



Great Start Collaborative  
Local Unit of Government Activity Report

KIRKPATRICK

Thumb Area Consortium/Michigan Works  
Board of Health  
Community Corrections Advisory Board  
Dept. of Human Services/Medical Care Facility Liaison  
MI Renewable Energy Coalition  
MEMS All Hazards  
Cass River Greenways Pathway  
Local Unit of Government Activity Report  
Tuscola In Sync

BIERLEIN

Thumb Area Consortium/Michigan Works  
Planning Commission  
Behavioral Health Systems Board  
Tuscola 2020  
Recycling Advisory Committee  
Local Emergency Planning Committee (LEPC)  
Multi County Solid Waste  
Local Unit of Government Activity Report  
Tuscola In Sync

ALLEN

Dispatch Authority Board  
County Road Commission  
Board of Public Works  
Senior Services Advisory Council  
Mid-Michigan Mosquito Control Advisory Committee  
Saginaw Bay Coastal Initiative  
Dental Clinic for Indigents  
Parks & Recreation  
Local Unit of Government Activity Report

BARDWELL

NACo  
NACo Rural Action Caucus  
Economic Development Corp/Brownfield Redevelopment  
Caro DDA/TIFA  
MAC Economic Development/Taxation  
Michigan Association of Counties – Board of Directors  
MAC 7<sup>th</sup> District  
Local Unit of Government Activity Report

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 25, 2013 Full Board Minutes
- #2 2014 General Appropriations Act
- #3 Medical Care Facility Revenue Bonds
- #4 Village of Akron Sign Request
- #5 Jury Board Vacancy Memo
- #6 MSUE Agreement for 2014
- #7 Tuscola Area Airport Administrative Annual Report
- #8 November 25, 2013 Committee of the Whole Minutes
- #9 November 7, 2013 Road Commission Minutes

*Draft*  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
November 25, 2013 Minutes  
H. H. Purdy Building

Commissioner Thomas Bardwell called the meeting of the Board of Commissioners Of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the City of Caro, Michigan, on the 25th day of November, 2013 to order at 8:10 o'clock a.m. local time.

Prayer – Commissioner Kirkpatrick

Pledge of Allegiance – Commissioner Trisch

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Roger Allen, District 2 – Thomas Bardwell, District 3 - Christine Trisch, District 4 – Craig Kirkpatrick, District 5 – Matthew Bierlein

Commissioners Absent: None

Also Present: Mike Hoagland, Jodi Fetting, Mary Drier, Mike Miller, John Bishop, Bob Mantey, Dara McGarry, John Axe (via phone),

13-M-224

Motion by Bierlein, seconded by Trisch to adopt the agenda as amended.  
Motion Carried.

13-M-225

Motion by Allen, seconded by Trisch to adopt the meeting minutes from the November 14, 2013 and November 21, 2013 meeting. Motion Carried.

Brief Public Comment Period - None

Consent Agenda Resolution - None

New Business

-Refinancing Nutt Branch Drain Notes - Update provided regarding refinancing the loan for the Nutt Branch of Akron Centerline Drain. Refinancing the loan will reduce the loan term by 5 years with an interest savings of at least \$36,000.00.

Robert Mantey, Drain Commissioner, will be testifying on December 11, 2013 in front of the EPA regarding the wetland bills and recommended changes.

## 13-M-226

Motion by Allen, seconded by Bierlein that per the request of the County Drain Commissioner, that the County of Tuscola approve the financing resolution for the Nutt Branch of the Akron Centerline Drain and pledge it's full faith and credit to a note in the matter of this drain located in the Township of Akron in the amount of \$100,000 principle and \$16,500 interest with said note to be repaid from special tax assessment tax collection. Motion Carried.

-Medical Care Facility Small House Project - Conference call with John Axe. Mr. Axe recommended that the Board approve the resolution.

## 13-M-227

Motion by Bierlein, seconded by Allen to approve the resolution approving insertion of intent to issue County of Tuscola Medical Care Facility Revenue Bonds, Series 2013. Roll Call Vote: Yea – Allen, Bardwell, Trisch, Kirkpatrick, Bierlein. Nay – None. Motion Carried.

-Primary Road & Bridge Millage Transfer Requests

## 13-M-228

Motion by Trisch, seconded by Bierlein to approve the Primary Road Millage transfer request of \$40,000 as identified by Voucher #04-13 dated November 21, 2013 for transfer from the Primary Road Millage to the Road Commission General Fund. Motion Carried.

## 13-M-229

Motion by Trisch, seconded by Kirkpatrick to approve the Local Bridge Millage transfer request of \$75,495.64 as identified by Voucher #04-13 dated November 21, 2013, for transfer from the Local Bridge Millage Fund to the Road Commission General Fund. Motion Carried.

-Clean Sweep Program

## 13-M-230

Motion by Bierlein, seconded by Allen to authorize the Recycling Coordinator to implement the Clean Sweep program in Tuscola County through a grant with the understanding there will be no significant cost to Tuscola County to implement this program. Also, authorize all appropriate documents for signature in order to leverage these grant funds. Motion Carried.

-Weather Emergencies

13-M-231

Motion by Allen, seconded by Kirkpatrick that the Board of Commissioners concur with the procedures regarding unscheduled court closings due to weather emergencies contained in the Local Administrative Order (attached). Motion Carried.

-2014 County Budget Development

13-M-232

Motion by Allen, seconded by Kirkpatrick that the 2014 draft budget with changes as decided at the November 21, 2013 Committee of the Whole meeting be incorporated into an updated draft and forwarded to departments for review. Also, notice of a public hearing regarding the draft budget be placed in the newspaper with said public hearing to be conducted on December 12, 2013 at 9:00 a.m. Motion Carried.

-Appeal to State Tax Commission - previously covered in the Committee of the Whole meeting on November 25, 2013.

- Medical Examiner Administrative Fee

13-M-233

Motion by Allen, seconded by Trisch that the previous board motion approved at the October 31, 2013 meeting Consent Agenda B be rescinded and a letter be sent to all funeral home directors in Tuscola County explaining that previously planned death certificate and cremation permit fee increase will no longer be implemented. Motion Carried.

-Water Softener

13-M-234

Motion by Allen, seconded by Trisch that the water softener bid for the state police post be awarded to Midwest Water Treatment of Caro for an amount of \$3,797.00. Motion Carried.

-Juvenile Child Care Fund

13-M-235

Motion by Trisch, seconded by Bierlein that per the 11/14/13 letter of request from the Probation Services Director that authorization is given to transfer within the 292 Probate Juvenile Child Care Fund \$10,000 from line-item 292-662-843-001 (Work Weekend Program) to line-item 292-662-844 (Out of County Detention). Motion Carried.

Old Business - None

Correspondence/Resolutions - None

**COMMISSIONER LIAISON COMMITTEE REPORTS**

KIRKPATRICK

Thumb Area Consortium/Michigan Works  
Board of Health  
Community Corrections Advisory Board  
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ALLEN

Dispatch Authority Board - rescheduled to 1:00 p.m. on November 25, 2013  
County Road Commission  
Board of Public Works  
Senior Services Advisory Council  
Mid-Michigan Mosquito Control Advisory Committee  
Saginaw Bay Coastal Initiative  
Dental Clinic for Indigents  
Parks & Recreation  
Local Unit of Government Activity Report



BARDWELL

NACo

NACo Rural Action Caucus

Economic Development Corp/Brownfield Redevelopment - Charmont ribbon cutting went well.

Caro DDA/TIFA

MAC Economic Development/Taxation

Michigan Association of Counties – Board of Directors

MAC 7<sup>th</sup> District

Local Unit of Government Activity Report

TRISCH

Board of Health

Human Development Commission (HDC)

TRIAD

Economic Development Corp/Brownfield Redevelopment

Human Services Collaborative Council

Great Start Collaborative

Local Unit of Government Activity Report

Other Business as Necessary - None

Extended Public Comment - None

Closed Session – Labor Negotiations

13-M-236

Motion by Bierlein, seconded by Allen, at 9:06 a.m., that the board convene into closed session for labor negotiations to consider the legal opinions and memorandum of our attorneys which are exempt from public disclosure under the Michigan Freedom of Information Act.

Roll Call Vote: Yea – Allen, Bardwell, Trisch, Kirkpatrick, Bierlein. Nay – None. Motion Carried.

Reconvened from closed session at 9:35 a.m.

Meeting adjourned at 9:35 a.m.

Jodi Fetting  
Tuscola County Clerk

# 2

**GENERAL APPROPRIATIONS ACT – ADOPTING THE  
2014 TUSCOLA COUNTY BUDGET (Calendar Fiscal Year)**

WHEREAS, The Tuscola County Board of Commissioners has examined the financial reports and budget requests for 2014 of the various departments, agencies, offices, and activities (“Budgetary Centers”) which it, by law or by policy, must finance or assist in financing;

WHEREAS, The Board has taken into consideration the fact that there are certain required functions of county government or operations, which must be budgeted at serviceable levels in order to provide statutory and constitutionally required services and programs;

WHEREAS, The Uniform Budgeting and Accounting Act (“UBAA”), MCLA 141.421, et seq., requires that the Board enact a General Appropriation Act designed to appropriate for all county expenditures;

WHEREAS, The Board has reviewed the recommended budget for 2014 and believes the same to contain funds sufficient to finance all mandatory county funded services at or beyond a serviceable level;

NOW THEREFORE, BE IT RESOLVED, that the 2014 Tuscola County Budget, as detailed in the document attached which is incorporated by reference herein, is hereby adopted on a fund, activity, and line-item basis, subject to all County policies regarding the expenditure of funds and the conditions set forth in this resolution.

BE IT FURTHER RESOLVED #1, a public hearing has been held on the proposed 2014 budget following notice as required by law, including notice concerning the millage rates to be levied as required by the Uniform Budgeting and Accounting Act, P.A. 2 of 1978, as amended, the following tax rates are hereby authorized, certified, and reaffirm the previously adopted rates for the 2013 tax year (2014 Budget Year) for a total county levy of 8.4921 mills as listed in detail below:

**2013 AUTHORIZED TAX RATES – 2014 BUDGET**

<b>Purpose</b>	<b>Millage</b>	<b>Fund</b>
General Government Operations	3.9141 mills	General Operating
County Bridge & Local Streets	.4807 mills	Bridge
Senior Citizens	.2000 mills	Senior Citizens
Recycling	.1500 mills	Recycling
Medical Care Facility	.2500 mills	Voted Medical Care
Medical Care Facility Construction	1.0000 mills	Medical Care Construction
Road Patrol	.9000 mills	Road Patrol
Primary Roads/Streets	.9657 mills	Primary Roads
Mosquito Control	.6316 mills	Mosquito Control
<b>Total</b>	<b>8.4921 mills</b>	

BE IT FURTHER RESOLVED #2, that each budgetary center shall limit expenditures within the appropriations and accounts authorized and for purposes consistent with the name of the

account, and shall not attempt to expend funds that will result in an account deficit or at a rate that will eventually result in an account deficit;

BE IT FURTHER RESOLVED #3, that in order to expedite ongoing budget amendments, the County Controller/Administrator shall have the authority to transfer up to \$5,000 between non-wage/fringe benefit accounts within an adopted activity (departmental) budget without approval of the Board of Commissioners. However, any increase in a total activity budget appropriation requires Board of Commissioner approval.

BE IT FURTHER RESOLVED #4, that the Board is appropriating to the Child Care Funds with the understanding that such sums are reasonable and necessary for the Probate (Family) Court and Department of Human Services to meet critical needs in an adequate manner and without waiving the County's entitlement to 50% reimbursement from the State of Michigan as mandated by Michigan's Constitution;

BE IT FURTHER RESOLVED #5, that the sum of **\$49,606,771** as set forth in the budget adopted by this Board is hereby appropriated for the use by departments and for the use of defraying and paying boards of the County of Tuscola for all costs and expenses for the fiscal year ending December 31, 2014;

BE IT FURTHER RESOLVED #6, that said sums appropriated to and shall be available for expenditures from several funds in accordance with the law, and no obligation or liability shall be incurred, nor any vouchers drawn in payment thereof by any county department, which shall be confined to the objects or categories of expenditures and shall not exceed the amount appropriated therefore, as set forth in the categories of said budget;

BE IT FURTHER RESOLVED #7, that all County elected officials and county department heads shall abide by County Policies, as adopted and amended by this Board, and that these budgeted funds are appropriated contingent upon compliance with all financial and other policies of the County (Official copy of all county policies maintained in the Controller/Administrator's Office);

BE IT FURTHER RESOLVED #8, that all the approved full time and part time positions identified for various departments and funds in the budget, shall limit the number of employees who can be employed and no funds are appropriated for any position or employee not in the 2014 budget document. Further, there may be a need to increase or decrease various positions within the budget and/or impose a hiring freeze and/or impose lay-offs due to the unforeseen financial changes; therefore, the number of authorized full time and part time positions in the budget may be changed from time to time by the Board and/or the Board may impose a hiring freeze. The County elected officials and County department heads shall abide by whatever changes are made by the Board, if any, relative to the approved positions and the number of employees;

BE IT FURTHER RESOLVED #9, that certain positions contained in the budget which are supported in some part by a grant, cost-sharing, child care reimbursement, or other source of outside funding, are only approved contingent upon the County receiving the budgeted revenues. In the event outside funding is not received, then said positions shall be considered unfunded and removed from the budget as necessary;

BE IT FURTHER RESOLVED #10, that revenues received by the County under Public Act 106 and 107, 1985 (Convention Facility tax revenues) shall not be used to reduce the County's operating millage levy as defined by Public Act 2, 1986;

BE IT FURTHER RESOLVED #11, that in the event the Board imposes a hiring freeze and vacancies occur during the existence of that hiring freeze, the vacancies shall be considered and hereby declared to be vacated positions. Said vacated positions shall not be refilled except by specific Board authorization. Further, the existence of a hiring freeze which may be imposed by the Board shall be, and is hereby declared to be, contingent upon the expenditure of budgeted funds, as well as the position specifically listed on the approved position control number roster list;

BE IT FURTHER RESOLVED #12, that in accordance with Public Act 106 of 1985 and Public Act 2 of 1986, if 50% of the estimated Convention Facility Tax Revenues are not used to reduce the County's operating tax rate, then these funds shall be transmitted to the Substance Abuse Coordinating Agency with remaining revenues to be deposited in the County's general fund;

BE IT FURTHER RESOLVED #13, that the revenues received by the County under Public Act 264 of 1987 (Health and Safety Fund Act) shall not be used to reduce the County's operating millage levy;

BE IT FURTHER RESOLVED #14, that in accordance with Public Act 264 of 1987, that 12/17 of the estimated Cigarette Tax revenues not used to reduce the County's operating tax rate shall be used for other purposes specified by Public Act 264 of 1987, with the remaining revenues generated by PA 264 of 1987 to be used for other General Fund expenditures;

BE IT FURTHER RESOLVED #15, that the Controller/Administrator be, and is hereby appointed, Budget Administrator pursuant to the Uniform Budgeting and Accounting Act, MCLA 141.421 et. seq., with power to administer such duties in connection with said budget, as may from time to time, be delegated to the Office of Controller/Administrator by the Board of Commissioners;

BE IT FURTHER RESOLVED # 16, that the Budget Administrator be directed to disburse to the various agencies, the approved County appropriation on the basis of need as determined by the cash balances within their respective funds;

BE IT FURTHER RESOLVED #17, that the Controller is authorized to establish funds, activities, and line item accounts as necessary under the State Uniform Chart of Accounts to maintain effective financial accounting of county operations;

BE IT FURTHER RESOLVED #18, that inter-fund transfers are automatically approved on a quarterly basis in January, April, July, and October based on the quarterly transfer schedule included in the annual County Budget unless otherwise changed by the Tuscola County Board of Commissioners. Notification of any changes shall be submitted by the Controller/Administrator to the appropriate accounting offices;

BE IT FURTHER RESOLVED #19, that claims shall be paid by the Statutory Finance Committee following the normal claims approval process unless other payment provisions have been made by County Board action. By previous Board action, the Board Chairperson

and Finance Chairperson have the authority to approve payment of claims in advance of the regular claims approval process in situations to avoid not meeting payment deadlines, to avoid interest penalty charges and other situations deemed necessary by the Board Chairperson and Finance Chairperson;

BE IT FURTHER RESOLVED #20, that Maintenance of Effort payments may be paid from the Voted Medical Care Facility Fund #298 upon signature of the Medical Care Facility Director. Said claim is a fixed per day amount paid by the County to the State for patients housed at the facility;

BE IT FURTHER RESOLVED #21, that in conformance with the Uniform Budgeting and Accounting Act, the budget includes the following information;

- 1) Expenditure data for the most recently completed fiscal year.
- 2) An estimate of the expenditure amounts required to conduct, in the ensuing fiscal year, the government of Tuscola County.
- 3) Revenue data for the most recently completed fiscal year.
- 4) An estimate of the revenues, by source of revenue, to be raised or received by Tuscola County in the ensuing fiscal year.
- 5) The amount of surplus or deficit that has accumulated from prior fiscal years, together with an estimate of the amount of surplus or deficit expected in the current fiscal year.
- 6) An estimate of the amount needed for deficiency, contingent, or emergency purposes, and the amounts needed to pay and to discharge the principal and interest of the debt of Tuscola County due in the ensuing fiscal year.
- 7) The amount of proposed capital outlay expenditures, except those financed by enterprise, public improvement, or building and site, or special assessment funds, including the estimated total cost and proposed method of financing of each capital construction project and the projected additional annual operating costs of each capital construction project, and the projected additional annual operating cost of each capital construction projected for three (3) years beyond the fiscal year covered by the budget.

# 3

**Mike Hoagland**

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**From:** Meredith Shanle [MeredithS@mfc.com]  
**Sent:** Wednesday, December 04, 2013 2:20 PM  
**To:** mhoagland@tuscolacounty.org; Hahn, Tanya; mroot@tcmcf.org; mroedel@tcmcf.org; dennis.gilkey@chemicalbankmi.com; William.Collins@chemicalbankmi.com; pdonovan@tuscolacounty.org; Assistant to John Axe  
**Subject:** FW: Tuscola County Medical Care Facility Revenue Bond, Series 2013  
**Attachments:** r1-tus38.doc; r2-tus38.doc

Dear Mike:

I understand rather than considering the resolutions for the captioned project on Monday, December 9, 2013 at a special meeting of the Board of Commissioners, that your Board will consider them at their regular meeting on December 12, 2013.

I also understand the actual closing is currently scheduled for December 27, 2013 so that should cause no difficulty.

Accordingly, attached hereto please find the Bond Resolution as well as the Resolution Approving the Supplemental Agreement regarding the captioned project for the Board of Commissioners to consider at that meeting.

I will be happy to attend in person or we can handle it on the telephone as I did it the other day.

Thank you and as always please feel free to call me with any questions.

Very truly yours,

John R. Axe

**Meredith A. Shanle**  
President  
Municipal Financial Consultants Incorporated  
21 Kercheval Ave., Suite 360  
Grosse Pointe Farms, MI 48236  
313-884-9824 phone  
313-408-5990 cell  
313-884-0626 fax  
[merediths@mfc.com](mailto:merediths@mfc.com)

**COUNTY OF TUSCOLA**

At a \_\_\_\_\_ meeting of the Board of Commissioners of the County of Tuscola held at the H.H. Purdy Building in Caro, Michigan on \_\_\_\_\_, 2013, at \_\_\_:\_\_\_ .m., Eastern Standard Time, there were

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

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

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_;

**RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT CONCERNING TUSCOLA COUNTY MEDICAL CARE FACILITY REVENUE BONDS, SERIES 2013**

WHEREAS, the County of Tuscola, State of Michigan (the "County") pursuant to Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") is issuing the Tuscola County Medical Care Facility Revenue Bond, Series 2013 in the aggregate principal amount of \$4,600,000 (the "Bond") in order to make improvements to the Tuscola County Medical Care Facility by equipping Small Houses (the "2013 Project"); and

WHEREAS, Chemical Bank, Caro, Michigan (the "Bank") has agreed to purchase the Bond in order for the County to finance the 2013 Project; and

WHEREAS, it is necessary for the County and the Bank to enter into a supplemental agreement (the "Supplemental Agreement") in the form attached hereto as Appendix A.

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

1. The Board of Commissioners of the County hereby approves the Supplemental Agreement in the form attached hereto as Appendix A.
2. The Chairman of the Board of Commissioners of the County and the County Clerk are hereby authorized to execute the Supplemental Agreement in the form attached hereto as Appendix A.
3. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.
4. This Resolution shall be effective immediately upon its adoption.

A vote on the foregoing resolution was taken and was as follows:

YES: \_\_\_\_\_

\_\_\_\_\_

NO: \_\_\_\_\_

\_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_

The Resolution was declared adopted.

**CERTIFICATION**

The undersigned, being the duly qualified and acting Clerk of the County of Tuscola, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County at a \_\_\_\_\_ meeting held on \_\_\_\_\_, 2013, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the County, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Clerk

[SEAL]

las.r2-tus38



**APPENDIX A**  
**SUPPLEMENTAL AGREEMENT**  
**CONCERNING**  
**TUSCOLA COUNTY MEDICAL CARE FACILITY REVENUE BOND, SERIES 2013**

December \_\_\_\_\_, 2013

In connection with the Tuscola County Medical Care Facility Revenue Bond, Series 2013, in the principal amount of Four Million Six Hundred Thousand Dollars (\$4,600,000) (the "Bond"), and supplemental to the resolution of the Tuscola County Board of Commissioners authorizing issuance of the Bond (the "Resolution"), the undersigned agree to the following additional terms. Defined terms have the meanings specified in the Resolution:

1. Upon the request of Chemical Bank, Tuscola County will provide copies of the payment and performance bonds utilized in connection with the Project.
2. Tuscola County will promptly advise Chemical Bank of any claims made against the payment or performance bonds utilized in connection with the Project.
3. Tuscola County will notify the Community Bank President of Chemical Bank in Caro, Michigan of the date, time and location of each construction progress meeting for the Project, and allow a representative of Chemical Bank to attend those meetings.

In witness whereof, the parties have signed this Supplemental Agreement on the date indicated above.

TUSCOLA COUNTY

CHEMICAL BANK

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Dennis Gilkey,  
Community Bank President

By: \_\_\_\_\_

Title: \_\_\_\_\_

DRAFT OF 12/4/2013

COUNTY OF TUSCOLA

At a \_\_\_\_\_ meeting of the Board of Commissioners of the County of Tuscola held at the H.H. Purdy Building in Caro, Michigan on \_\_\_\_\_, 2013, at \_\_:\_\_ .m., Eastern Standard Time, there were

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

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

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_;

**RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS**

A RESOLUTION TO PROVIDE FOR IMPROVING AND ENLARGING THE MEDICAL CARE FACILITY; TO AUTHORIZE AND PROVIDE FOR THE ISSUANCE OF REVENUE BONDS TO PAY PART OF THE COST OF THE 2013 PROJECT, TO ESTABLISH A SINKING FUND TO PROVIDE FOR THE PAYMENT OF AND SECURITY FOR THE BONDS; AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO THE MEDICAL CARE FACILITY AND THE BONDS.

WHEREAS, the County of Tuscola, State of Michigan (the "County") is authorized by Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") to acquire property, real and personal, for the purpose of establishing, constructing and furnishing the Medical Care Facility and to acquire, construct, equip and operate a Medical Care Facility; and

WHEREAS, it is now necessary and desirable to make improvements to the Medical Care Facility by constructing and equipping Small Houses (the "2013 Project") in order to provide necessary services to the public and to accommodate existing and anticipated needs of the existing citizens of the surrounding area, all as described in Appendix A; and

WHEREAS, the Board of Commissioners has heretofore caused the preparation of plans and specifications, cost estimates and estimates of the useful life of the 2013 Project and such plans and specifications, cost estimates and estimates of useful life have now been completed and filed with the Board of Commissioners; and

WHEREAS, to finance all or part of the cost of acquiring, constructing and equipping the 2013 Project including costs of issuance, it is recommended that the Bonds (as hereinafter

defined) be issued in the aggregate principal amount of not to exceed \$4,600,000; and

WHEREAS, the net revenues from the operations of the Medical Care Facility are estimated to be at least the amounts set forth in Appendix B attached hereto.

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

Section 1. Definitions. Whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) "Act 94" means Act 94, Public Acts of Michigan, 1933, as amended.

(b) "Additional Bonds" means any additional bonds of equal standing with the Bonds issued pursuant to Section 27 hereof.

(c) "Bank" means Chemical Bank, Caro, Michigan.

(d) "Bond" or "Bonds" means the Tuscola County Medical Care Facility Revenue Bond, Series 2013.

(e) "Bond Registrar" means the Chemical Bank, Caro, Michigan.

(f) "Construction and Equipment Fund" means the fund established pursuant to Section 24 hereof.

(g) "Fiscal Year" means the fiscal year and operating year of the County which begins on January 1 and ends on the following December 31.

(h) "Issue Date" means the date on which the Bonds are issued and delivered to the Bank.

(i) "Maximum Annual Debt Service" means, at any point in time, with respect to Bonds then outstanding, the maximum amount of Debt Service Requirements becoming due in the then current or any future Fiscal Year.

(j) "Medical Care Facility" means the Tuscola County Medical Care Facility and all medical care facilities owned by the County and operated on behalf of the County by the Board of Commissioners in connection therewith and shall be construed to include all real property now or hereafter owned by the County in connection therewith and the buildings and medical care facilities and all other improvements and equipment now or hereafter located, constructed, installed or situated thereon.

(k) "Net Revenues" means Revenues remaining after deducting the Operation and Maintenance Expenses, defined below, of the Medical Care Facility.

(l) "Operation and Maintenance Expenses" means the reasonable, necessary current expenses of the Medical Care Facility paid or accrued in operating, maintaining, and repairing the Medical Care Facility. The term includes without limitation: (i) costs of collecting Revenues and making refunds; (ii) engineering, audit, legal and administrative expenses; (iii) salaries, wages and other compensation; (iv) costs of routine repairs, replacements and renewals; (v) costs of utility services; (vi) general administrative overhead of the Medical Care Facility; (vii) material and supplies used in the ordinary course of business; (viii) contractual and professional services; (ix) costs of insurance and fidelity bonds; (x) costs of carrying out provisions of the Resolution; (xi) the costs for any single item of \$50,000 or less with a useful life of less than five years; and (xii) all other routine costs and expenses or costs and expenses required to be paid by the Board of Commissioners by law. The term "Operation and Maintenance Expenses" shall not include any allowance for depreciation, amortization, nor any debt service.

(m) "2013 Project" means the improvements to the Medical Care Facility described in Appendix A.

(n) "Redemption Price" when used with respect to any Bond to be redeemed means the price at which it is to be redeemed pursuant to this Resolution, including accrued interest thereon.

(o) "Refund" or "Refunded" means with respect to Bonds, or any portion thereof specified, the payment thereof, or the provision for payment thereof by the deposit in trust of sufficient cash or sufficient Government Obligations, or any combination thereof.

(p) "Resolution" means this Resolution and any other resolution amendatory to or supplemental to this Resolution and shall include any resolution authorizing the issuance or sale of a series of Bonds.

(q) "Revenues" means (i) the income derived from the rates charged for the services, facilities and commodities furnished by the Medical Care Facility, (ii) the earnings derived from the investment of moneys in the various funds and accounts established by this Resolution, and (iii) any charges imposed for the use of the Medical Care Facility, but only to the extent permitted by applicable law; provided, however, that Net Revenues shall not include such earnings on the Construction and Equipment Fund.

(r) "Sinking Fund" means the fund created pursuant to Section 25 (s) of this Resolution and further described in appendix E attached hereto.

Section 2. Necessity; Public Purpose. It is hereby determined to be a necessary public purpose of the County to acquire, construct and equip the 2013 Project.

Section 3. Estimates of Period of Usefulness and Cost. The County hereby adopts the estimates of twenty-five years as the average useful life of the 2013 Project and \$4,600,000 as the cost of the 2013 Project, which estimates are now on file with the County. The estimated cost of the 2013 Project does not include capitalized interest on the Bonds.

Section 4. Authorization of Bonds-Purpose. The Bonds, aggregating the principal sum of not to exceed \$4,600,000, shall be issued and sold as revenue bonds pursuant to the provisions of Act 94 and the Code, for the purpose of paying all or a portion of the cost of the 2013 Project, and the costs of issuing the Bonds.

Section 5. Bond Details. The Bonds shall be designated "Tuscola County Medical Care Facility Revenue Bonds, Series 2013"; shall be dated as of December 1, 2013 or such other date as shall be determined by the County Controller/Administrator; shall be numbered from 1 upwards; shall be in the denominations bearing interest at a rate of 3.29% per annum, payable on June 1, 2014 and semi-annually thereafter on the first days of December 1 and June 1 in each year; issued as Serial Bonds and which shall mature on December 1 in each year as set forth in Appendix C attached hereto. The County may request an extension on the final maturity.

Section 6. Payment of Principal and Interest. The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Bonds to the Bond Registrar as they severally mature or are called for redemption. Interest shall be paid to the registered owner of each Bond and as shown on the registration books of the Board of Commissioners kept by the Bond Registrar at the close of business on the 15<sup>th</sup> day of the calendar month preceding the month in which the interest payment is due (the "Record Date"). Interest shall be paid when due by check or draft drawn upon and mailed by the Bond Registrar to the registered owner at the registered address; provided, however, the registered owner of Bonds in the aggregate principal amount of \$1,000,000 or more as of the close of business on the Record Date preceding any interest payment date, may by prior written instructions filed with the Bond Registrar on or before such Record Date (which instructions shall remain in effect until revoked by subsequent instructions), instruct that interest payments for any period be made by wire transfer to any bank located in continental United States. Interest on the Bonds

shall be computed on the basis of the 360-day year consisting of twelve 30-day months.

Section 7. Redemption of Bonds. The Bonds maturing on and after December 1, 2016 shall be subject to redemption prior to maturity at the prepayment penalties set forth in Appendix D attached hereto except that bonds in a principal amount of \$250,000 or less may be redeemed in any year without a prepayment penalty.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion as well as the amount not being redeemed each constitute an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the Bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the Bond a new bond in the principal amount of the principal portion not redeemed.

Section 8. Bond Registrar. The County has designated Chemical Bank, Caro, Michigan as Bond Registrar.

Section 9. Execution, Authentication and Delivery of Bonds. The Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chair of the Board of Commissioners and the County Clerk and authenticated by the manual signatures of an authorized representative of the Bond Registrar and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Bonds. After the Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the County Treasurer to the purchaser upon receipt of the purchase price. Additional Bonds bearing the manual or facsimile signatures of the Chair of the Board of Commissioners and the County Clerk and upon which the seal of the County (or a facsimile thereof) is impressed or imprinted may be delivered to the Bond Registrar for authentication and delivery in connection with the exchange or transfer of Bonds. The Bond Registrar shall indicate on each Bond the date of its authentication.

Section 10. Registered Bond. One fully-registered Bond in the amount of \$4,600,000 maturing as set forth in Appendix C attached to this resolution, will be issued to the Bank.

(b) Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of Bank, all payments with respect to the principal or redemption price of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively to the Bank.

Section 11. Transfer of Bonds. The Bond, at the option of the Bank, may be transferred to any subsidiary of the Bank.

Each Bond shall be transferable only upon the registration books of the County upon surrender of such Bond together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or the duly authorized attorney of the registered owner.

Upon the exchange or transfer of any Bond, the Bond Registrar, on behalf of the County, shall cancel the surrendered Bond and shall authenticate and deliver to the transferee a new Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond. If, at the time the Bond Registrar authenticates and delivers a new Bond pursuant to this section, payment of interest on the bonds is in default, the Bond Registrar shall endorse upon the new Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is \_\_\_\_\_."

The County and the Bond Registrar may deem and treat the person in whose name any Bond shall be registered upon the books of the County as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of an interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 6 of this Resolution shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid and neither the County nor the Bond Registrar shall be affected by any notice to the contrary. The County agrees to indemnify and save the Bond Registrar harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of Bonds, the County or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The Bond Registrar shall not be required to transfer or exchange bonds or portions of Bonds which have been selected for redemption.

Section 12. Replacement of Bonds. If any Bond shall become mutilated, the County, at the expense of the registered owner of the Bond, shall execute, and the Bond Registrar shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Bond Registrar of the mutilated Bond. If any Bond shall be lost, destroyed or stolen, evidence of ownership of the Bond and of the

loss, destruction or theft may be submitted to the Bond Registrar and, if the evidence is satisfactory to the County and the Bond Registrar and indemnity satisfactory to the Bond Registrar and the County shall be given, and if all requirements of any applicable law.

Section 13. Security for the Bonds and Credit Facility Obligations; Defeasance. (a) Except as hereinafter provided in this Section 13, the principal of and interest on the Bonds shall be payable solely from the Net Revenues (except to the extent payable from the proceeds of Bonds). To secure the payment of the principal of and interest on the Bonds, there is hereby created in favor of the holders of the Bonds, equally and ratably, a first lien, by Act 94 made a statutory lien, upon the whole of the Net Revenues.

(b) The lien on the Net Revenues shall continue until payment in full of the principal of and interest on all Bonds payable from the Net Revenues.

Section 14. Bondholders' Rights; Receiver. The registered owner or owners of the Bonds representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding, may, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien upon the Net Revenues, and may, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of all officials of the County under this Resolution, Act 94 and any other applicable provisions of law, including the fixing of sufficient rates, the collection of Revenues, the proper segregation of the Revenues and the proper application thereof. The statutory lien upon the Net Revenues, however, shall not be construed as to compel the sale of the Medical Care Facility or any part thereof.

If there is a default in the payment of the principal of or interest upon the Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the Medical Care Facility on behalf of the County, and under the direction of the court and by and with the approval of the court, to perform all of the duties of the officials of the County more particularly set forth herein and in Act 94.

The registered owner or owners of the Bonds shall have all other rights and remedies given by Act 94 and law for the payment and enforcement of the Bonds and the security therefor.

Section 15. Fixing and Revising Rates; Rate Covenant. The County covenants and agrees at all times to fix and maintain rates and charges for use of the Medical Care Facility as shall produce the greater of (i) amounts sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the Medical Care Facility as are necessary to preserve the same in good repair and working order,



to provide for the payment of the principal of and interest on all Bonds payable therefrom and for the creation and maintenance of a reserve therefor as required by this Resolution and to provide for such other requirements, expenditures and funds for the Medical Care Facility as this Resolution and Act 94 may require or (ii) an amount so as to produce during each Fiscal Year Net Revenues equal to the sum of (a) 130% of the Debt Service Requirements for such Fiscal Year, plus the amount necessary to permit the County to make the annual payments to the Sinking Fund as required by Section 25 Subsection (s) of this Resolution. The rates and charges shall be revised from time to time as may be necessary to produce these amounts. The rates and charges presently imposed by the County for the use of the Medical Care Facility are presently estimated to be sufficient to provide for the amounts required by this Resolution.

Section 16. No Free Service or Use. No free service or use of the Medical Care Facility, or service or use of the Medical Care Facility at less than cost, shall be furnished by the County to any person, firm or corporation, public or private, or to any public agency or instrumentality including the County or any municipality.

Section 17. Operating and Fiscal Year. The Medical Care Facility shall be operated on the basis of the Fiscal Year.

Section 18. Funds and Accounts; Flow of Funds. Commencing on the Issue Date, all Revenues shall be set aside as collected and credited to a fund to be designated MEDICAL CARE FACILITY RECEIVING FUND (the "Receiving Fund"). After the Issue Date, the Revenues credited to the Receiving Fund are pledged for the purpose of the following funds and shall be transferred or debited from the Receiving Fund periodically in the manner and at the times and in the order of priority hereinafter specified:

(a) OPERATION AND MAINTENANCE FUND:

Out of the Revenues credited to the Receiving Fund there shall be first set aside in, or credited to, a fund designated OPERATION AND MAINTENANCE FUND (the "Operation and Maintenance Fund"), monthly, commencing with the month in which the Issue Date occurs, a sum sufficient to provide for the payment of the next month's Operation and Maintenance Expenses.

(b) BOND AND INTEREST REDEMPTION FUND:

(i) There shall be established and maintained a fund designated BOND AND INTEREST REDEMPTION FUND (the "Redemption Fund"), the moneys on deposit therein from time to time to be used solely for the purpose of paying the principal of, redemption premiums (if any) and interest on the Bonds. The moneys in the Redemption Fund shall be kept on deposit with the Bond Registrar.

(ii) No further payments need to be made into the Redemption Fund after enough of the Bonds have been retired so that the amount then held in the Redemption Fund is equal to the entire amount of principal and interest which will be payable at the time of maturity of all the then outstanding Bonds.

(c) SINKING FUND:

There shall be established and maintained a sinking fund designated SINKING FUND (the "Sinking Fund"), pursuant to Section 25 subsection (s) of this Resolution.

(d) FUNDS TO BE MAINTAINED AT THE BANK: The Operation and Maintenance Fund, Bond and Interest Redemption Fund and Sinking Funds shall be maintained at the Bank.

Section 19. Depository and Funds on Hand. Moneys in the several funds and the accounts established pursuant to this Resolution, except moneys in the Redemption Fund and the Construction and Equipment Fund, may be kept in one or more bank accounts at a bank or banks designated by the County, and if kept in one bank account the moneys shall be allocated on the books and records of the County in the manner and at the time provided in this Resolution. The depository of all funds and accounts, except as otherwise specifically provided for herein, shall be those banks or trust companies designated from time to time as such by the County.

Section 20. Priority of Funds. In the event the moneys in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund and the Redemption Fund, any moneys or securities in other funds of the Medical Care Facility established under this Resolution (except moneys in the Construction and Equipment Fund) shall be credited or transferred first, to the Operation and Maintenance Fund and second, to the Redemption Fund, to the extent of any deficit therein.

Section 21. Investments. Except as herein otherwise provided, moneys in the funds and accounts established herein and moneys derived from the proceeds of sale of the Bonds may be invested by the County Treasurer in Investment Obligations. Investment of moneys in the Redemption Fund being accumulated for payment of the next maturing principal or interest payment of the Bonds shall be limited to Government Obligations or other Investment Obligations which are permitted under Act 94 bearing maturity dates on or prior to the date of the next maturing principal and/or interest payment date on the Bonds. Investment of the proceeds of Additional Bonds shall be in Investment Obligations in the manner established in the resolution authorizing the issuance of such Additional Bonds. Investment of moneys in the Sinking Fund shall be limited to obligations bearing maturity dates or subject to redemption, at the option of the holder thereof, not later than December 1, 2023. Profit

realized or interest income earned on investment of funds in the Receiving Fund, Operation and Maintenance Fund and Redemption Fund (including the Sinking Fund) shall be deposited in or credited to the Receiving Fund. Profit realized or interest earned on investments of moneys in the Construction and Equipment Fund shall be deposited in or credited as received to the Construction and Equipment Fund. Except as otherwise herein provided, investments shall mature at such times as it is estimated the funds therefrom will be required, but shall be limited to obligations bearing maturity dates or subject to redemption, at the option of the holder thereof, not later than December 1, 2023. Investments credited to the Sinking Fund shall be valued at least annually on each January 1 beginning the first January 1 after the Issue Date at par or at amortized value if purchased at other than par. Amortized value when used with respect to an obligation purchased at a premium above or discount below par, means the value as of any given time obtained by dividing the total premium or discount at which such obligation was purchased by the number of days remaining to maturity on such obligation at the date of such purchase or transfer and by multiplying the amount thus calculated by the number of days having passed since such purchase; and (i) in the case of an obligation purchased at a premium by deducting the product thus obtained from the purchase price, and (ii) in the case of an obligation purchased at a discount by adding the product thus obtained to the purchase price.

Section 22. Deposit of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited as follows:

There shall be deposited in the Construction and Equipment Fund the proceeds of the sale of the Bonds, which shall be used to pay part of the cost of acquiring and constructing the 2013 Project as provided in Section 24.

Section 23. Construction and Equipment Fund. (a) The portion of the proceeds of the sale of the Bonds deposited in the Construction and Equipment Fund pursuant to this Section shall be used as hereinafter provided. Moneys in the Construction and Equipment Fund shall be applied solely to the payment of the cost of the 2013 Project including architects fees, legal and financial advisor fees, and other expenses incident to the 2013 Project and to the cost of issuing the Bonds therefor. Payments for construction or equipment, either on account or otherwise, shall not be made unless the registered engineer in charge of such work shall file with the County Treasurer a signed statement to the effect that the work has been completed in accordance with the plans and specifications therefor, that it was done pursuant to and in accordance with the contract therefor, that such work is satisfactory and that such work has not been previously paid for. Payment of architects fees, legal and financial advisor fees, rating agency fees and other expenses incident to the financing of the 2013 Project and the costs of issuing the Bonds therefor shall be made upon submission of appropriate

documentation to the County Treasurer and approval of the Controller of the Medical Care Facility.

(b) Any unexpended balance of the proceeds of the sale of the Bonds, remaining after the completion of the 2013 Project, may be used, with the approval of the Michigan Department of Treasury, for the improvements, enlargement and/or extension of the Medical Care Facility and any remaining balance shall be paid immediately into the Redemption Fund and shall be applied in accordance with the provisions of Section 16 of Act 94.

(c) The Construction and Equipment Funds shall be maintained at the Bank.

Section 24. Qualified Tax-Exempt Obligations. The Bonds are designated as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code.

Section 25. Bond Form. The Bonds shall be in substantially the following form, with such changes and additions as shall be determined to be appropriate by the County.

UNITED STATES OF AMERICA  
COUNTY OF TUSCOLA, STATE OF MICHIGAN  
TUSCOLA COUNTY MEDICAL CARE FACILITY REVENUE BOND, SERIES 2013

INTEREST RATE    MATURITY DATE    DATE OF ORIGINAL ISSUE

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The County of Tuscola, State of Michigan (the "County"), acknowledges itself indebted to, and for value received, hereby promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at Chemical Bank in the County of Tuscola, Michigan, the Bond Registrar, or at such successor Bond Registrar as may be designated pursuant to the Bond Authorizing Resolution, and to pay to the Registered Owner as shown on the registration books at the close of business on the 15<sup>th</sup> day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the Bond Registrar by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from the Date of Original Issue or such later date through which interest has been paid, until the County's obligation with respect to the payment of such Principal Amount is discharged, at the Interest Rate per annum specified above. Interest is payable on the first days of June and December in each year, commencing June 1, 2014. Principal and interest are payable in lawful money of the United State of America. For the prompt payment of such principal and interest, the revenues of the Medical Care Facility (the "Medical Care Facility") including earnings on investments of funds of the County pertaining to the Medical Care Facility, after provision has been made for reasonable and necessary expenses of operation, maintenance and administration of the Medical Care Facility (the "Net Revenues"), are irrevocably pledged and a statutory first lien thereon has been created. Interest on this bond shall be computed on the basis of a 360-day year of twelve 30-day months.

This bond is a single bond (the "Bond"), aggregating the principal sum of \$4,600,000 maturing as set forth in ATTACHMENT I (ATTACHED TO THIS BOND), issued pursuant to the Bond Authorizing Resolution adopted by the Board of Commissioners of the County (the "Bond Authorizing Resolution") and pursuant to and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of paying part of the cost of constructing and equipping improvements to the Tuscola County Medical Care Facility, and paying the costs of issuing the Bonds.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing hereafter may be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Bond Authorizing Resolution.

Bonds maturing on and after December 1, 2016 shall be subject to redemption prior to maturity at the prepayment penalties set forth in Appendix D attached hereto except that bonds in a principal amount of \$250,000 or less may be redeemed in any years without a prepayment penalty.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion as well as the amount not being redeemed each constitute an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the Bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the Bond a new bond in the principal amount of the principal portion not redeemed.

This bond is a self-liquidating revenue bond and is not a general obligation of the County and does not constitute an indebtedness of the County within any constitutional or statutory, but is payable, both as to principal and interest, solely from the Net Revenues of the Medical Care Facility. The principal of and interest on this bond are secured by a statutory lien on the Net Revenues.

This Bond has been designated as "qualified tax-exempt obligations" for purposes of Paragraph 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The County has covenanted and agreed, and does hereby covenant and agree, to fix and maintain at all times while any bonds payable from the Net Revenues shall be outstanding, such rates for service furnished by the Medical Care Facility as shall be sufficient to provide for payment of the interest on and the principal of the Bonds and any other bonds payable from the Net Revenues as and when the same shall become due and payable, and to maintain a sinking fund therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the Medical Care Facility as are necessary to preserve the sale in good repair and working order, and to provide for such other expenditures and funds for the Medical Care Facility as are required by the Bond Authorizing Resolution.

This bond is transferable only upon the books of the County kept for that purpose at the office of the Bond Registrar by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Bond

Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Bond Authorizing Resolution and upon the payment of the charges, if any, therein prescribed. The County and the Bond Registrar shall not be required to register the transfer of or exchange any Bond selected for redemption.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the Bonds have been done and performed in regular and due time and form as required by law.

IN WITNESS WHEREOF, the County of Tuscola, State of Michigan, by its Commission, has caused this bond to be executed with the manual or facsimile signatures of the Chair of the Board of Commissioners and the County Clerk and a facsimile of its corporate seal to be printed on this bond, all as of the Date of Original Issue. This bond is not valid or obligatory for any purpose until the Certificate of Authentication on this bond has been manually executed by an authorized representative of the Bond Registrar.

COUNTY OF TUSCOLA

(Seal)

By: \_\_\_\_\_  
Chair of the  
Board of Commissioners

By: \_\_\_\_\_  
County Clerk

Certificate of Authentication

This bond is one of the bonds described in the within mentioned Bond Authorizing Resolution.

\_\_\_\_\_  
Bond Registrar

By: \_\_\_\_\_  
Authorized Representative

Date of Authentication:

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ this Bond and all rights hereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer this Bond on the books kept for registration thereof with full power of substitution in the premises.

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

Signature:

Notice: The signature(s) to this assignment must correspond with the name as it appears upon the face of this Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

The transfer agent will not effect transfer of this unless the information concerning the transferee requested below is provided:

Name and Address:

\_\_\_\_\_  
(Include information for all joint owners if bond is held by joint account) PLEASE INSERT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER OF TRANSFEREE

\_\_\_\_\_  
(Insert number for first named transferee if held by joint account)



**ATTACHMENT I TO BOND**

**MATURITY SCHEDULE**

Bond Debt Service							
Tuscola County Medical Care Facility							
10 Year Amortization							
			Dated Date	12/__/2013			
			Delivery Date	12/__/2013			
Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service	Bond Balance	Total Bond Value
6/1/2014			64,739.89	64,739.89		4,600,000	4,600,000
12/1/2014			75,670.02	75,670.02	140,409.91	4,600,000	4,600,000
6/1/2015			75,670.02	75,670.02		4,600,000	4,600,000
12/1/2015	165,000	3.290%	75,670.02	240,670.02	316,340.04	4,435,000	4,435,000
6/1/2016			72,955.74	72,955.74		4,435,000	4,435,000
12/1/2016	170,000	3.290%	72,955.74	242,955.74	315,911.48	4,265,000	4,265,000
6/1/2017			70,159.26	70,159.26		4,265,000	4,265,000
12/1/2017	175,000	3.290%	70,159.26	245,159.26	315,318.52	4,090,000	4,090,000
6/1/2018			67,280.52	67,280.52		4,090,000	4,090,000
12/1/2018	185,000	3.290%	67,280.52	252,280.52	319,561.04	3,905,000	3,905,000
6/1/2019			64,237.26	64,237.26		3,905,000	3,905,000
12/1/2019	190,000	3.290%	64,237.26	254,237.26	318,474.52	3,715,000	3,715,000
6/1/2020			61,111.74	61,111.74		3,715,000	3,715,000
12/1/2020	195,000	3.290%	61,111.74	256,111.74	317,223.48	3,520,000	3,520,000
6/1/2021			57,904.02	57,904.02		3,520,000	3,520,000
12/1/2021	200,000	3.290%	57,904.02	257,904.02	315,808.04	3,320,000	3,320,000
6/1/2022			54,613.98	54,613.98		3,320,000	3,320,000
12/1/2022	210,000	3.290%	54,613.98	264,613.98	319,227.96	3,110,000	3,110,000
6/1/2023			51,159.48	51,159.48		3,110,000	3,110,000
12/1/2023	3,110,000	3.290%	51,159.48	3,161,159.48	3,212,318.96		
	4,600,000		1,290,593.95	5,890,593.95	5,890,593.95		

END OF BOND FORM

Section 26. Covenants. The County covenants and represents to the registered owners of the Bonds that so long as any Bonds remain outstanding and unpaid as to either principal or interest:

(a) The County of Tuscola operates the Medical Care Facility (which county is the joint lawful owner of the Medical Care Facility), the Medical Care Facility is free from any and all liens and encumbrances, and the County of Tuscola has good right and lawful authority to encumber and pledge the revenues of the Medical Care Facility as such revenues are herein encumbered and pledged.

(b) The County shall maintain the Medical Care Facility in good repair and working order and shall operate it efficiently and shall faithfully and punctually perform all duties with reference to the Medical Care Facility required by the constitution and laws of the State of Michigan, including the making and collecting of sufficient rates for use of the Medical Care Facility and the segregation and application of the revenues of the Medical Care Facility in the manner provided in this Resolution. The County from time to time shall make all needed and proper repairs, replacements, additions and betterments to the Medical Care Facility so that the Medical Care Facility at all times may be operated properly and advantageously.

(c) The County covenants to adopt, prior to the commencement of each Fiscal Year, a budget for the Medical Care Facility demonstrating that for such Fiscal Year, the 2013 Projected Revenues are sufficient to cover the Operation and Maintenance Expenses of the Medical Care Facility and Debt Service Requirements for such Fiscal Year and any other financial obligations of the County under this Resolution or relating to the Medical Care Facility for such Fiscal Year. The County shall make such budget available to the registered or beneficial owners of any of the Bonds upon request.

(d) The County shall maintain and keep proper books of record and account separate from all other records and accounts in which shall be made full and correct entries of all transactions relating to the Medical Care Facility. Not later than six (6) months after the close of each Fiscal Year, the County shall cause to be prepared an annual audit of (i) such books of the record and account, showing the income and expenses of the Medical Care Facility during such Fiscal Year, and the assets and liabilities of the Medical Care Facility at the beginning and close of the Fiscal Year, and (ii) the books of record and account of the County for such Fiscal Year. Such audit shall be made by an independent certified public accountant who shall comment on the manner in which the County has complied with the requirements of this Resolution. The County shall file such audit with the Michigan Department of Treasury and with EMMA under SEC Rule 15c2-12 (the "Rule") and shall make such audit

available to the registered or beneficial owners of any of the Bonds upon request.

(e) The County will not sell, lease or dispose of the Medical Care Facility or any substantial part thereof until all of the Bonds have been paid in full as to both principal and interest or defeased in accordance with Section 13 hereof. This covenant shall not be construed to prohibit the disposition or lease of any property comprising part of the Medical Care Facility which is no longer necessary, appropriate or required for the use of the Medical Care Facility, or which is no longer necessary to the proper operation and maintenance thereof, or which may be sold and leased back to the extent such arrangement is permitted by law; provided, however, that the provision of this sentence shall not be construed to authorize or permit the sale, lease or disposition of any substantial part of the Medical Care Facility. The County at all times in its discretion shall be permitted to alter, repair or replace any buildings or structures or any part of the Medical Care Facility and appurtenances thereto as the County determines to be necessary for the Medical Care Facility.

(f) The County shall construct and equip the 2013 Project promptly and in accordance with the plans therefor.

(g) The County shall not, and to the extent permitted by law will not permit others to, operate any Medical Care Facility that will compete with the Medical Care Facility.

(h) The County shall not issue any Bonds or incur any indebtedness with a claim on Net Revenues prior to the lien of the Bonds.

(i) The County shall promptly comply with all of its obligations, covenants and duties required by this Resolution, and law with respect to the Medical Care Facility.

(j) The County shall take all action, and refrain from taking any action, that is necessary, including paying any rebates to the United States government that may be required by the Internal Revenue Code of 1986, as amended, which are hereby authorized to be paid from the Operation and Maintenance Fund as an expense of the Medical Care Facility, so as not to impair the exclusion of the interest on the Bonds from gross income for federal income tax purposes.

(k) The County covenants that the Medical Care Facility's net worth shall be maintained at a minimum of \$14,000,000 "net worth" shall be calculated from the annual audited financial statements of the Medical Care Facility as follows: the total assets less the total liabilities.

(l) The County covenants that the minimum debt service coverage will be 130% of annual principal and interest due in any

years beginning on January 1, 2014 through December 31, 2022 as set forth in Appendix C and which shall be determined annually from the annual audited financial statement of the Medical Care Facility.

(m) The County covenants that the default rate shall be 5.00% per annum.

(n) The County covenants that the Medical Care Facility will have management prepared financial statements of the Medical Care Facility submitted quarterly to the Bank within 60 days of quarter end and that the annual audited financial report of the Medical Care Facility will be submitted to the Bank within 120 days of year end.

(o) The County covenants that the Medical Care Facility will obtain consent from the Bank before any future borrowings secured by the net revenues of the Medical Care Facility.

(p) The County covenants that the revenue pledged in connection with the Bonds shall include revenues for the entire operation of the Medical Care Facility, including but not limited to the revenues of the buildings to be constructed with the proceeds of the Bonds.

(q) The County covenants that the Bonds will be held by the Bank or by its wholly-owned subsidiary, CFC Capital, Inc.

(r) The County agrees that the Medical Care Facility shall maintain a primary checking account at the Bank.

(s) The County agrees to establish a Sinking Fund for the retirement of the Bonds which mature on December 1, 2023 all as described in Appendix E attached hereto.

Section 27. Bank Investment Certificate. The Bank shall execute an Investment Certificate in the form attached hereto as Appendix F.

Section 28. Additional Bonds. The County shall not issue Additional Bonds of equal standing with respect to the Net Revenues without the permission of the Bank.

Section 29. Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution. The paragraph headings in this Resolution are furnished for convenience or reference only and shall not be considered to be part of this Resolution.

Section 30. Publication and Recordation. This Resolution shall be published in full in the Tuscola County Advertiser, a newspaper of general circulation within the area of the County of

Tuscola qualified under State law to publish legal notices, promptly after its adoption and shall be recorded in the official proceedings of the County and such recording shall be authenticated by the signature of the Chair of the Board of Commissioners and the County Clerk.

Section 31. Retention of Bond Counsel. The firm of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the County in connection with the issuance, sale and delivery of the Bonds.

Section 32. Retention of Financial Consultants. Robert W. Baird & Co., Columbus, Ohio, is hereby retained to act as financial consultant and advisor to the County in connection with the sale and delivery of the Bonds.

Section 33. Conflicting Resolutions. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

Section 34. Effective Date. This Resolution shall be effective immediately upon its adoption.

A vote on the foregoing resolution was taken and was as follows:

YES: \_\_\_\_\_  
\_\_\_\_\_

NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

The Resolution was declared adopted.

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**CERTIFICATION**

The undersigned, being the duly qualified and acting Clerk of the County of Tuscola, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County at a \_\_\_\_\_ meeting held on \_\_\_\_\_, 2013, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the County, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Clerk

[SEAL]

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**APPENDIX A  
TO  
BOND RESOLUTION**

**DESCRIPTION OF PROJECT**

The project will consist of the construction of an approximately 28 foot x 36 foot central storage/vehicle garage to house the Community's larger passenger vehicles (a 12 passenger bus and a 4 passenger van) plus two approximately 9,200 square foot, one-story, elder healthcare "small houses". Each small house is designed to provide skilled nursing care to 10 residents. Each house will contain 10 private bedrooms with private baths for the residents, plus all the social gathering spaces of a residential home including: the family/great room, open kitchen, dining room, three season room, TV/den, a spa-tub room, a covered front porch and an outdoor enclosed rear garden area. The small houses represent a new model of skilled nursing care for our elders who need long term care services, and that model is person-centered care, which focuses on the specific needs, interests and lifestyles of the individuals who make the small houses their home. But, the homes must also be designed to provide the same level of skilled nursing as the main facility, and therefore must meet all building and fire safety codes as well as federal and state licensing requirements for skilled nursing facilities and long term care nursing homes. Each small house will be equipped with a lift system and generator backup power. Each small house will have an approximately 1900 square foot basement to house mechanical systems and provide extra storage; they will also each have their own garage with severe weather room/tornado shelter. These garages will be attached to the small houses via a covered walkway to provide residents continuous shelter from the elements when transferring in/out of vehicles or moving between the house and the severe weather room. Security monitoring systems and all electronic communication systems for the small houses will be connected to the Community's main building and business annex as well. Other site work will include providing a service drive and walking/bike paths connecting the two small houses and newly constructed garage with the main facility and the business annex, plus landscaping and preparation of former cropland for future development.

**LEGAL DESCRIPTION OF PROPERTY**

Land situated in the Township of Almer, County of Tuscola, State of Michigan, described as follows:

Parcel 1:

Part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 13 North, Range 9 East, Almer Township, Tuscola County, Michigan, described as: Beginning at the East 1/4 corner of said Section 34, thence along the East line of said Section, South 275.00 feet; thence parallel to the East and West 1/4 line of Section 34, South 89 degrees 57 minutes 54 seconds West 949.29 feet; thence along the East line of the recorded plat of "Northwood Heights Subdivision No. 3" (platted as South 00 degrees 04 minutes 28 seconds East) and measured as North 00 degrees 07 minutes 09 seconds West 275.00 feet; thence along the East and West 1/4 line of Section 34, North 89 degrees 57 minutes 54 seconds East 950.24 feet to the East 1/4 corner of Section 34 and the point of beginning, except the Easterly 57 feet thereof.

Tax Item No. 050-034-000-2110-00

Parcel 2:

Part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 13 North, Range 9 East, Almer Township, Tuscola County, Michigan, described as: Beginning at the East 1/4 corner of said Section 34; thence along the East line of said Section, South 275.00 feet; thence continuing South 482.5 feet; thence West 949 feet; thence North 484 feet; thence North 89 degrees 57 minutes 54 seconds East 949.29 feet to the point of beginning, except the Easterly 57 feet thereof.

Tax Item No. 050-034-000-2100-00

Tax Parcel Number: 050-034-000-2110-00 and 050-034-000-2100-00

**PERIOD OF USEFULNESS OF PROJECT**

The period of usefulness of the 2013 Project will be not less than twenty-five (25) years.

**ESTIMATED COST OF PROJECT**

\$4,600,000

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APPENDIX B

ESTIMATED NET REVENUES  
FROM OPERATION OF THE MEDICAL CARE FACILITY

<u>Year</u>	<u>Estimated Net Revenues</u>
2014	\$ 250,000
2015	\$2,291,169
2016	\$2,315,413
2017	\$2,310,437
2018	\$2,310,437
2019	\$2,310,437
2020	\$2,310,437
2021	\$2,310,437
2022	\$2,310,437
2023	\$2,310,437

**APPENDIX C**  
**MATURITY SCHEDULE**

Bond Debt Service							
Tuscola County Medical Care Facility							
10 Year Amortization							
			Dated Date	12/__/2013			
			Delivery Date	12/__/2013			
Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service	Bond Balance	Total Bond Value
6/1/2014			64,739.89	64,739.89		4,600,000	4,600,000
12/1/2014			75,670.02	75,670.02	140,409.91	4,600,000	4,600,000
6/1/2015			75,670.02	75,670.02		4,600,000	4,600,000
12/1/2015	165,000	3.290%	75,670.02	240,670.02	316,340.04	4,435,000	4,435,000
6/1/2016			72,955.74	72,955.74		4,435,000	4,435,000
12/1/2016	170,000	3.290%	72,955.74	242,955.74	315,911.48	4,265,000	4,265,000
6/1/2017			70,159.26	70,159.26		4,265,000	4,265,000
12/1/2017	175,000	3.290%	70,159.26	245,159.26	315,318.52	4,090,000	4,090,000
6/1/2018			67,280.52	67,280.52		4,090,000	4,090,000
12/1/2018	185,000	3.290%	67,280.52	252,280.52	319,561.04	3,905,000	3,905,000
6/1/2019			64,237.26	64,237.26		3,905,000	3,905,000
12/1/2019	190,000	3.290%	64,237.26	254,237.26	318,474.52	3,715,000	3,715,000
6/1/2020			61,111.74	61,111.74		3,715,000	3,715,000
12/1/2020	195,000	3.290%	61,111.74	256,111.74	317,223.48	3,520,000	3,520,000
6/1/2021			57,904.02	57,904.02		3,520,000	3,520,000
12/1/2021	200,000	3.290%	57,904.02	257,904.02	315,808.04	3,320,000	3,320,000
6/1/2022			54,613.98	54,613.98		3,320,000	3,320,000
12/1/2022	210,000	3.290%	54,613.98	264,613.98	319,227.96	3,110,000	3,110,000
6/1/2023			51,159.48	51,159.48		3,110,000	3,110,000
12/1/2023	3,110,000	3.290%	51,159.48	3,161,159.48	3,212,318.96		
	4,600,000		1,290,593.95	5,890,593.95	5,890,593.95		

## **APPENDIX D**

### **PREPAYMENT PENALTIES**

There will be no prepayment penalty at any time if the amount of the prepayment is equal to or less than \$250,000 annually. Any prepayment greater than \$250,000 annually is subject to a 3% prepayment penalty during the first year, and a 2% penalty during the second year, and a 1% penalty during the third year. There are no prepayment penalties beyond the third year.

**APPENDIX E**  
**SINKING FUND**

The County agrees to create a Sinking Fund at the Bank from the net revenues of the Tuscola Medical Care Facility which will be used to retire the final maturity of the Bonds on December 1, 2023 of \$3,110,000 which Sinking Fund will be maintained at the bank and the County will be required from those net revenues to make the following annual payments into the Sinking Fund:

<u>Date</u>	<u>Amount</u>
December 1, 2014	\$ 150,000
December 1, 2015	\$ 150,000
December 1, 2016	\$ 150,000
December 1, 2017	\$ 150,000
December 1, 2018	\$ 150,000
December 1, 2019	\$ 150,000
December 1, 2020	\$ 150,000
December 1, 2021	\$ 150,000
December 1, 2022	\$ 150,000
December 1, 2023	\$1,545,000

The Sinking Fund will be invested by the County Treasurer in securities which are legal investments for the County which investments will be made pursuant to Section 21 of the Resolution.

None of the funds in the Sinking Fund may be invested at a rate of interest in excess of 3.29% per annum.

**APPENDIX F**

**INVESTMENT CERTIFICATE**

**COUNTY OF TUSCOLA  
\$4,600,000**

**Tuscola County Medical Care Facility Revenue Bond, Series 2013**

The undersigned, an authorized officer of the bank named below, acknowledges the purchase by such bank of Revenue Bonds representing \$4,600,000 principal amount of the County of Tuscola (the "Issuer") Tuscola County Medical Care Facility Revenue Bond, Series 2013 (the "Bonds") and in further consideration of such sale to it of such Bonds, and as an inducement thereto, hereby makes the following representations and warranties to the Issuer upon which the Issuer may rely in connection with the issuance and delivery of the Bonds and matters related thereto:

1. In connection with its business the undersigned holds an extensive portfolio of investment securities. It has experience in the taxable and tax-exempt municipal bond and Bond market, has knowledge and experience in financial and business matters and is capable of evaluating the merits and risks of investment in the Bonds.
2. The Purchaser has had ample opportunity to request information from the Issuer relating to the Issuer that the Purchaser deems necessary.
3. The Purchaser understands that the Bonds are secured in the manner set forth in the Bond Resolution adopted on December 9, 2013 by the Issuer (the "Bond Resolution"). The Purchaser has received and reviewed to its satisfaction a copy of the Bond Resolution.
4. The Purchaser acknowledges that neither the Issuer nor its agents have required a rating for the Bonds and further acknowledges that it is likely if such rating were requested at the present time that the Bonds would be rated at an investment grade.
5. The Bonds have not been registered under the Securities Act of 1933, as amended, or the Michigan Uniform Securities Act, as amended, because the Bonds are exempt from such registration requirements. The Bonds have not been registered under any Federal or State statute. The Purchaser is familiar with Federal statutes, rules and regulations and those of the State of Michigan relating to limitations and the public distribution of securities and will not make any sale

or other distribution of the Bonds in violation of such statutes, rules and regulations. The undersigned is purchasing the Bonds for its own investment portfolio or for the portfolio of a subsidiary bank only and not with a view to resell or distribute and will not sell or re-offer the Bonds except as permitted by law and subject to all applicable state and federal securities laws, rules and regulations.

**CHEMICAL BANK**

By: \_\_\_\_\_  
Dennis Gilkey  
President

Dated: \_\_\_\_\_, 2013

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VILLAGE OF AKRON  
4380 BEACH STREET PO BOX 295  
AKRON, MI 48701  
PHONE: 989-691-5540  
FAX: 989-691-5770

Mr. Michael Hoagland  
Tuscola County Controller  
207 E. Grant Street  
Caro, MI 48723

Dear Mr. Hoagland

At the Akron Village Council Meeting on Tuesday, November 19, 2013, the Village Council assessed the damage and the quotes and determined that the sign needed to be replaced due to the damage done during the accident. Attached please find a copy of a Police Report along with a quote from Universal Sign, for the Village Sign that was damaged when the Tuscola County Clerk, Jodi Fetting backed into it, twisting it. The total cost of this quote is \$4159.00.

As the sign is not able to close and lock properly and the corner part of the frame is now broken due to the accident, we would appreciate your timely cooperation in this matter.

If you have any questions or concerns, please feel free to contact me at 989-691-5540 or my Department of Public Works Supervisor Matthew Gauthier at 989-691-5721.

Sincerely,



Shari Hadaway  
Akron Village Clerk

Cc: Jodi Fetting, Tuscola County Clerk



# Quotation

QUOTE #	120784
DATE	November 7, 2013

**1701 STATE ST SAGINAW, MI 48602**  
**989-797-0055 • UniversalSign.us**

*Prepared by:* Jim Gray  
 989-797-0055

Customer: Village of Akron  
 Contact: Shari Hadaway  
 Address: 4380 Beach St, PO box 295  
 Address: Akron, MI 48701  
 Phone: 989-691-5540

**Comments or special instructions:** Sign Replacement

Quantity	Taxable	DESCRIPTION	UNIT PRICE	AMOUNT
1		Double sided 4' x 8' solid welded aluminum 8" deep cabinet, 16" name field section, 32" changeable copy section covered with lockable vandal covers, powder coated, UL listed, wired and lamped, we will reuse existing sign faces.	\$3,859.00	\$3,859.00
				\$0.00
				\$0.00
				\$0.00
1		Installation includes all hardware, labor	\$300.00	\$300.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
			<b>SUB TOTAL</b>	<b>\$4,159.00</b>
			<b>TAX RATE</b>	<b>6.00%</b>
			<b>SALES TAX</b>	<b>\$0.00</b>
			<b>TOTAL</b>	<b>\$4,159.00</b>

Approved by: \_\_\_\_\_  
 Please sign and fax to 989-797-8055

DATE \_\_\_\_\_ TOTAL

**THANK YOU FOR YOUR BUSINESS!**

Price subject to change due to changes on approved layout  
 terms- Minimum 50% down, remainder upon pickup/ completion unless other terms arranged  
 Depsit paid date \_\_\_\_\_



Authority: 1949 PA 300, Sec.257.622  
Compliance: Required MSP UD-10E  
Penalty: \$100 and/or 90 days (Rev 11/2006)

External # 102026  
Crash ID

Page 1  
Incident # 1320400134 File Class : 93001

# STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI: MI7920400 Department Name: Akron-Fairgrove Township Police Department  
Special Checks: Closed  
Reviewer: Chief Michael Scarborough (1)

Crash Date: 11/05/2013 Crash Time: 14:20 No. of Units: 01 Crash Type: Single  
Special Circumstances:  School Bus  None  Hit and Run  Deer  Fleeing Police

County: 79 - TUSCOLA Traffic Control: None Relation to Roadway: Other/unknown Special Study: None Weather: Clear Area: 19 - Non-traffic area

City/Twsp: 29 - AKRON Construction Zone (if applicable) Type: Lane Closed Activity: Light: Daylight Road Condition: Dry Total Lanes: 01 Speed Limit: Posted: No

Prefix: BEACH Road Name: Road Type: ST Suffix: Divided Roadway

Distance (ft.): 75.0 Feet E Traffic Way: 05 - Non-traffic Access Control: 04 - Non-traffic

Prefix: MALLORY Intersecting Road: Road Type: ST Suffix: Divided Roadway

Unit Number: 01 Unit Known: Yes State: MI Driver License Number: F352424778584 Date of Birth (Age): 07/29/1974 (39) License Type: Operator Endorsements: Cycle, Farm, Recreation Sex: F Total Occupants: 01 Hazardous Action: 11 - Improper backing

Unit Type: MV Driver Information: JODI SUE FETTING, 1020 VALLEY DR, CARO MI 48723 (989)672-3780 Injury: O Position: 01 Restraint: 04 Hospital: None

Driver Condition:  1  2  3  4  5  6  7  8  9  99 Interlock: No Ejected: Trapped: Airbag Deployed: Ambulance: None

Alcohol:  Yes  No Test Type:  Field  Refused  OPBT  Not Offered  Breath  Blood  Urine Test Results: Drugs:  Yes  No Test Type:  Blood  Urine Test Results: Citation issued:  Hazardous  Other

Vehicle Registration: 074X099 State: MI Insurance/Policy #: MICHIGAN MUNICIPAL RISK Towed To/By #: RETURNED TO DRIVER Special Vehicles: Private Trailer Type: Vehicle Defect:

VIN: 1FAHP63UX7A170337 Vehicle Description: FORD TAURUS Color: WHI Year: 2007 Vehicle Type: Passenger Car

Location of Greatest Damage: 04 First Impact: 04 Extent of Damage: 02 Drivable: Yes Vehicle Direction: S Vehicle Use: 08 - Other Government Use Action Prior: 07 - Backing

Sequence of Events: First: 45 - Other fixed object Second: Third: Fourth:

Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital

Carrier Information: Carrier Source: GVWR, ICCMC, USDOT, MPSC  
Driver's CDL Type: Endorsements: OH, OP, OT, OS, OX, CDL Exempt: Farm, Other, CDL Restrictions: 028, 029, 030, 035, 038

Owner Information: TUSCOLA COUNTY BUILDINGS & GROUNDS, 207 E GRANT ST, CARO MI 48723 (989)672-3700

Person Advised of Damaged Traffic Control: Contact Name: Contact Date: Contact Time: Damaged Property: TWO SIDE SIGN, VILLAGE OF AKRON, Phone: (989)691-5540

11/05/2013 1320400134

Unit Number	Unit Known	State	Driver License Number	Date of Birth (Age)	License Type <input type="radio"/> Operator <input type="radio"/> Chauffeur <input type="radio"/> Moped	Endorsements <input type="radio"/> Cycle <input type="radio"/> Farm <input type="radio"/> Recreation	Sex	Total Occupants	Hazardous Action	
Unit Type	Driver Information				Injury	Position	Restraint	Hospital		
Driver Condition Q1 Q2 Q3 Q4 Q5 Q6 Q7 Q8 Q9 Q99				Interlock	Ejected	Trapped	Airbag Deployed	Ambulance		
Alcohol Test Type		No Field	Refused PBT	Not Offered Breath	Blood	Urine	Test Results		Citation Issued Hazardous Other	
Vehicle Registration	State	Insurance/Policy #			Towed To/By #			Special Vehicles	Private Trailer Type	Vehicle Defect
VIN		Vehicle Description	Make	Model	Color		Year	Vehicle Type		
Location of Greatest Damage	First Impact	Extent of Damage	Driveable	Vehicle Direction	Vehicle Use			Action Prior		
Sequence of Events		First	Second	Third	Fourth					

(\* indicates MOST harmful event)

Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital	
				Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital	
				Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital	
				Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital	
				Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital	
				Injury	Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information				Carrier Source	GVWR	ICCMC	USDOT	MPSC	
				Driver's CDL Type	Endorsements OH OP OT ON OS OX	CDL Exempt OFarm OOther	CDL Restrictions Q28 Q29 Q30 Q35 Q38		
Interstate/Intrastate	Vehicle Type	Type and Axle	Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material OPlacard OCargo Spill		ID #	Class #

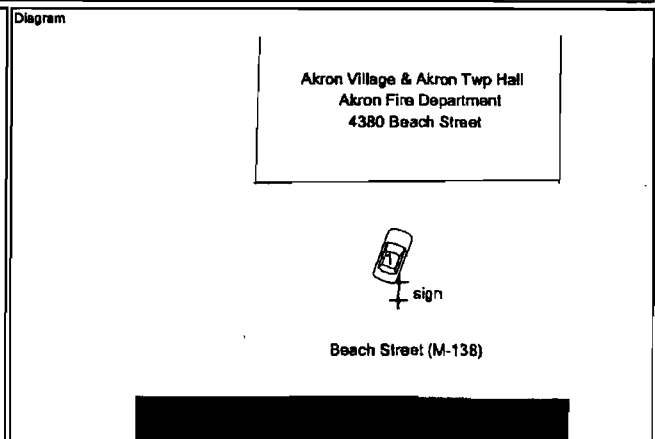
Owner Information				Owner Information					
-------------------	--	--	--	-------------------	--	--	--	--	--

Witness Information				Witness Information					
---------------------	--	--	--	---------------------	--	--	--	--	--

Investigated at Scene	Reported Date (Time)	1st Investigator Name (Badge)	2nd Investigator Name (Badge)	Photo By
Yes	11/05/2013 (14:30)	Chief Michael Scarborough (1)		

**Narrative**  
 Driver of vehicle # 1 was backing and struck the sign with the rear passengers side. Damage to both the vehicle and the sign.

External #: 102026  
 Incident #: 1320400134



11/05/2013 1320400134

STATE OF MICHIGAN



TUSCOLA COUNTY TRIAL COURTS

440 NORTH STATE STREET  
CARO, MICHIGAN 48723  
(989) 672-3800

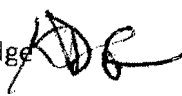
DONNA L. FRACZEK  
COURT ADMINISTRATOR

ADAM D. PAVLIK  
DEPUTY COURT ADMINISTRATOR

HON. KIM DAVID GLASPIE  
CHIEF JUDGE OF THE COURTS  
DISTRICT COURT JUDGE

HON. AMY GRACE GIERHART  
CHIEF JUDGE PRO TEMPORE  
CIRCUIT COURT JUDGE

HON. NANCY L. THANE  
PRESIDING JUDGE/FAMILY DIVISION  
PROBATE COURT JUDGE

TO: Tuscola County Board of Commissioners  
FROM: Honorable Kim David Glaspie, Chief Judge   
RE: Jury Board Vacancy  
DATE: November 25, 2013

Effective December 31, 2013, the appointment of Jury Board Member, Edward P. Jagosz, will end. Accordingly, the vacant position will be posted on the Tuscola Courts website and in the Courthouse.

Applications must be forwarded to me no later than Friday, December 20, 2013, so that I may make a recommendation to the County Board for approval of the appointment for 2014.

It would be appreciated if the Board would prepare a written commendation and recognize Mr. Jagosz for his dedicated service to Tuscola County and the Courts.

Thank you in advance for your attention to this matter.

#6

**Agreement for Extension Services provided by  
Michigan State University to TUSCOLA County  
Annual Work Plan FY 2014 (Exhibit A)**

**A. Specific Contributions by MSUE:**

1. At least 1.0 FTE Extension Educator whose primary office of operation will be the county Extension office included in the assessment.
2. 0 additional extension educators. Areas of Expertise: \_\_\_\_\_
3. 0 FTE - 4-H program coordinator(s) included in assessment whose primary office of operation will be the county Extension office.
4. 0 FTE - additional 4-H program coordinators/other paraprofessional.
5. Administrative oversight included in annual assessment.
6. Access to Extension Educators with expertise in each of the MSUE Institutes included in annual assessment.
7. Supervision of University provided academic and paraprofessional staff. Supervision of county clerical staff and/or county staff upon request. Supervision is included in the annual assessment.
8. Annual reporting of services provided, audiences served, and impact of programs in the county.

**B. Specific Contributions by the County:**

1. Office space for a County Extension office. The office will include space for at least one Extension educator, one 4-H program coordinator and one clerical staff person, access to space for delivering Extension programs, and utilities, including telephone. Office space will be available for additional MSUE and/or county staff as mutually agreed. The office must be provided high-speed internet sufficient to meet the needs of MSUE Personnel. Minimum standards for internet access can be found in Appendix A. The office space must be at least comparable to the average office space used by County employees.
2. Clerical staff for the Extension office that will perform clerical functions, including assisting county residents in accessing MSUE resources by office visit, telephone, email, internet and media. This can be a county employee or the county can contract with MSU for their services.
3. General operating expenses for the office and non-MSU Personnel.
4. The Assessment Fee and costs for additional personnel, as described above in Section A. If MSUE receives at least a 2% increase in appropriations from the State of Michigan (SOM), the County will be given a 3% credit, thereby leaving the assessment at the 2013 level.

**C. Assessment to County:**

MSU Assessment	\$ 52144
Credit to county from SOM appropriations	minus 4425
2014 TOTAL Assessment	\$ <u>47719</u>

**ADDITIONAL PERSONNEL**

1. Educator (.8 FTE) at \$73,336 \$9,167 per 0.1 FTE	\$ _____
2. 4-H Program Coordinators	
a. 1.0 FTE at \$56,650	\$ _____
b. 0.5 FTE at \$28,325	\$ _____
3. Support Staff at \$56,650 per FTE	
a. If contracted with MSUE <u>1</u> FTE	\$ <u>56,650</u>
4. Other Staff included in MOA	
a. Title and rate _____	\$ _____
5. Other: _____	\$ _____
<b>TOTAL COUNTY PAYMENT FOR 2014</b>	\$ <u><b>104,369.00</b></u>

For the period, January 2014 to December 2014, TUSCOLA County shall pay to MSUE \$ **104,369.00**, which is the cost of the assessment (minus the credit) plus any additional personnel costs. Payment will be made the first month of each quarter of the county fiscal year. Payments should be sent to

MSUE Extension Budget Office  
446 W. Circle Dr.  
160 Agriculture Hall  
East Lansing, MI 48824

MICHIGAN STATE UNIVERSITY  
  
By: \_\_\_\_\_  
Daniel T. Evon, Director,  
Contract & Grant Administration

TUSCOLA COUNTY  
  
By: \_\_\_\_\_  
  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

VYSE ADMINISTRATIVE SERVICES LLC.

3741 Wilder Rd. Vassar MI, 48768  
989-245-3481 e-mail [ikvyse@gmail.com](mailto:ikvyse@gmail.com)

December, 2013

Tuscola Area Airport Zoning Administrator's Annual Report

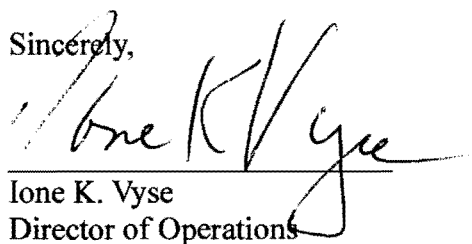
During the past year, 6 permits were issued for windtower sites in Fairgrove Township. These sights were in the conic zone of the airport footprint. Many other sites were passed to the Zoning Administrator by the State Aeronautics Board. Each of these was determined to be either below the permit height threshold or outside the airport footprint so no permit was necessary.

Vyse Administrative Services has continued to interacted with the State Aeronautics Board, the Tuscola Airport Authority and other related agencies regarding wind energy sites and their relationship to the Airport footprint.

Questioning of applicants about our permit processing has allowed us to continue to refine and streamline the application and provide more efficient processing.

It is expected that several applications will be received in 2014 as the wind energy sites move eastward and into the conic and inner horizontal zones where the permit height threshold is lower.

Sincerely,

  
Ione K. Vyse  
Director of Operations

DRAFT

**Tuscola County Board of Commissioners  
Committee of the Whole Meeting  
Monday, November 25, 2013 - 7:06 A.M.  
HH Purdy Building - 125 W. Lincoln, Caro, MI**

Commissioners Present: Roger Allen, Thomas Bardwell, Christine Trisch, Craig Kirkpatrick (via Google Hangouts), Matthew Bierlein

Commissioners Absent: None

Others Present: Mike Hoagland, Jodi Fetting, Mary Drier, Mike Miller, John Bishop, Eean Lee

**Finance**

Committee Leaders-Commissioners Trisch and Kirkpatrick

**Primary Finance**

1. **2014 County Budget Development** - Budget Meeting held Thursday, November 21, 2013 went well.
2. **Personal Property Tax – Change to Use Tax (Ballot Question in 2014)** - Tuscola County is being asked to support the potential ballot question.
3. **Death Certificates and Cremation Permits** - Matter to be handled at the Board Meeting today.
4. **Dental Program for Indigent** - Mike Hoagland provided an update.
5. **Inclement Weather Policy** - Current policy reviewed. Commissioner Allen would like detail in reference to power outage included.
6. **Medical Examiner System**
7. **New Method of Cost Sharing for MREC Legal Invoices** - Mike Hoagland reviewed documentation. Mike will provide further detail at an upcoming meeting.
8. **Child Care Fund Budget Amendment Request** - Requesting 2013 budget adjustment to be made at the Board meeting today.
9. **Service Consolidations** - Mike Hoagland is going to attempt to set up a meeting between Tuscola, Huron, Sanilac and Lapeer counties in 2014 to look at possibilities to work together in the future.

### On-Going Finance

1. Potential Re-Use of former Camp Tuscola - Matter Discussed.
2. Denmark Township Litigation Update
3. Register of Deeds Land Transaction Recordings Regarding Wind Energy - Project seems to be moving forward according to John Bishop, Register of Deeds.
4. Medical Care Facility Certificate of Need for Small House Project Update - Conference call with John Axe has been scheduled for Board Meeting today.
5. BC/BS Access Fees Lawsuit - Mike Hoagland informed the board that the matter will not be heard and will not move forward.
6. Health Insurance Affordable Care Act - County is continuing to work with Dan Skiver.
7. Requirements to Receive Full State Revenue Sharing - Mike Hoagland is continuing to work on.
8. Per Diems and Mileage for Boards and Commissions
9. eCivis Grant Writing Service
10. Joint Service Delivery Ideas
11. Tuscola "In Sync" – County Web Site, Micamp and GIS Review - Website design is progressing forward.
12. Natural Gas/Shale Resource Workgroup
13. Update DTE Fire Run Payments to Fire Departments - Matter has been resolved.
14. 911 Radio Purchases
15. Medical Examiner Police Chiefs Proposed Changes
16. Abused Neglected Child Care Costs
17. Jail Law Suit - Update provided.

### Personnel

Committee Leader-Commissioners Kirkpatrick and Trisch

#### Primary Personnel

1. **Hiring Freeze** - Matter to be further discussed in greater depth at next meeting.
2. **Appointments to Vacant Boards and Commissions** - Jodi Fetting, County Clerk, will send letters to current members whose terms are expiring to verify their continued interest. Reappointment matter to be on an upcoming December meeting.

#### On-Going Personnel

1. Court Personnel Policy Revisions - Matter will be reviewed at an upcoming meeting.
2. Equalization Waiver Request - Mike Hoagland reviewed draft letter to be sent.
3. Labor Negotiations - Closed Session scheduled for the Board Meeting today.



**Building and Grounds**

Committee Leader-Commissioners Allen and Bierlein

**Primary Building and Grounds**

1. **Tire Program Permit** - Matter discussed and to be handled at the Board Meeting today.
2. **Clean Sweep Grant** - Mike Miller discussed matter.

**On-Going Building and Grounds**

1. Cass River Greenway - Clean-up scheduled for Spring 2014.
2. Dead Ash Trees Roadway Problems/Concerns -
3. Fixed Asset Inventory - Mike Hoagland is recording all of the fixed county assets.
4. Jail Bed Addition Update - DOC coming tomorrow to look at the completion of the last phase. Then need approval from the State Fire Marshall. Once those approvals are received the section will be opened.
5. Update to the County Solid Waste Management Plan – EDC
6. State Police Post - Project is moving forward.
7. Office Relocations Lowest Level Courthouse - Juvenile Probation moved into their new space just over a week ago.

**Other Business as Necessary** - Government to Government initiative in which Oakland, Genesee, Lapeer and other counties are working together in technology movement.

**Public Comment Period** - None

**Closed Session** – None

Meeting Adjourned at 8:02 a.m.

Jodi Fetting  
Tuscola County Clerk

November 7, 2013

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, November 7, 2013 at 8:00 A.M.

Present: Road Commissioners John Laurie, Gary Parsell, Mike Zwerk, Julie Matuszak, and Pat Sheridan; County Highway Engineer Michele Zaverucha, Superintendent/Manager Jay Tuckey, Director of Finance/Secretary-Clerk Michael Tuckey.

Also Present: County Commissioner Roger Allen.

Motion by Parsell seconded by Matuszak that the minutes of the October 24, 2013 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$90,432.01 and bills in the amount of \$340,880.67 covered by vouchers #13-42 and #13-43 were presented and audited.

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

Brief Public Comment Segment:

None.

Management and the Board further discussed the Road Commission's group health insurance plan. Mr. Jack Schmitz with Burnham & Flower Insurance Company appeared before the Board to present the 2014 renewal rates from Blue Cross & Blue Shield of Michigan. Management and the Board also reviewed the current plan summary and the analysis of complying with Public Act 152 as well as the Health Care Reform Affordable Care Act. After the presentation and further discussion, the following motion was introduced:

Motion by Parsell seconded by Matuszak that the Road Commission accepts the 2014 renewal rates for its group health insurance plan, all in accordance with the Blue Cross & Blue Shield PPO-12A Plan and the Health Reimbursement Account as specified in the plan proposal, including the revisions of excluding office visit copays from the HRA and increasing the emergency room copay. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell that the Road Commission hire Nick Linzner as a full time employee in the Laborer classification effective immediately pending drug & alcohol testing; all in accordance with the Union Labor Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that due to the rejected job opening offer by Troy Hecht to fill the Laborer classification as previously approved at the October 24, 2013 regular meeting of the Board, approve the recommendation of the Superintendent/Manager to initiate the hiring process and background investigation on candidate finalist Larry Weller to fill one (1) hourly job opening within the Laborer classification. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to approve the Road Commission internally post one (1) hourly job opening within the Laborer classification at the Vassar Garage, all in accordance with the Union Labor Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Matuszak granting Jeff LeValley a Medical Leave of Absence through December 9, 2013, all in accordance with the Union Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell granting Lee Crosby a Medical Leave of Absence through December 20, 2013, all in accordance with the Union Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Matuszak granting David Kennard an extended Medical Leave of Absence through March 1, 2014. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board further discussed the removal of a fuel tank at the Vassar Division. Superintendent/Manager Jay Tuckey presented to the Board the final assessment report completed by Enviologic Technologies, Inc. After review and further discussion, the following motion was introduced:

Motion by Sheridan seconded by Matuszak that the Road Commission seek legal counsel to review the final assessment report completed by Enviologic Technologies, Inc. regarding the removal of a fuel tank at the Vassar Division. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan to approve an agreement between the Tuscola County Road Commission and Barton Malow Company to use the Tuscola County Road Commission as the permitting authority for roadwork on M-24 at Elmwood Road during the Cross Winds Energy Park Project. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board further discussed road damage caused in conjunction with a R.O.W. Permit issued to I.T.C. and MJ Electric. County Highway Engineer Zaverucha reported to the Board that the Road Commission's inspector will continue to work with I.T.C. to assess the road damages.

Management and the Board further discussed the Road Commission's truck fleet and capital equipment needs. Superintendent/Manager Jay Tuckey presented to the Board data, information, and options regarding the Road Commission's truck fleet. After review and further discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk to table the issue and further discuss the Road Commission's truck fleet at the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell that the Road Commission not issue another R.O.W. Permit to I.T.C. until the road damages caused in conjunction with a previous R.O.W. Permit are resolved, all pending the legal opinion from the Road Commission's attorney. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Matuszak that the Road Commission draft a Road Agreement with I.T.C. in conjunction with all future R.O.W. Permits issued to I.T.C. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

The Board requested a legal opinion regarding commissioners forming a committee to conduct employee performance evaluations.

Motion by Parsell seconded by Matuszak that the meeting be adjourned at 10:25 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

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Chairman

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Secretary-Clerk of the Board