

COMMISSIONERS PRESENT:

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

09-M-239

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

09-M-240

Motion by Bardwell seconded by Kern to approve the minutes of the 10/27/09 regular meeting. Motion carried.

Brief Public – Lisa Valentine appeared to make one last plea to preserve Parks & Recreation

09-M-241

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

CONSENT AGENDA

Agenda Reference:	A
Entity Proposing:	COMMITTEE OF THE WHOLE 11/3/09
Description of Matter:	Move that the 2010 draft county budget be prepared excluding membership and dues payment in the East Central Michigan Council of Governments per previous Board of Commissioner action.
Agenda Reference:	B
Entity Proposing:	COMMITTEE OF THE WHOLE 11/3/09

- Description of Matter:** Move that the 2010 draft county budget be prepared excluding membership in the Resource Conservation and Development District and county membership dues be discontinued.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that commissioners receive a copy of background information identifying optional methods of reducing employer health insurance costs for negotiating with county unions and after the Board health insurance cost reduction strategy is determined staff begin negotiations.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that the 2010 draft county budget be prepared with the elimination of county commissioner health insurance effective January 1, 2010.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that baseline budgets be immediately forwarded to departments requesting that they reduce the baseline budget by the targeted reduction for respective departments to enable general fund expenditures to equal projected revenues and maintain a required balanced county budget.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that the draft Equipment/Capital Improvement Fund Budget be incorporated when budget information is forwarded to departments for review and comment.
- Agenda Reference:** G
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that budgeting and accounting be established for the \$49,274 Highway Safety Project grant number TR-10-03 – “Electronic Cash Capture and Submission Grant”.
- Agenda Reference:** H
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09

- Description of Matter:** Move that per the October 30, 2009 memorandum from the Friend of the Court that the purchase a 2010 Chevrolet Impala be authorized for an amount of \$19,495 from the Friend of the Court Fund with the understanding no supplemental appropriation is required from the General Fund. Also, all appropriate signatures are authorized.
- Agenda Reference:** I
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that per the recommendation of the Board of Health, the fees schedule changes for Body Art Facilities as identified in the October Health Department Report be approved.
- Agenda Reference:** J
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that the engagement letter with Rehmann Robson to perform the 2009 County audit be approved and all appropriate signatures be authorized.
- Agenda Reference:** K
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move the performance incentive bonuses program be continued for Friend of the Court employees according to the information and criteria identified in the October 28, 2009 memorandum from the Friend of the Court.
- Agenda Reference:** L
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move to approve the Accident Fund Workers Compensation Reporting Agent Agreement and authorize all appropriate signatures.
- Agenda Reference:** M
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that per the request of the Building and Grounds Director, authorize the purchase of a wireless bridge for an amount of \$2,671 to enable the Department of Human Services (DHS) Building to be on the network with the Maintenance Office computer to allow remote control and monitoring of the HVAC system at DHS.
- Agenda Reference:** N

- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move to authorize the change order from Majestic Construction at the Department of Human Services Building to change from carpeting in the children's visitation rooms to a rubber floor with an increased cost of \$3,244.
- Agenda Reference:** O
- Entity Proposing:** COMMITTEE OF THE WHOLE 11/3/09
- Description of Matter:** Move that per the October 19, 2009 letter of request from Future Youth Involvement, authorize the use the courthouse lawn for the May 14-15, 2010 Cardboard City Sleep-out.

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: Bardwell, Kern, Petzold, Peterson

NAYS: Roggenbuck

ABSTENTIONS: none

RESOLUTION ADOPTED.

EDC director Jim McLoskey and Mike Trombley appeared regarding the Denmark Township Commercial Rehabilitation District

Boards and Commissions Appointments:

Recycling Advisory Committee

Donald Duggar
Tod Fackler

Department of Public Works

D. Joe Hembling
Joseph M. Robbins

Planning Commission

Donald B. Richards
Ione Vyse
Keith Kosik
Joseph M. Robbins

Public Health Board

Eileen M. Hiser

Parks & Recreation Commission

Jenifer Robb

Central Dispatch Authority

Craig R. Haynes (Chiefs of Police Ass'n rep.)

Dave Mattlin (Fire Chiefs' Ass'n. rep.)

Matthew Foley (EMS. rep.)

09-M-242

Motion by Kern seconded by Petzold that pursuant to Public Act 210 of 2005, to concur with action of Denmark Township and authorize the establishment of a Commercial Rehabilitation District in Denmark Township for a proposed convenience store at a vacant building that has been used as a credit union in Richville (requesting party Mike Trombley). Motion carried.

09-M-243

Motion by Bardwell seconded by Kern to authorize signing the County-Wide Cost Allocation Plan – Certification of the Responsible County Official document. Motion carried.

09-M-244

Motion by Kern seconded by Roggenbuck that per the October 13, 2009 letter from the Village of Reese, approve for annexation property owned by Dennis and Marilyn Krauseneck located at 9421 W. Caro Road to the Village of Reese. Motion carried.

09-M-245

Motion by Bardwell seconded by Petzold to approve the application to renew Workers Disability Compensation self-insured authority and authorize all appropriate signatures. Motion carried.

09-M-246

Motion by Bardwell seconded by Kern to concur with appointment of Julie Androsuk to the part-time Building Strong Families/Adolescent Parenting instructor position (grant funded position). Motion carried.

09-M-247

Motion by Roggenbuck seconded by Kern to direct Mari Young to communicate with potential insurance vendors/agents to request a quote and allow them to present best option and status quo quotes by January 30, 2010. Motion carried.

Extended public comment – Judy Adams appeared to present her observations/suggestions regarding proposed budget cuts, including suggesting elected officials cut their salaries. She also cautioned regarding cutting security.

09-M-248

Motion by Roggenbuck seconded by Kern, subsequent to seating the proposed Veterans' Committee members, follow act 192 of 1953. Motion carried.

Veterans' Committee Member Appointments:

Donald Lotter – 2 year term

Richard McCollum – 2 year term

Michael Downing – 3 year term
Steven P. Myers – 4 year term
Robert Schank – 4 year term

Register of Deeds offered a suggestion regarding the county park. He also had a question regarding SCMCCI. He would like to propose an informal meeting (work session) with the board of commissioners regarding the budget.

Meeting adjourned at 10:30 a.m., until 6:00 p.m., November 24, 2009 at the Wells Township Hall.

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 Wells Township Hall located at 2190 Frankford Road, Caro, Michigan, on the 24th day of November, 2009 at 6 o'clock p.m. local time.

COMMISSIONERS PRESENT:

COMMISSIONERS ABSENT:

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 11/12/09

Description of Matter: Move that the Health Insurance HIPPA Business Associates Agreement with BC/BS incorporating revisions for the HITECH Act which expands privacy and security requirements for protected health insurance be approved and all appropriate signatures be authorized.

Agenda Reference: B

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move that an addendum to the agreement between Tuscola County and SCMCCI revising an earlier September 30, 2002 addendum be approved to extend the office space rental rate of \$2,083.33 indefinitely or until the county indicates otherwise in a written communication. (This change eliminates the need for an annual review of the rental rate.) Also, all appropriate signatures are authorized.

Agenda Reference: C

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move that the county credit card policy be changed increasing the limit from \$1,500 to \$3,000 for specified card holders.

Agenda Reference: D

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move that effective January 1, 2010 health insurance for County Road Commissioners be discontinued because of overall county financial constraints and written notification of this change be submitted to the Road Commissioners.

Agenda Reference: E

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move that effective January 1, 2010 County Road Commissioners qualify for a \$2,000 annual health insurance incentive payment consistent with the same incentive offered county employees.

Agenda Reference: F

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move to receive and place on file the October 8, 2009 letter of retirement from Gary Miller with the Building and Grounds Department effective January 18, 2010.

Agenda Reference: G

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move to receive and place on file the November 02, 2009 letter of resignation from Kristine Klinert with the Register of Deeds Department effective November 13, 2009.

Agenda Reference: H

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move that the County Clerk be requested to advertise to fill vacancies on the Economic Development Commission Board.

Agenda Reference: I

Entity Proposing: COMMITTEE OF THE WHOLE 11/12/09

Description of Matter: Move that per the November 2, 2009 letter of request from the Caro Interfaith Committee, authorization is given to use the courthouse lawn from November 29, 2009 thru January 10, 2010.

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.

Jerry Peterson, Chairperson
Tuscola County Board of Commissioners

Margie White-Cormier
Tuscola County Clerk

ASSESSOR SERVICES AGREEMENT

Assessor Services Agreement made and entered into this 23rd day of November, 2009, by and between the City of Caro, a municipal corporation organized and existing under the laws of the State of Michigan, with its office located at 317 South Street Caro, Michigan 48723 (hereinafter referred to as the 'CITY') and Tuscola County, a Michigan county, with its office located at 440 North State Street, Caro, Michigan 48723 (hereinafter referred to as the 'COUNTY'). This Agreement is made under the authority of the Intergovernmental Contracts Between Municipal Corporations' Act, MCL §124.1 et. seq.

WITNESSETH:

Whereas, the CITY is desirous of contracting with the COUNTY for the performance of the hereinafter assessor services (hereinafter referred to as 'ASSESSOR SERVICES) for the CITY by the COUNTY; and

Whereas, the COUNTY retains qualified personnel with the proper Certified Michigan Assessor Evaluator (CMAE) certification to act in that capacity for and on behalf of the CITY; and

Whereas, the COUNTY is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

Whereas, the parties wish, by this agreement, to define their respective rights and responsibilities during the term of this agreement:

Now, Therefore, It Is Agreed As Follows:

1.0 ASSESSOR SERVICES. The COUNTY agrees to provide ASSESSOR SERVICES within the CITY limits of the CITY to the extent and in the manner hereinafter set forth herein..

2.0 TERM. Unless terminated earlier as provided herein, the term of this Agreement shall be December 1, 2009 through to June 30,2010.

3.0 DUTIES. The COUNTY agrees to provide the CITY ASSESSOR SERVICES pertaining to signing the tax roll and participating in the March Board of Review as well as providing CITY staff with any technical advice during this time period, and other duties as further described herein within this Agreement defined. Except as otherwise provided, the minimum level of basic ASSESSOR SERVICES provided by the COUNTY will be described in subparagraphs (a) through (bb) orf this Section. The ASSESSOR SERVICES includes all duties of an assessor pursuant to the City Charter, Michigan statute and law, and all other rules and guidelines established for the proper performance of said this position, as the same may be from time to time amended, while this agreement is in effect, and shall conduct and perform the same in accordance with all applicable standards of professional conduct required of such ASSESSOR SERVICES. Such duties shall include but not be limited to the following:

- a.) Obtain Indianfields and Almer Township record cards, transfers, Primary Resident Exemptions (PRE), and other documents.
- b.) Obtain Indianfields and Almer Township databases
- c.) Download COUNTY data.
- d.) Obtain license for BSA software.
- e.) Import COUNTY data to pre-city databases.
- f.) Create new BSA database for CITY.
- g.) Put data from twp/pre-city databases for CITY.
- h.) Verify accuracy of 2009 value in CITY database
- i.) Make any December Board of Review, Michigan Tax Tribunal, PRE changes in CITY database.
- j.) Create new CITY parcels in COUNTY database.
- k.) Merge new CITY parcel data into COUNTY database.
- l.) Update CITY and COUNTY special district codes.
- m.) Prepare and mail personal property statements.
- n.) Field check and appraise new construction.
- o.) Analyze sale data and set values for 2010 roll.
- p.) Assist CITY, as requested, in establishing a Board of Review.
- q.) Add new construction to CITY database.
- r.) Update PRE in CITY database
- s.) Export data to merge into COUNTY data.
- t.) Print and mail change in assessment notices.
- u.) Complete and certify the assessment roll.
- v.) Assist CITY in establishing Board of Review dates in accordance with the CITY Charter.
- w.) Deliver post Board of Review data and roll to COUNTY.
- x.) Complete required state assessment reports.
- y.) Complete Headlee report to COUNTY.
- z.) Deadline to notify taxpayer in writing of March Board of Review decisions.
- aa.) Update PRE in county database.
- bb.) Certify CITY summer tax roll.

4.0 LEVEL OF CERTIFICATION. In order to perform the above described duties, the COUNTY shall provide ASSESSOR SERVICES to the CITY using COUNTY personnel who have appropriate CMAE certification as deemed necessary by COUNTY to perform said assessing duties or portions thereof..

5.0 DAYS OF ASSIGNMENT. The ASSESSOR SERVICES provided by the COUNTY shall be on the basis deemed necessary by the CITY and COUNTY before Board of Review..

6.0 DEFENSE OF APPEALS. The CITY shall maintain ultimate control of all litigation and settlement negotiations and ASSESSOR SERVICES shall operate under the direction of the City Manager in any litigation regarding a tax appeal including appeals to the Small Claims Division. Any appeal to the Tax Tribunal may result in the CITY

obtaining competent legal counsel at its expense. The ASSESSOR SERVICES shall defend all appeals to the Small Claims Division of the Michigan Tax Tribunal. This shall include but not be limited to filing necessary petitions, preparing and submitting such materials, statistics and other information as is necessary to properly defend such appeal, and appearing at all hearings and meetings as required for the purpose of defending said such an appeal. All of the services compensated pursuant to the provisions of this Agreement.

7.0 EQUIPMENT AND OFFICE SPACE.

a) The ASSESSOR SERVICES shall include provide all necessary transportation and field equipment to perform the services and meet the requirements of this Agreement.

b.)The COUNTY shall furnish at its own expense all necessary office space, supplies, etc. and equipment for the ASSESSOR SERVICES while performing ASSESSOR SERVICES duties on behalf of the CITY under this Agreement.

c) It is agreed that in all instances where special supplies, software licenses, stationary, tax notices, forms and the like are to be acquired or issued or bear the name of the CITY, such items shall be supplied by the CITY at its own cost.

8.0 COUNTY EMPLOYEES. All persons employed in the performance of such ASSESSOR SERVICES and functions pursuant to this Agreement for the CITY shall be COUNTY employees.

9.0 RESPONSIBILITY OF SALARY. The CITY shall not be liable for the direct payment of any salaries, wages, benefits, or other compensation and shall not incur liability other than that provided for in this Agreement.

10.0 INJURY OR SICKNESS. The CITY shall not be liable for any compensation or indemnity to any COUNTY employee for injury or sickness arising solely out of his/her employment.

11.0 HOLD HARMLESS. Neither party, its officers, employees, or agents shall be liable for any intentional or negligent acts of the other or any officers, employees or agents thereof. Each party shall defend and hold the other harmless from damages alleged by, including the cost of litigation third parties resulting from intentional or negligent acts of the other party for of the ASSESSOR SERVICES while performing duties of theirfor respective jurisdictions.. Nothing herein, however, shall be construed as a waiver of the defense of governmental immunity nor shall these provision be interpreted to benefit any third party. The provisions of this Paragraph shall not apply to a third party's challenge of the assessment against its property.

12.0 WARRANTY. The COUNTY agrees to perform the duties outlined for ASSESSOR SERVICES as outlined. If ASSESSOR SERVICES are not performed within the standards and guidelines set forth by the State of Michigan, the COUNTY will

reimburse the CITY for the portion of the ASSESSOR SERVICES not completed in accordance with such standards and which are reasonable and by standards necessary to bring the assessment up to the proper standards. In no event shall the COUNTY be liable to the CITY for any costs, fees or damages in excess of the amounts provided in this Section and in no event shall the COUNTY be liable to the CITY for any incidental damages, rather the out of pocket expenses described herein and the hold harmless indemnification of the preceding Paragraph shall be the CITY's sole and exclusive remedy against the COUNTY under this Agreement for any breach..

13.0 FEES AND COSTS. Total monthly payment of \$4,063.50 shall commence on December 1, 2009 and each month thereafter until June 1, 2010. At the option of the CITY, with the concurrence of the COUNTY, this Agreement may be renewed for agreed upon periods not to exceed 2 years each with a mutual agreement between the parties in relation to the cost of services. For demonstration purposes the number of parcels is 2,322 with costs for an annual amount of \$12.00 per parcel for maintenance and a premium charge of \$9.00 per parcel for non recurring expenses for establishing the CITY tax roll subtotaling \$21.00 per parcel annually. The per parcel amount is prorated to seven months to cover this Agreement time period equaling \$7.00 per parcel for maintenance and \$5.25 for non recurring expenses equaling \$12.25 per parcel for seven months. The grand total of payments is \$28,444.50. The CITY shall also reimburse the COUNTY for its out of pocket costs incurred in providing the ASSESSOR SERVICES, including but not limited to those described in Section 3(a), (b), (d), (m) and (t), above. The COUNTY shall bill those costs to the CITY on a monthly basis, and the CITY shall include reimbursement when making its next monthly payment. If this Agreement is terminated, any remaining fee shall be pro-rated and all reimbursable costs incurred by the COUNTY up until the day of termination shall be paid for by the CITY.

14.0 RIGHT OF TERMINATION. At any time following the execution of this Agreement, either party may terminate the Agreement upon forty-five (45) days notice in writing to the other party. The right of termination is specifically exercisable at the sole discretion of either party and requires no just cause or justification for exercise thereof.

15.0 TERMINATION FOR CAUSE OR BREACH. Notwithstanding anything to the contrary in the Agreement, either party may immediately terminate this Agreement in the event of material breach by the other. In such case, any party may seek such remedies as shall be available by law or equity.

16.0 RETURN OF INFORMATION AND MATERIALS. Upon receipt of notice of termination or upon termination of this Agreement by expiration of the term, the ASSESSOR SERVICES shall immediately deliver to the CITY copies or all data, paper and computer files, drawings, specifications, reports, value estimate summaries, and any other information or materials that may have been accumulated by the ASSESSOR SERVICES in performing this Agreement whether completed or in the process and same shall be in unaltered form, readable by the CITY. In the event of the failure or refusal of the ASSESSOR SERVICES to forthwith deliver the above-referenced materials, documents and files, the CITY may seek a circuit court order compelling the production of same forthwith.

In Witness Whereof,~ the City of Caro, under authority of 1951 PA 35 (MCL 134.1 et seq) by resolution duly adopted by its Council has caused this Agreement to be signed by its Mayor and attested by its Clerk and the County of Tuscola, by resolution duly adopted by its Board of Commissioners has caused this Agreement to be signed by the Chairman of the Board of Commissioners and attested by its Clerk.

CITY OF CARO

COUNTY OF TUSCOLA

Thomas Strifiler, Mayor

Jerry Peterson, Chairman

Karen Snider, City Clerk-Treasurer

Margie White-Cormier, County Clerk

DRAFT
Tuscola County Board of Commissioners
Committee of the Whole Minutes
Thursday, November 12, 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, Patty Witkovsky, Mike Miller, Mari Young, Jim McLoskey, Kyle Jaskulka, Walt Schlichting, Bill Bushaw, Mike Tuckey, Jack Laurie, Curtis Stowe

Finance

2010 Budget Development Update and Timeline – update regarding the budgets that have been submitted (deadline Nov. 18)

Road Commission Deficit Reduction Plan – Mike Tuckey explained that if a certain fund falls below the acceptable level, notification

American Recovery and Reinvestment Act – Amendment to the ASC Contract – need to re-sign in order to be in compliance with ARRA (see consent agenda resolution)

SCMCCI Potential Contract Language Change – (see consent agenda resolution with changes)

Potential County Equalization Assessing for the City of Caro – negotiations occurring

Update Related to County Health Insurance Quote – contact has been made with several firms including PEBS. A census will have to be compiled and submitted to interested parties

Credit Card Policy Limit Revisions and Policy Change - \$1500 limit is no longer adequate. Action would increase limit to \$3000 (see consent agenda resolution)

Road Commission Credit Card – question occurred whether it has been audited. Also questioned was the existence of a policy

Secondary/On-Going Finance Items

1. Treasurer Bank Statement Reconciliation (Balanced through October)
2. Clerk/FOC Optical Imaging Update
3. Update Regarding Broadband Grant Application
4. SBCI – Great Lakes Restoration Initiative Grant Funds – Set Meeting Date with Bay County Executive
5. BCBSM Lawsuit Claim
6. Discussion of Tether Program Potentials
7. ATM, PayPal, Touch Pay Options for Courthouse
8. Mandated/Non-Mandated Service Breakdown Update
9. Red Flag Rule Policy

Personnel

Road Commission Elected Versus Appointed - a listing illustrating elected v. appointed counties was reviewed. Similarly sized counties with elected commissioners will be contacted.

Road Commission Benefits – (see consent agenda resolution to eliminate the benefit Jan 1, 2010 preserving the incentive potential... all approved with the exception of Petzold)

Road Commission representatives confirmed that a road commission credit card does not exist

Register of Deeds Employee Resignation - (see consent agenda resolution)

Building and Grounds Department Employee Resignation – (see consent agenda resolution)

EDC Appointment Requests – as of January 1, 2010, there will be 5 openings. The county clerk was directed to advertise the openings with the assistance of the EDC director (see consent agenda resolution) Current board member (seeking reappointment), Bill Bushaw, shared his background with the committee

Secondary/On-Going Personnel Items

1. Employee Recognition
2. Open Meetings Act Discussion for Boards and Commissions – Corporate Counsel and County Prosecutor
3. Mosquito Abatement Committee – Policy Review
4. Farmland Preservation Committee
5. Job Descriptions
6. Incorporate County Personnel Policies and Other key Personnel Information on the County Web Site
7. Backup Computer Support for Sheriff Department
8. Electronic Time Recording System
9. Circuit/Family Court Personnel Policies
10. County Organizational Chart
11. RFP for Labor/Personnel Legal Services

Building and Grounds

Request to use Courthouse Lawn – (see consent agenda resolution)

Farmland Committee Update – to be taken up in 2010

Secondary/On-Going Building and Grounds Items

1. Human Services Building Remodeling Update
2. Follow-Up Work for NACO Energy Star Program
3. Adult Probation Phase II Environmental Assessment
4. Draft Airport Zoning Update
5. Energy Efficiency Grants Timeline and Application Procedures – Next Steps
6. Review of FOC Potential Relocation to the Courthouse

Correspondence/Other Business as Necessary

1. Resolutions from Other Counties

2. National Flood Insurance Program

3. Economic Development

- County EDC Strategic Planning and CAT Integration
- Economic Gardening
- RBEG 3rd Year Application Enterprise Facilitation
- East Central Michigan Council of Governments Coastal Zone Management Grant
- Regional Tourism

Meeting adjourned at 9:57 a.m.

Margie White-Cormier
Tuscola County Clerk

**Statutory Finance Committee Minutes
Thursday, November 12, 2009
Annex Board Room
207 E. Grant St., Caro, MI**

Called to order: 9:58 a.m.

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

Also present: Michael Hoagland, Margie White-Cormier, Steve Lark, Mary Drier

Claims and per diems were reviewed and approved

Public Comment - none

Meeting adjourned at 10:08 a.m.

Margie White-Cormier
Tuscola County Clerk



STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

November 11, 2009

Mr. Robert Mantey
Tuscola County Drain Commissioner
60 West Tuscola Avenue, Suite 201
Caro, Michigan 48471

Dear Mr. Mantey:

SUBJECT: Flood Risk Information Open House, Tuscola County

We would like to thank you for your assistance in scheduling the public Flood Risk Information Open House for communities located in Tuscola County. The purpose of an open house is to present updated flood risk data and provide information that you and other local officials, as well as your citizens, will find important for making sound risk management decisions.

We recently mailed you copies of the preliminary Flood Insurance Study (FIS) and preliminary Flood Insurance Rate Maps (FIRMs) identifying flood risk in Tuscola County. The flood risk data included in the FIS and FIRM form the basis of participation in the National Flood Insurance Program (NFIP). We would also like to meet with you and other local officials from within Tuscola County before the open house to briefly explain our mapping process, discuss the communities' participation in the NFIP, and seek your comments on the preliminary digital maps. In addition to your office, a similar invitation has been sent to each chief executive officer for the communities in Tuscola County.

The Tuscola County Community Official's Flood Risk Information Open House Meeting has been scheduled for Wednesday December 16, 2009, from 1:30 p.m. to 3:30 p.m. in the "Commons" of the **Tuscola Technology Center at 1401 Cleaver Road, Caro, Michigan 48723.**

This meeting will provide information specifically for local elected officials, building and code enforcement, and Geographic Information Systems (GIS) staff. We will discuss the use of the new data, NFIP participation, and the timetable for the new maps to become effective.

The evening open house is also scheduled for December 16th at the same location as the official's meeting. The open house will begin at 4:30 p.m. and end at 6:30 p.m. During the open house, no presentations will be made. Instead, the public will have a chance to talk one-on-one with MDEQ representatives about insurance issues, flood

Mr. Mantey
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November 11, 2009

protection standards, regulatory requirements, state programs, and flood mitigation techniques.

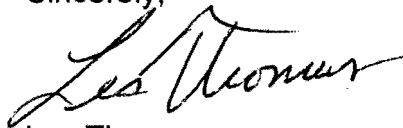
The local floodplain and/or building and zoning staff and engineers are encouraged to participate and answer questions on flood protection permit requirements. If Tuscola County has GIS staff, we encourage them to attend and bring their laptops to help residents reference the flood hazard maps for their neighborhoods.

The evening open house will be of particular interest to those living in or near areas of special flood hazards, realtors, insurance agents, developers, and representatives of lending institutions. We encourage you to publicize the open house so these individuals are notified of these events. Enclosed is a sample news release that you may use as an example to publicize the open house. It would also be helpful to display a copy of the news release in your local newspaper, in your local library, on a community website, on cable television, in your office, the local post office, and to distribute it to relevant organizations in your community.

Participation in the NFIP requires that a community adopt the new flood risk data into appropriate flood protection regulations by the time the new FIRM goes into effect. We suggest that you or your staff thoroughly review the preliminary FIRM and FIS prior to the meeting so that you may voice any questions or concerns to us.

We thank you for taking a special interest in the NFIP and look forward to your participation in the open house and the community official's meeting. If you have any questions prior to the meeting, please contact either Ms. Joy Brooks at 989-894-6226, or me.

Sincerely,



Les Thomas
State NFIP Coordinator
Land and Water Management Division
517-335-3448

cc: Mr. Patrick H. Finn, Tuscola County Emergency Management
Mr. Michael R. Hoagland, County Administrator
Mr. John Devine, FEMA, Region V

Enclosures: Map Modernization in Your Community
Sample press release
Open House flyer



FEMA

Map Modernization in your Community

Assess a Community's Mapping Needs

Meet with communities to assess need and provide an opportunity for involvement



Develop a Preliminary Map

Produce a Preliminary Countywide Digital Flood Insurance Rate Map (DFIRM)



Conduct a Flood Risk Information Open House

Give local officials and the community an opportunity to view



Publish the New Base Flood Elevation (BFE)

In the community's local media outlet for public review



90 Day Appeal Period

Offer the community an opportunity to formally dispute any changes to the Base Flood Elevation (BFE) and/or any additional map revisions



Letter of Final Determination

To be mailed at the conclusion of the appeal period. DFIRM is effective 6 months from the date of the letter

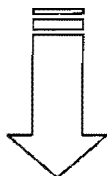


Local Ordinance Adoption

Community to adopt or revise their ordinances to reflect the new BFE and DFIRM - Final adoption to occur prior to the DFIRM effective date in order to ensure compliance with the National Flood Insurance Program (NFIP)

*Reminder Letter To Be Mailed 90 Days Prior to Effective Date
To be mailed if FEMA has not received and approved a community's new or revised local ordinance*

*Reminder Letter To Be Mailed 30 Days Prior to Effective Date
To be mailed if FEMA has not received and approved a community's new or revised local ordinance - this letter also reviews the program requirements necessary to remain in compliance*



DFIRM Effective

November 2009

Press Release

Media Contact:

Tuscola County Flood Risk Information Open House Scheduled

The general public is invited to review the preliminary floodplain map and learn about risk in their community. Those interested may drop-in at any time during the event to talk one-on-one with Michigan Department of Environmental Quality representatives.

LANSING – Representatives from the Michigan Department of Environmental Quality in cooperation with the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) and the Tuscola County Drain Commissioner's Office, will host a Flood Risk Information Open House on Wednesday, December 16, 2009, from 4:30 to 6:30 p.m. in the "Commons" of the Tuscola Technology Center at 1401 Cleaver Road, Caro, Michigan 48723.

The Open House will provide Tuscola county residents with an opportunity to review a recently completed preliminary Flood Insurance Study (FIS) and its accompanying preliminary Flood Insurance Rate Maps (FIRMs).

The FIS and the FIRMs provide base flood information, delineate areas subject to significant flood hazards within the county, and offer information public officials may use when permitting development in the floodplain.

The Open House will be staffed with representatives from various local and state agencies who will provide the most current information about flood risk, flood insurance, floodplain development regulations, and the process for floodplain mapping within Tuscola County. The newly prepared preliminary floodplain maps will be on display. Once the maps become effective, these maps will be used by floodplain permit officials, builders and developers, lenders, realtors, insurance agents and the general public to determine flood risk, develop mitigation measures, and encourage wise and responsible risk management decision-making.

Property owners, realtors, lenders and insurance agents are urged to attend and take advantage of this opportunity to learn more about flood risk and hazard mitigation within their community. For more information, contact Mr. Les Thomas, State of Michigan National Flood Insurance Program Coordinator, 517-335-3448, or Ms. Joy Brooks, Michigan Department of Environmental Quality District Floodplain Engineer, at 989-894-6226.

FEMA leads the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation to reduce the loss of life and property and support a culture of readiness for all hazards, including natural disasters, acts of terrorism and other major incidents.

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FEMA

Flood Risk Information Open House

Tuscola County Residents: ARE YOU AT RISK?

- Devastating floods occur throughout the U. S. every year causing more than \$2 billion in damage
- You have a 26% chance of experiencing a flood during the life of a 30-year mortgage compared to a 9% chance of a fire
- Floods and flash floods occur in all 50 states!
- Losses due to flooding are not covered under most homeowners or business policies...

Find out your risk... By attending this important Flood Risk Information Open House, you will have the opportunity to locate your home on the soon to be published Flood Insurance Rate Maps, and obtain valuable information on flood insurance coverage offered through the National Flood Insurance Program. On hand will also be representatives from the Michigan Department of Environmental Quality (MDEQ) and local officials who will address any questions you may have and provide you with *ways you can protect your home and loved ones from future flooding*. Please **drop-in any time during this event** to speak one-on-one with MDEQ representatives.

PLEASE JOIN US

Wednesday, December 16th

4:30-6:30 PM

Tuscola Technology Center

Commons Area

1401 Cleaver Road,

Caro, Michigan 48723



October 29, 2009

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, October 29, 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.

Motion by Parsell seconded by Zwerk that the minutes of the October 15, 2009 regular meeting of the Board be approved. Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$94,823.61 and bills in the amount of \$369,222.50 covered by voucher #09-31 were presented and audited.

Motion by Zwerk seconded by Parsell that the payroll and bills be approved, and that bills be paid next week upon receipt of township deposits at the discretion of the Director of Finance. Zwerk, Parsell, Laurie --- Carried.

Brief Public Comment Segment:

None.

Director of Finance Michael Tuckey presented to the Board the Deficit Elimination Plan 79-0100 addressed to the Michigan Department of Treasury. After review and discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk to approve the Deficit Elimination Plan 79-0100 as presented, and to forward the plan to the Michigan Department of Treasury for evaluation and certification. Zwerk, Parsell, Laurie --- Carried.

At 8:15 A.M. the following proposals were opened for furnishing Chloride Sand for the 2009-2010 winter season:

<u>Company</u>	<u>Picked Up by TCRC</u>	<u>Delivered to Akron Garage</u>	<u>Delivered to Caro Garage</u>	<u>Delivered to Deford Garage</u>	<u>Delivered to Vassar Garage</u>
Mark Martin & Sons, Inc.	\$ 10.25/ton	\$ 14.25/ton	\$ 14.25/ton	\$ 14.75/ton	\$ 13.05/ton
Thumb Aggregates, Inc.	no bid	\$ 16.60/ton	\$ 15.50/ton	\$ 14.75/ton	\$ 17.85/ton

Motion by Zwerk seconded by Parsell that the proposals for furnishing Chloride Sand for the 2009-2010 winter season be accepted and awarded to the low proposal, Mark Martin & Sons. Zwerk, Parsell, Laurie --- Carried.

Superintendent/Manager Jay Tuckey presented to the Board two proposed Road Commission Policies for Right-Of-Way Encroachments and Mailbox Specifications. After reviewing the proposed policies and further discussion, the following two motions were introduced:

Motion by Parsell seconded by Zwerk to adopt the Tuscola County Road Commission Right-Of-Way Encroachment Policy as proposed by Management. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to adopt the Tuscola County Road Commission Mailbox Specification Policy as proposed by Management. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the following Tuscola County Roadways be reclassified from Normal Loading as defined in Michigan State Statute 257.722(1) to a Designated and Special Designated Roadway as defined in Michigan State Statute 257.722(3) and 257.722(12) with the intent that this roadway maintains the same legal maximum weights, size of vehicles, and loads as also specified in Michigan State Statute 257.717 and 257.719, the same as the State of Michigan allows on all season highways that route through Tuscola County. (The Tuscola County Road Commission Board reserves the right as authorized by any Michigan State Law to regulate and/or change weight and size limitations when and where the public interest is best served).

Bay City-Forestville Road from Hurds Corner Road to Gagetown Village Limits.

Bay City-Forestville Road from Dodge Road to Grassmere Road.

Bevens Road from M-24 to Kingston Road.

Birch Run Road from Reese Road to Sheridan Road.

Bradleyville Road from M-46 to M-25.

Cass City Road from Colwood Road to M-81.

Cemetery Road from Deckerville Road to Cass City south Village Limits.

Cemetery Road from Cass City north Village Limits to Huron County Line.

Centerline Road from Phillips Road to Kingston Road.

Chambers Road from M-46 to M-81.

Colling Road from Caro north Village Limits to M-24.

Deckerville Road from M-81 to Lamton Road.

Dodge Road from Deckerville Road to M-81.

Fairgrove Road from Fairgrove east Village Limits to M-24.

Frankenmuth Road from Reese Road to Vassar south City Limits.

Hurds Corner Road from Clifford Road to Bay City-Forestville Road.

Irish Road from Willard Road to Birch Run Road.

Kingston Road from Marlette Road to Kingston south Village Limits.

Leix Road from Saginaw Road to M-46.

Maple Grove Road from Marlette Road to Snover Road.

McEldowney Road from Bay City-Forestville Road to Huron County Line.

Marlette Road from Clifford Road to Maple Grove Road.

Marlette Road from Kingston Road to Clifford west Village Limits.

Millington Road from Vassar Road to Millington Village Limits.

Millington Road from Millington east Village Limits to North Lake Road.

North Lake Road from Castle Road to Millington Road.

Oak Road from Saginaw Road to 300 ft. south of Hanes Road.

Ormes Road from Vassar Road to M-15.

Saginaw Road from Vassar City Limits to Mayville Village Limits.

Sheridan Road from Willard Road to M-46.

Van Buren Road from M-46 to Reese south Village Limits.

Vassar Road from Birch Run Road to Vassar south City Limits.

Vassar Road from Vassar north City Limits to M-25.

Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that effective January 1, 2010 the following local roadways, under the jurisdiction of the Tuscola County Road Commission, be reclassified from normal loading, size and weights as specified under Michigan State Statute 257.717, 257.719, and 257.722 to Designated and Special Designated size and weights for the business or individual listed. The date of their approved haul agreement shall remain in effect as long as the business or individual or their successor(s) is still active and continues to keep their said agreement in good standing. All others no longer having ongoing business concerns as intended under the original agreement shall hereby be reclassified back to normal loading and size limits as specified in Michigan State Statute 257.722, 257.717, and 257.719 respectively.

Albrecht Investment Co.	Cat Lake Road from M-46 to Cat Lake Pit.
Russell Farms	Darbee Road from M-24 west 0.43 mile.
Schriber, Lynn & Brian	Deckerville Road from Colling Road west 0.64 mile.
Sylvester, Richard	Quanicassee Road from M-25 south 2.04 miles.

McFarlane Trucking Co.	Quanicassee Road from M-25 south of Elmwood 2,000 ft.
LaBudde Group, Inc.	Rayl Road from Akron north Village Limits to establishment.
Saginaw Asphalt Paving	Washburn Road from Saginaw Road south 0.39 mile.
Thumb Welding	Kelly Road from Dodge Road east 1,070 ft.
Bierlein Seed Inc.	Reese Road from Reese north Village Limits to 0.30 mile north of Van Geisen Road.
Juniata Sand Company	Washburn Road from Saginaw Road to Juniata Gravel Pit.
Lee Wood Contracting	Ambrose Road from Leix Road east 0.30 mile.
Thumb Electric Cooperative	East Dayton Road from Bevens Road north 0.91 mile.
L. Walther & Sons Inc.	Wilsie Road from Cemetery Road west 1.73 miles.
Michigan Aggregate Prod.	Snover Road from Leix Road west 0.53 mile.
Organic Bean & Grain	W. Akron Road from M-24 east 2.16 miles.
Dykhouse Pickle Co.	Ormes Road from Vassar Road west 0.42 mile.
Gerrys Distributing Co.	Sheridan Road from M-81 south 280 ft.
Millington Twp./Loudon	Ellis Road from Millington Village Limits north 1,400 ft.
Noble, Jerry	Deckerville Road from Vassar Road west 0.70 mile.
Worth, Richard	Rupprecht Road from M-15 east 0.25 mile.
Lockwood Farms	Tomlinson Road from M-81 east 0.77 mile.
Ed Mantey & Sons Inc.	Fairgrove Road from M-24 east 0.10 mile.
Hecht Farms	Sheridan Road from Fairgrove Road south 0.55 mile.
Ed Mantey & Sons Inc.	Sheridan Road from Fairgrove Road south 0.10 mile.
Zwerk, Parsell, Laurie --- Carried.	

County Highway Engineer Zawerucha presented to the Board a list of load limit posted bridges that have been repaired or replaced this construction season. With the completed work, Zawerucha recommends that the load limit postings on these structures be removed. After review and discussion, the following motion was introduced:

Motion by Zwerk seconded by Parsell that the load limit postings be removed on the following structures:
 Chambers Road Bridge over the Cass River in Indianfields Township.
 Brown Road Bridge over the #2 Squaw Creek in Dayton Township.
 Dickerson Road Bridge over the Latimer or Allen Relief Drain in Akron Township.
 French Road Bridge over the Kemp Br. #1 Drain in Columbia Township.
 Reed Road Bridge over the North Br. of the Cass River in Elkland Township.
 Zwerk, Parsell, Laurie --- Carried.

County Highway Engineer Zawerucha presented to the Board the results of a Traffic Study conducted at the intersection of Millington Road and Bray Road. The study concluded that rumble strips at this intersection would not be an effective safety measure at this time. After further discussion, the Board requested that the Engineer report back with the costs for additional regulatory signs on all Primary Road to Primary Road intersections.

Director of Finance Michael Tuckey presented to the Board a request from the Juniata Township Board to initiate Road Abandonment Procedures for Sheridan Road south of Wilder Road in Sections 25 and 26 of Juniata Township. After discussion, the Board recommended that the request be forwarded to Road Commission Attorney Schrope to initiate Road Abandonment Procedures.

Motion by Zwerk seconded by Parsell to approve the signing of the title sheet for the Cass City Road Bridge over the Allen Drain Branch #1 Federal Aid Project (ARRA) in Akron Township, and to proceed with letting the project in January 2010. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the meeting be adjourned at 9:30 A.M. Zwerk, Parsell, Laurie --- Carried.