

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

THURSDAY, MARCH 15, 2018 – 8:00 A.M.

**H. H. PURDY BUILDING BOARD ROOM
125 W. Lincoln Street
Caro, MI**

125 W. Lincoln Street
Caro, MI 48723

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

- 8:00 A.M. Call to Order – Chairperson Bardwell
Prayer – Commissioner Bardwell
Pledge of Allegiance – Commissioner Vaughan
Roll Call – Clerk Fetting
Adoption of Agenda
Action on Previous Meeting Minutes (See Correspondence #1)
Brief Public Comment Period for Agenda Items Only
Consent Agenda Resolution (See Correspondence #2)
New Business
 -Treasurer Request to Promote an Account Clerk II to Abstract/Tax
 Service Clerk (See Correspondence #3)
 -Request to Use Courthouse Lawn (See Correspondence #4)
 -Mosquito Abatement 2017 Annual Report
 -Board of Commissioner Authority/Responsibility-Commissioner
 Vaughan
 -Update from Region VII Area Agency on Aging (9:00 A.M.)
 Bill Sanders, Tuscola Representative
 Bob Brown, Director
 -First Quarter Review of 2018 Work Program (See Correspondence
 #5)
Old Business
 -Alternatives Regarding Road Commission Organizational Structure
 (See Correspondence #6)
Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

YOUNG

Dispatch Authority Board
County Road Commission Liaison
Board of Public Works
Senior Services Advisory Council
Saginaw Bay Coastal Initiative
Local Unit of Government Activity Report
MAC Agricultural/Tourism Committee
Strategic EDC Planning Committee

Jail Planning Committee
Genesee Shiawassee Thumb Works
Region VI Economic Development Planning
Tuscola 2020

VAUGHAN

Board of Health
Planning Commission
Economic Development Corp/Brownfield Redevelopment
Local Unit of Government Activity Report
Mid-Michigan Mosquito Control Advisory Committee
Parks and Recreation Commission
Tuscola County Fair Board Liaison

BIERLEIN

Genesee Shiawassee Thumb Works
Human Development Commission (HDC)
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Great Start Collaborative Council
Local Unit of Government Activity Report
MAC Board of Directors
Human Services Collaborative Council
MAC Judiciary Committee
Tuscola County College Access Network
MAC Agricultural/Tourism Committee
MEMS All Hazards

KIRKPATRICK

Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
MI Renewable Energy Coalition
MAC Environmental Regulatory – Vice Chair
Cass River Greenways Pathway
Local Unit of Government Activity Report
NACO- Energy, Environment & Land Use
Jail Planning Committee
Saginaw Bay Coastal Initiative
Tuscola In-Sync
Region VI Tourism Discussions

BARDWELL

Economic Development Corp/Brownfield Redevelopment

Caro DDA/TIFA

MAC Finance

MAC 7th District

Local Unit of Government Activity Report

TRIAD

Behavioral Health Systems Board

MAC Workers Comp Board

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 February 22, 2018 Full Board and Statutory Finance Minutes
- #2 Consent Agenda Resolution
- #3 Treasurer Office Promotion to Abstract/Tax Service Clerk Position
- #4 Request to Use Courthouse Lawn
- #5 First Quarter 2018 Work Program Review
- #6 Road Commission Organizational Structure Alternatives
- #7 March 12, 2018 Committee of the Whole Minutes
- #8 February 8, 2018 Road Commission Minutes
- #9 February 22, 2018 Road Commission Minutes
- #10 Michigan Supreme Court Review of Court Fees

Draft
TUSCOLA COUNTY BOARD OF COMMISSIONERS
February 22, 2018 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 22nd day of February 2018, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Kirkpatrick

Pledge of Allegiance – Commissioner Bardwell

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan (via Google Hangouts) (excused at 11:20 a.m.), District 4 - Craig Kirkpatrick (via Google Hangouts), District 5 – Matthew Bierlein

Commissioner Absent: None

Also Present: Mike Hoagland, Jodi Fetting, Eean Lee, Mike Miller, Tisha Jones, Clayton Johnson, Jim Matson, Dean Campbell, Susan Campbell, Nancy Laskowski, Chris Gusek, Ione Vyse, Ken Hecht, Mike Miller, Kim Green, Lisa Ozbat, Mark Trumbauer, Register John Bishop, Steve Anderson, Mike Behm, Angela Daniels, Shelly Lutz, Steve Anderson, Steve Erickson

Adoption of Agenda -
18-M-028

Motion by Young, seconded by Kirkpatrick to adopt the agenda as provided.
Motion Carried.

Action on Previous Meeting Minutes -
18-M-029

Motion by Bierlein, seconded by Young to adopt the meeting minutes from the February 8, 2018 meeting. Motion Carried.

Brief Public Comment Period for Agenda Items Only -

-Register Bishop asked the Board if the Economic Development Corporation (EDC) would be accepting payment to write the Wind Ordinance for Watertown Township as his concern is the EDC is not an attorney. Commissioner Bardwell stated he did not believe the EDC was going to pursue writing the ordinance.

Consent Agenda Resolution - None

New Business -

-Mr. Chris Gusek and Dr. Doug Link – Cattle Shelter Issue -

(Dr. Doug Link did not attend)

-Chris Gusek addressed the Board regarding the pending court cases against him and his wife. Commissioner Bardwell explained the case is pending in court and needs to proceed through the court system. Mr. Gusek asked the Board to intervene and it was explained unfortunately it is not at their discretion as separate branches of government. Mr. Gusek threatened the Board with litigation if action was not taken favorable to him. Commissioner Kirkpatrick expressed his empathy and said Mr. Gusek could keep in contact with Commissioner Vaughan.

-Potential Opioid Lawsuit – Behm & Behm -

-Attorney Mike Behm presented to the Board regarding the Opioid Lawsuit and the possibility of representing Tuscola County in the lawsuit. Tuscola County would be the only Plaintiff in this case filed to allow for any money awarded to come back directly to Tuscola County. If the lawsuit is unsuccessful, there would be no costs to Tuscola County. Attorney Behm discussed the options of the Plaintiff, who the planned Defendants would be and expected amount of personnel time to complete necessary research to gather the required information for the case.

Attorney Clayton Johnson stated the decision is up to the Board but does not see a stark downside to joining the lawsuit.

18-M-030

Motion by Bierlein, seconded by Young that the county join in the lawsuit against companies that manufacture and distribute opioid pain medication to pay for county and other damages caused by the opioid epidemic. Documents to enter into this lawsuit are authorized for signature contingent upon review and approval of county corporate council. Motion Carried.

-County Property and Liability Insurance Renewal -

Mike Hoagland provided an overview of the 2018 renewal presented by Michigan Municipal Risk Management Authority.

18-M-031

Motion by Young, seconded by Bierlein that per the February 19, 2018 communication from Tim McClorey (Michigan Municipal Risk Management Authority), that renewal of various county property, liability and other insurances for the 2018/2019 year be approved and all appropriate signatures are authorized. Motion Carried.

-Concur with Promotion of Missie Jaster from Property Appraiser I to Property Appraiser 2 -

Angie Daniels, Equalization Director, expressed her satisfaction that Missie Jaster completed her Level 2 Certification and is requesting her position be reclassified.

18-M-032

Motion by Young, seconded by Bierlein that per the February 12, 2018 correspondence from the Equalization Director, Missie Jaster be promoted from Appraiser 1 to Appraiser 2 effective February 12, 2018 because she has successfully passed the Michigan Certified Assessing Officer training and certification course. Motion Carried.

-Mosquito Abatement Requests

- Hiring of Staff for 2018 - Kim Green presented the staff roster for the 2018 Season.

18-M-033

Motion by Bierlein, seconded by Young that per the February 22, 2018 request of the Mosquito Abatement Director, that the following list of seasonal employees be authorized to be hired for the 2018 season. Actual hiring is contingent upon satisfactory physical, passage of state certification test and background check.

FIRST SHIFT 8:00 a.m. to 4:00 p.m.

- Kirk Bauer
- Matthew Downing
- Amos Perkins
- Mark Seelye
- Timothy Singer
- David Smith
- Warren Swackhamer
- Michael Westerby

LAB 8:00 a.m. to 4:30 p.m.

- Don Gohs
- Gavin Greer

FOREMAN 7:30 a.m. to 4:00 p.m.

- Thomas Perkins

ASSISTANT FOREMAN 7:30 a.m. to 4:00 p.m.

- Michael Sherman

OFFICE 8:00 a.m. to 4:30 p.m.

- Renee Raney
- Lisa Ozbat

EQUIPMENT TECHNICIAN 8:00 a.m. to 4:00 p.m.

- Larry Zapfe

SECOND SHIFT 5:00 p.m. to 1:00 a.m.

- John Adamczyk
- Jack Clark
- Matthew Dixon
- Kevin Gainforth
- Scot Garlick
- Lee Garnsey
- Garret Greer
- Rodney Hood
- Richard Lester
- Richard Myers
- William Owensby
- Michael Priestley
- Michael Ryan

ASSISTANT FOREMAN 4:30 p.m. to 1:00 a.m.

- Patrick Webster

FOREMAN 4:30 p.m. to 1:00 a.m.

- Patrick Dennis

NEW HIRES

- Joseph Benjamin
- Larry Howell
- Conner Langenburg
- Edward Raymond
- Brian Jones

Motion Carried.

- Purchase of ULV's -
Kim Green explained the purchase of ULV mounted sprayers that was budgeted for this year.

18-M-034

Motion by Young, seconded by Bierlein that per the February 22, 2018 request of the Mosquito Abatement Director that authorization is given to purchase two budgeted Promist Dura ULV Truck Mounted Sprayers from Clarke for a total amount of \$32,620.88. Motion Carried.

- Purchase of Treatment Materials -
Kim Green explained the sealed bid process used by the districts to receive a group discount.

18-M-035

Motion by Young, seconded by Bierlein that per the February 22, 2018 request of the Mosquito Abatement Director, the following treatment materials for the 2018 season be authorized for purchase for a total amount of \$114,024.50:

- Evoluer 4-4 (ULV Permethrin)
- BTI Granular
- BVA Oil
- Liquid BTI
- Altosid Pellets
- BTI Briquettes

Motion Carried.

- Wage Adjustment Requests -
Kim Green explained her concerns with not receiving enough applications to fill her seasonal positions. She has completed a wage study in neighboring districts. She is requesting to increase the wages to retain seasoned employees and attract new employees.

18-M-036

Motion by Young, seconded by Bierlein that per the February 22, 2018 request of the Mosquito Abatement Director, that effective with the 2018 season the following wage and other compensation changes be implemented for all Mosquito Abatement employees except the Director.

- Increase hourly pay by \$1.50 per hour.
- All seasonal full-time employees may qualify for up to 40 hours of inclement weather pay to be used at the discretion of the Director. This is only paid in the case of inclement weather.
- All full-time seasonal employees receive equivalent annual percent pay increase that all other non-union employees receive.
- All full-time seasonal employees receive one personal day per season approved by the Director.

Motion Carried.

Recessed at 10:05 a.m.

Reconvened at 10:17 a.m.

-Economic Development Corporation (EDC) Writing Wind Ordinance for Watertown Township - (continued below)

Commissioner Kirkpatrick attended the Watertown Township meeting and they were discussing the need to write a wind ordinance and solar ordinance. Vicky Sherry was at the meeting and offered assistance from EDC along with the opportunity to rewrite the master plan. Commissioner Kirkpatrick expressed his concern with the EDC becoming involved in writing the ordinances as the County needs to remain neutral. Board did discuss that if assistance is provided with the master plan that is a separate issue. Board would like to send a letter to the EDC advising to not partake in writing the wind ordinance.

-Debit/Credit Card System for Vanderbilt Park -

Commissioner Vaughan expressed his desire to have a card system available. Mike Hoagland would like to set up a meeting with Commissioner Vaughan and Eean Lee to develop a plan to move forward.

-Recycling Building Bids & Electrical, Windows and Roofing -

Mike Miller explained that due to not receiving any bids for the recycling project that he has decided to be the General Contractor. He has applied for the permits through SCMCCI and has been approved.

18-M-037

Motion by Bierlein, seconded by Young that the bid for electrical work at the recycling building be awarded to Ken Martin Electric who was the low bidder for an amount of \$34,700.00. Motion Carried.

18-M-038

Motion by Young seconded by Bierlein that the bid for windows at the recycling building be awarded to Dave's Glass who was the low bidder for an amount of \$6,750.00. Motion Carried.

18-M-039

Motion by Bierlein, seconded by Young that the bid for carpet replacement at the Sheriff's Office (jail) be awarded to Warju Carpeting who was the low bidder for an amount of \$3,609.19. Motion Carried.

-Building and Grounds Director Update Regarding Gasoline Purchases -

Mike Miller explained that Speedway Corporation has contacted him regarding setting up an account for gas purchases. Speedway has been awarded the MiDeal contract and can offer a discount on each gallon of gas purchased. Board agreed to proceed with implementation of the program.

-Millage Renewal Planning -

Mike Hoagland, Angie Daniels and Jodi Fetting are planning to meet and look at what millages need to be placed on upcoming elections.

-Behavioral Health Recommended Reappointment of Board Members -

Letter of request for reappointment of Board Members was received.

18-M-040

Motion by Young, seconded by Bierlein that per the February 15, 2018 letter of request from Behavioral Health Systems that the following individuals be re-appointed to the Behavioral Health Systems Board for three year terms ending March 31, 2021:

- Thomas Bardwell
- Marianne Harrington
- Janet Huff
- Brenda Ryan

Motion Carried.

- EDC Writing Wind Ordinance for Watertown Township - (see above)
 - Steve Erickson assured the Board that the EDC is not interested in writing ordinances. The EDC will continue to assist with master plans.

Old Business -

- Medical Examiner Grant Application - Mike Hoagland updated the Board that they have backed off from the grant as more preparation is needed. There is a possibility that the morgue in Genesee County could be used.
- Wind Energy Stakeholder Committee Report - Mike Hoagland distributed to the Board prior to the meeting.
- Indigent Defense Update - Mike Hoagland updated the Board regarding a letter received from Judge Gierhart as to how the State is looking to fund the program. A watch will need to be kept on proposed legislation.
- MCDC Dental - Mike Hoagland has updated Ann Hepfer and Ann agreed to move forward.
- Update Regarding Airport Zoning Board of Appeals (AZBA) - Mike Hoagland updated the Board from the meeting last week. He expressed his appreciation to Clerk Fetting for assisting in organizing the meeting. Also, the Board expressed their appreciation to Clerk Fetting for assisting William Campbell and the AZBA with the secretarial duties.

Correspondence/Resolutions -

- Tuscola Stars nominations are due.
- Region VII Area on Aging - Dues invoice was received.
- Beverly Kulkusky - Juniata Township resident submitted a letter to the Board.
- Nextera - Postcards from various residents were received by the Board.

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

- Economic Development Corp/Brownfield Redevelopment - Meeting was yesterday and update provided on 26 proposed projects.
- Caro DDA/TIFA - Cancelled.
- MAC Finance - Next Month.
- MAC 7th District - Date Needed.
- Local Unit of Government Activity Report - No Report.
- TRIAD - Phone scams are still very prevalent.
- Behavioral Health Systems Board - Meets tonight.
- MAC Workers Comp Board

YOUNG

Dispatch Authority Board - Meets in March
County Road Commission Liaison - Meets today.
Board of Public Works - Cancelled.
Senior Services Advisory Council - Meets in March.
Saginaw Bay Coastal Initiative - No Report.
Local Unit of Government Activity Report - Attending the upcoming Village of Cass City meeting to provide a report on behalf of the Board.
MAC Agricultural/Tourism Committee
Strategic EDC Planning Committee
Jail Planning Committee
Genesee Shiawassee Thumb Works
Region VI Economic Development Planning
Tuscola 2020 - Meets in April.

VAUGHAN - No Report

Board of Health
Planning Commission
Economic Development Corp/Brownfield Redevelopment
Local Unit of Government Activity Report
Mid-Michigan Mosquito Control Advisory Committee
Parks and Recreation Commission
Tuscola County Fair Board Liaison

BIERLEIN

Genesee Shiawassee Thumb Works
Human Development Commission (HDC)
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Great Start Collaborative Council - March 8, 2018, 6:00 p.m. Imagination Library Fundraiser
Local Unit of Government Activity Report
MAC Board of Directors - Attending the NaCO Conference in Washington D.C.
Human Services Collaborative Council
MAC Judiciary Committee - Meets Monday.
Tuscola County College Access Network
MAC Agricultural/Tourism Committee
MEMS All Hazards - Get your flu shot.

KIRKPATRICK

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison

MI Renewable Energy Coalition

MAC Environmental Regulatory – Vice Chair

Cass River Greenways Pathway - Provided an update to the clean-up efforts to the Cass River. There have been clean-up locations scheduled for 2018. Tom Lounsbury is planning a multi-day kayaking trip on the Cass River this summer.

Local Unit of Government Activity Report

NACO- Energy, Environment & Land Use

Jail Planning Committee - Sheriff Skrent is looking to do a jail evaluation.

Saginaw Bay Coastal Initiative

Tuscola In-Sync

Region VI Tourism Discussions

Commissioner Vaughan excused at 11:20 a.m.

Other Business as Necessary - None

Extended Public Comment -

-Nancy Laskowski, Juniata Township - FAA has denied the applications as they are not completed and have not been paid for. Would like the ordinance to be further reviewed.

-Ione Vyse - There has been no change at the airport in regards to the map. Our airport map uses arcs and tangents not circles. The proposed runway has been in the plan for 15 or 20 years but has not been acted upon. It is still included in the plan.

-Mark Trumbauer - Addressed the Board regarding the recent article that referenced the presumed hazards. He explained his experience with why a presumed hazard is issued and how it can be cleared up.

-Susan Campbell - Expressed her concern as to how rudely she was treated at the Juniata Township Planning Commission meeting. She would still like the option of a moratorium explored.

-Register John Bishop - Expressed his concern with the opioid lawsuit team that has been hired and for the county to keep track of the amount of time the attorney works on our case. He also asked if the rate for the attorney could be negotiated.

-Clerk Jodi Fetting, with two fellow County Clerks, met with the MAC General Government Committee. Clerk Fetting reported the meeting went well and the various topics that were discussed.

Meeting adjourned at 11:48 a.m.

Jodi Fetting
Tuscola County Clerk

Statutory Finance Committee Minutes
February 22, 2018
H.H. Purdy Building
125 W. Lincoln St, Caro MI

Meeting called to order at 11:49 a.m.

Commissioners Present: Young, Bardwell, Bierlein

Commissioners Absent: Vaughan, Kirkpatrick

Also Present: Mike Hoagland, Jodi Fetting, Tisha Jones

Claims and Per Diems were reviewed and approved.

Public Comment - None

Meeting adjourned at 11:52 a.m.

Jodi Fetting
Tuscola County Clerk

'DRAFT'

COUNTY OF TUSCOLA

STATE OF MICHIGAN

RESOLUTION TO ADOPT CONSENT AGENDA

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the Village of Caro, Michigan, on the 15th day of March, 2018 at 8:00 a.m. local time.

COMMISSIONERS PRESENT:

COMMISSIONERS ABSENT:

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

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move to receive the 2017 Year-End Financial Report as prepared by the Controller-Administrator and place on file.

Agenda Reference: B

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move to authorize the total 2017 transfer of \$500,000 from the GF to the equipment-technology fund and approve 2017 corresponding budget amendments.

Agenda Reference: C

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move to authorize the total 2017 transfer of \$123,964 from the GF to the capital improvement fund and approve 2017 corresponding budget amendments.

Agenda Reference: D

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that the County Medical Care Facility millage renewal language stated below be submitted to the County Clerk for inclusion on August 2018 primary election ballot (Medical Care Facility administrators have agreed to the renewal request and the county attorney has reviewed and approved the language).

**TUSCOLA COUNTY
MEDICAL CARE FACILITY RENEWAL**

For a period of ten (10) years, from 2019 and continuing through 2028, inclusive, shall the expiring previously voted increase in the taxable property rate limitation of Tuscola County be renewed at the rate of .25 mills (\$.25 for each \$1,000 of taxable value) to provide funds for the County's medical care facility? If approved and levied in its entirety, this millage raises an estimated \$434,465 in the first calendar year after its approval. All revenue will be disbursed to Tuscola County and shall be exclusively used for operation of the County's medical care facility.

Agenda Reference: E

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that per the recommendation of the Sheriff, to authorize hiring the National Sheriff's Association to conduct an assessment of the County jail for an amount of \$10,000. Scope of work to be performed is as explained in the March 6, 2018 proposal from the National Sheriff's Association. Also, all appropriate documents are approved for signature. Costs for said assessment to be paid from the 488 Jail Capital Improvements Fund and appropriate budget amendments are authorized.

Agenda Reference: F

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that the letter of resignation from the Deputy County Treasurer (Susan Jensen) be received and placed on file with said resignation to be effective March 16, 2018.

Agenda Reference: G

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that the bid for steel for the building at the new recycling center be awarded to Keys who was the low bidder for an amount of \$19,642.

Agenda Reference: H

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that the bid for masonry work at the new recycling center building be awarded to Keys who was the only bidder for an amount of \$8,150.

Agenda Reference: I

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that roof replacement for the building at the new recycling center be awarded to Rickwalt who was the low bidder for an amount of \$26,505.

Agenda Reference: J

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that plumbing/mechanical work for the building at the new recycling center be awarded to Burkhard who was the low bidder for an amount of \$28,794.

Agenda Reference: K

Entity Proposing: COMMITTEE OF THE WHOLE 3/12/18

Description of Matter: Move that per the February 26, 2018 letter of request to use the Courthouse lawn from the Future Youth Involvement group for a Run-Walk event on April 21, 2018 be approved.

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

YEAS:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

Thomas Bardwell, Chairperson
Tuscola County Board of Commissioners

Jodi Fetting
Tuscola County Clerk

INTERNAL POST

Applications are being accepted through March 14, 2018 4:00 P.M. for a full-time, thirty-seven (37.5) hours per week Abstract/Tax Service Clerk position with the Treasurer's Department.

Abstract/Tax Service Clerk

General Statement of Duties:

Performs technical clerical work maintaining the county's land records, legal descriptions and other information for property tax purposes, maps and associated records and other duties as may be assigned.

Examples of Work, Duties and Responsibilities:

- Enter all land divisions into master tax records
- Print assessment rolls and assessment notices
- Concur with Equalization that all parcels are input in master tax records
- Enter land transfers into master tax records
- Print work rolls for assessors
- Certify deeds
- Research PRE denials
- Help researchers with questions
- Work with township treasurers regarding tax issues
- Work with township assessors regarding legal description issues
- Work with taxpayers regarding legal description issues
- Prepare manual splits
- Prepare rolls for tax mapping
- Research foreclosure problems
- Print personal property statements
- Assist office personnel with customers or tax problems
- Communicate with multiple departments at State of Michigan
- Change taxpayers addresses
- Map legal descriptions for customers, other depts. & gov't entities
- Change software format for all forms that are produced
- Have a good knowledge of legal descriptions of property
- Ability to make mathematical computations and calculations
- Able to interpret property sale documents and make judgments as to the meaning of the document for property tax purposes.
- Able to use computer hardware and software and other equipment as needed to complete work
- Able to exercise tact and courtesy in stressful situations
- Ability to elicit information in person and by phone
- Able to lift and move tax rolls, boxes of paper, etc.
- Familiar with State Tax Commission calendar deadlines

Experience and Training:

Must possess experience in working with legal descriptions as described above and training in property tax administration, abstract and land title work or any combination of experience and training which provides the required knowledge, skills and abilities.

Applications are available at www.tuscolacounty.org. Interested applicants should submit their applications via mail to the Tuscola County Controller's Office, 125 W. Lincoln St., Caro, MI 48723, fax at 989-672-4011, or email at Human-Resources@tuscolacounty.org. Please no phone calls.

Posting Date: March 7, 2018



National Day of Prayer

P. O. Box 289 Caro, MI 48723
(989) 673-2500 (cell 989-545-0279)

March 12, 2018

Board of Commissioners (672-3700)
125 W. Lincoln Street
Caro, MI 48723

Dear Chairman of the Tuscola Board of Commissioners:

This is our annual request to hold the National Day of Prayer gathering on the Tuscola County courthouse lawn on **Thursday, May 3, 2018**. We plan to meet at 12:00 noon until 1:00 p.m.

We also request permission to put up our banner a few days ahead as we have done in the past; as well as to put up a tent for the event. (The tent would go up the day before or the morning of the event and taken down that day or the next.)

As previously, we would need your approval for the use of an electrical outlet for a portable sound system and the building codes department. We will pick up any paper trash left behind.

If you have any questions, please call me at 989-545-0279. Thank you.

Sincerely,

Nancy Matuszak

Nancy Matuszak
National Day of Prayer Volunteer Coordinator

2018 WORK PROGRAM
(First Quarter Update)

Finance

- 1. Prepare the 2017 Comprehensive Annual Financial Plan (Audit) and 2019 County Budget.
2017 CAFR (audit) preparation is underway will be completed 6/30/18.....Pre-CAFR 201 financial summary had been presented by Controller, 2019 budget development will begin in August.....
- 2. Update the multi-year county financial plan.
Work to begin in April.....
- 3. Determine if a new method of paying personal property taxes will be implemented.
Minimal information at this point in time.....
- 4. Determine if the county is paying reduced water rates to Caro for facilities along M24, Deckerville and Luder Roads or if this property needs to be annexed to realize reduced water rates.
Waiting on response from City of Caro.....need to inquire again.....
- 5. Convert all county funds, activities and accounts for compliance with the State Uniform Chart of Accountants.
Underway.....
- 6. Develop a plan for use of concealed weapon permit revenue.
Not started.....need assistance from County Clerk and Finance Committee.....
- 7. If enough petitions are signed conduct an election in 2018 and vote to determine if Sunday Liquor sales will be allowed or not allowed. If an election is held then the county budget will have to be amended to fund said special election cost.
Enough petitions need to be submitted by May 1, 2018 and ballot language prepared May 15, 2018 to hold an August 2018 Vote.....
- 8. Determine when the Northwest Drain final bond payment will be made resulting in a substantial reduction in county drain-at-large costs.
Our current understanding is this reduction would occur for the 2019 county budget.....
- 9. Review County Treasurer investment reports.
To be completed within the next month.....
- 10. Bid county annual county audit.
Request for proposals will be prepared and submitted within the next couple of months.....
- 11. Update local unit of government fund and county fund balance information.
Will be done in July when current audit information is available.....

12. Determine if the state will fund the Indigent Defense Plan and make budget amendments and other changes if state funding is provided.
Governor proposed method of funding is unacceptable to counties and courts – trying to get the funding method changed.....
13. Obtain regular updates regarding child care fund costs and trends.
On-going.....
14. Evaluate what will done with Voted Veterans Fund balance.
Ask for assistance from Health Department officials.....

Wind and Solar Energy

1. Update county WT revenue projections and assess the impact of this source of revenue on current and future county operational abilities.
Assessment of the actual amount of WT revenue received to date has been completed.....updated projected WT revenue is not completed.....may want to incorporate all information into multiple year financial planning.....
2. Monitor WT development to determine if the Consumers Energy and NextEra projects will proceed and the timelines for completion.
NextEra project in Ellington and Almer Townships is still in litigation.....NextEra project in Juniata and Fairgrove Townships will be reviewed by the Airport Zoning Board of Appeals soon.....combined there are an estimated 120 WT at issue.....Consumer Energy has a 33 turbines planned for construction in 2019 or 2020.....
3. Work with the Michigan Renewable Energy Collaborative and state elected representatives to resolve through legislation remaining WT assessing/taxation disputes.
This has been an on-going issue for at least 6 years.....currently a potential legislative solution is being developed.....
4. Gather information and gain a better understanding of solar energy in terms of land usage, assessing and taxation.
Information has been prepared but not made available to local governments.....

Fringe Benefits

1. Evaluate cost containment that has been achieved with retirement system changes.
An assessment is being conducted.....should be completed by mid-year for presentation.....
2. Continue to monitor road commission progress in reducing unfunded retirement and health insurance cost liabilities.
This is being monitored by the road commission liaison.....one question is can any of the WT funds the road commissions is receiving be used to strengthen legacy cost obligations.....

Buildings and Grounds/Infrastructure

1. Develop a plan to upgrade the county jail and prepare potential financing methods with assistance from the Jail Planning Committee and other jail planning experts.
Funds were to begin study of specific jail needs and potential costs.....study to be done by the National Sheriff's Association.....Jail Planning Committee will continue to be involved.....
2. Identify all county owned property and determine if this land needs to remain in county ownership or if it can be sold.
When time allows the Equalization Director will assist with this effort.....
3. Implement jail office window replacement budgeted for 2018.
New windows should be completed in about a month.....
4. Implement driveway, sidewalk and parking lot improvements budgeted for 2018.
Will be implemented this summer when weather is conducive.....
5. Determine methods of making improvements to the Caro Dam (create a way to portage around the dam so the Cass River can gain National Waterways designation).
Drain Commissioner will be in the lead to determine next steps.....will take many months if the decision is to proceed with an assessment district to pay for repairs to the dam.....
6. Update the 10 Year County Capital Improvement Plan as required for bond rating purposes.
Controller and Buildings and Grounds Director will complete draft for board review in 2018.....
7. Determine if City of Caro new well and water line will be installed near M24 and Deckerville Roads (if this is done the cost for inspection of the water tank at the State Police location would not be necessary because the water line could be used eliminating the need for stored water).
Appears the City may not be putting as much emphasis on this project at this time.....
8. Complete the relocation of recycling to the new location on M24 and begin operations at this new location.
Unable to find one contractor to do full scope of work that needs to be done.....instead much of the work will be done by buildings and grounds and prisoner work crew.....bids for plumbing, mechanical, roof replacement and other work awarded.....will be fall before relocation occurs
9. Monitor Vanderbilt Park usage and revenue generation.
Final park improvements to be completed in the next month for the park usage beginning this springneed to implement credit card system and other fine tuning work.....
10. Implement the clearing of vegetation to the north of Vanderbilt Park to make the bay visible from the park and improve walking access from the park to the bay.
Status is unknown.....
11. Continue planning for other improvements at Vanderbilt Park.
On-going.....

12. Develop a plan and solution to county physical and electronic storage needs.
Not much has occurred.....eventually physical storage needs will be reviewed
13. Evaluate potential state land acquisition near the Caro Regional Center and former prisons along Chambers Road.
State officials have not provided map of properties at issue.....

Personnel

1. Determine how to gain approval through the Leaders program for assistance from program attendees to the county serving on boards and commissions and special projects.
On-going.....method to accomplish this has not been determined
2. Develop a nepotism policy.
To be completed in April 2018.....
3. Conduct quarterly meetings with senior leaders of the county, judges, state elected representatives and road commissioners for enhancing collaborative and other opportunities.
Not started.....
4. Determine how legal assistance for labor negotiations and other personnel matters will be obtained.
New attorney with Braun Kendrick has been assigned.....
5. Determine how the new Medical Director appointment will be made by the Health Department.
Process to replace is underway.....costs may increase.....
6. Hire additional road patrol officers per approved millage.
To date 4 out of 5 have been hired.....
7. Coordinate all hiring and discharge with the Human Resource Coordinator for payroll and other multiple recording requirements.
When time permits will development a memorandum to explain procedures.....
8. Develop a system to keep job postings on the county web site up-to-date.
Human Resource Director will work with information Technology Director to implement.....

Economic Development

1. Continue work through the County EDC for Phase 2 Dairy Farmers of America project implementation in Cass City.
Need update from Economic development Director.....
2. Develop and implement a plan to resolve issues involving delinquent taxes and environment assessments involving the former Vassar Foundry Property.
Attempted solution with Dobson purchasing the property but it did not work out. Concern with EPA grant if still cannot access the property. No other known solution at this time.....

3. Review the Shiawassee County model of economic development and its potential application in Tuscola County.
Legal documents to take this approach were prepared but not implemented.....
4. Review and remain active with the Region 6 prosperity planning, define specific projects and implement changes needed for economic development.
Commissioners Young and Kirkpatrick can provide an update.....
5. Work with MSU-e, EDC and Farm Bureau to implement value added agricultural economic development.
Need to schedule an update from Joe Bixler.....
6. Obtain an update from the Economic Development Corporation planning committee regarding development of a county-wide economic development strategic plan to further strengthen capabilities and effectiveness.
Need Director to provide an update.....
7. Study and develop options to enhance the Counties perception and understanding of the Economic Development opportunities for improving and contributing to the county financial infrastructure through business and agricultural opportunities.
Need Director to provide an update.....

Technology

1. Implement new BSA budget, finance and payroll software by year-end 2018.
This project is moving but slowly.....currently reviewing time attendance and scheduling software that can properly interface with the overall BSA financial software.....still trying to completed overall implementation by year-end 2018
2. Assist with implementation of microfilming of general ledger and tax roll records.
Completed.....
3. Implement budgeted jail computer upgrades, core switching equipment and improved Courthouse security cameras.
IT recently provided an update on status of various projects.....
4. Provide a GIS status report of the county and determine next objectives.
May be staffing recommendations with certain property tax splits recording done by a joint GIS person.....
5. Continue to develop and advance online services for public convenience.
Progress has been slow.....
6. Continue to update and make adjustments to the county web site so it remains relevant and useful to all parties.
On-going.....

7. Continue to evaluate Tuscola County serving as a technology hub if there is potential to turn this into a profitable operation.
No new developments.....
8. Complete and review the five-year county technology plan.
Will work with IT director to prepare a multi-year plan.....
9. Develop methods of improving web page ADA compliance.
Not currently a legal requirement but likely to be soon.....
10. Complete VOIP project to MSU-e and DOC buildings.
Will be completed later in 2018.....

Other

1. Review alternative models to provide dental care to Medicaid eligible citizens and if feasible implement the chosen model.
County attorneys are negotiating contracts with MCDC attorney's.....goal is to have signed contracts within one or two months.....
2. Continue review of alternative road commission organizational structures.
No further discussion has occurred.....
3. Decide if the county will enter into a lawsuit against opioid manufactures.
County has entered into the suit.....final legal contracts will be signed soon.....
4. Begin a review of alternative models to provide animal control including a single or possible two or more county operation.
Project has not been initiated.....
5. Load all current county policies on county web site with an index system for ease of access.
Completed.....
6. Obtain a report on completed and remaining survey update work (remonumentation) for the county and new capabilities.
Will schedule for an update.....
7. Complete the appointment of members to the Airport Zoning Board of Appeals.
Completed.....waiting on applications from NextEra.....
8. Work with the Medical Director to determine methods of improving and strengthening the medical examiner system.
Controller and Commissioners Kirkpatrick and Vaughan will work with Dr. Bush to identify problems, review solutions and make recommendations.....

Phone: 989-672-3700
Fax: 989-792-4766
Email: clajoh@braunkendrick.com

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From: mhoagland@tuscolacounty.org [mailto:mhoagland@tuscolacounty.org]
Sent: Thursday, October 26, 2017 1:34 PM
To: Clayton J. Johnson
Cc: 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Subject: Road Commission Alternatives

Clayton

The Board of Commissioners (BOC) are evaluating alternative structures for the Road Commission. Road Commissioners (RC) were appointed by the BOC until six or seven years ago when the then BOC decided to make RC elected positions. The change to elected was phased in over several years. The change for individual RC members from appointed to elected occurred when their appointed terms ended. I am not sure but I believe all RC members have now been transitioned to elected status. RC members are elected countywide and not by district. There may now be interest by some BOC members in going back to appointed rather than elected RC.

1. What is the procedure to go from elected to appointed RC?
2. Is it true a vote of the public is now required to approve a change from elected to appointed?
3. If a public vote is required and an affirmative vote occurred to appointed rather than elected would current elected RC members complete their terms before appointments are made or could all members be immediately appointed?
4. Is there any provision in the law to allow RC members to be elected or appointed by districts?
5. Do you know of any counties that have changed from elected to appointed?
6. Does the law still allow BOC to eliminate County RC and assume responsibility for the road commission operation?
7. Do you know which County BOC have assumed road commission responsibility?
8. If a County BOC eliminates the RC members and takes over a road commission operation do they also assume responsibility for all road commission liabilities and obligations such as post-retirement health insurance costs and retirement system costs?
9. Have any counties formed joint road commissions?

Thank you.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

mhoagland@tuscolacounty.org

From: mhoagland@tuscolacounty.org
Sent: Friday, November 3, 2017 11:03 AM
To: 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Cc: Clayton Johnson; jfetting@tuscolacounty.org
Subject: FW: Road Commission Alternatives
Attachments: S1398277.pdf

Commissioners

Per your request several questions were asked of the county attorney regarding the County Road Commission. The primary question was what procedure would be required to change road commissioners back to appointed status from the current elected status. The attorney explains that the statute is silent on the question of what procedure is required to switch from elected to appointed. However, the Michigan Courts have held that a resolution adopted by a majority of the elected county board of commissioners is sufficient. The process would need to unfold gradually as the terms of current elected road commissioners expire.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

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From: Clayton J. Johnson [mailto:CLAJOH@BraunKendrick.com]
Sent: Thursday, November 2, 2017 9:15 AM
To: 'mhoagland@tuscolacounty.org' <mhoagland@tuscolacounty.org>
Cc: Eric M. Morris <erimor@BraunKendrick.com>
Subject: RE: Road Commission Alternatives

Dear Mike,

Please find attached our memorandum regarding your questions posed below pertaining to Road Commission governance. We would be glad to provide any further input desired.

Thank you for the opportunity to analyze this matter.

Best regards,
Clay

CLAYTON J. JOHNSON
Attorney

mhoagland@tuscolacounty.org

From: Clayton J. Johnson <CLAJOH@BraunKendrick.com>
Sent: Thursday, November 2, 2017 9:15 AM
To: 'mhoagland@tuscolacounty.org'
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Best regards,
Clay

CLAYTON J. JOHNSON
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9. Have any counties formed joint road commissions?

Thank you.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

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Memo

To: Tuscola County Board of Commissioners
From: Eric Morris and Clayton Johnson, Braun Kendrick Finkbeiner P.L.C.
Date: November 2, 2017
Subject: Governance Issues for County Road Commissions

Tuscola County Administrator Mike Hoagland asked Braun Kendrick to evaluate several legal questions related to the process of appointing or electing members of the Tuscola County Road Commission. Each question posed is addressed individually below.

What is the procedure to transition from elected to appointed Road Commission?

Determining the method of selection of Road Commissioners is within the discretion of the County Board of Commissioners. MCL 224.6(4) provides that the actual appointment of Road Commissioners is accomplished by a majority of commissioners elected. The statute is silent on the question of what procedure is required to switch from an elected method to an appointed method. However, the Michigan Courts have held that a resolution adopted by a majority of elected commissioners is sufficient. Matthews v Montgomery, 275 Mich. 141, 145; 266 NW 300 (1936); Michigan Attorney General Opinion 1954, No. 1796.

Is a public vote required to transition from elected to appointed Road Commission?

A public vote is not required to change the method of selection from an election process to an appointment process.

How would appointments be handled when transitioning away from an elected Road Commission?

A decision to change selection of Road Commissioners to an appointment process would not create immediate vacancies among the currently elected Road Commission. The process would need to unfold eventually as the terms of current Road Commissioners expire or as current Road Commissioners resign. MCL 168.367 describes the circumstances that can create a vacancy on the Road Commission. The most relevant here include: death, resignation, removal from office for cause, or ceasing to be

a County resident. An attempt to remove a Road Commissioner prior to the end of his or her term would likely result in litigation.

May Road Commissioners be appointed or elected by district?

Michigan statutes generally appear to be silent as to this question. Our research does indicate that at least one county, Berrien County, had a past practice of appointing Road Commissioners using a district system. We have not identified any authority that would allow for a similar approach for elected Road Commissioners. MCL 224.7 only provides that Road Commissioners shall be "elected or appointed biennially for the full term of 6 years."

Have any counties changed from elected Road Commissions to appointed Road Commissions?

Our research shows that at least two counties, Kalkaska and Monroe, have recently opted to transition from an elected Road Commission to an appointed Road Commission. The change appears to have been adopted in Monroe County sometime after 2010. From the documents we are currently able to access, it appears that Monroe County likely completed its transition at the end of 2016 or will complete it at the latest in 2018. As discussed above, Monroe County gradually replaced elected Road Commissioners over time as each Commissioner's term expired.

Can the Board of Commissioners still eliminate the Road Commission and assume its role into a County department?

Yes, this is still a viable option. The exact process depends on whether the Road Commission at issue is elected or appointed. In the case of an appointed Road Commission, dissolution and absorption into the County is accomplished by a majority resolution of the Board of Commissioners. MCL 224.6(7). In counties that maintain an elected Road Commission, the dissolution requires both a resolution and a countywide referendum. MCL 224.6(8). Both methods require two public hearings before any action is taken by the Board of Commissioners. Any action taken under either of these provisions needs to occur prior to January 1, 2020 since this provision sunsets as of that date. The dissolution provision was originally set to expire in 2015, but it was extended until January 1, 2020. There is no guarantee it will be extended beyond its current time period.

Four counties, Berrien, Calhoun, Jackson and Ingham, opted to dissolve county Road Commissions under this provision. Ingham, Jackson and Calhoun Counties are the furthest along, having passed dissolutions in 2012 and 2013. Berrien County is the most recent, opting to dissolve its Road Commission just last month. None of these counties maintained an elected Road Commission at the time of dissolution, thus there is little precedent for implementing the countywide referendum option. Additionally, the statutes do not address the question of what length of time, if any, must pass between a decision to transition to an appointed Road Commission and a resolution to dissolve the Road Commission. Given the protections Road Commissioners enjoy against removal from

office and the lack of precedent in this area, we believe a “two-step” approach whereby the Board of Commissioners resolves to transition the Road Commission appointment closely followed by a resolution to dissolve the Road Commission carries significant risk of litigation.

What financial obligations of the current Road Commission would the County assume if it were to eliminate the Road Commission?

MCL 224.6(7) allows “the powers, duties and functions” of a county road commission to be “transferred” to the Board of Commissioners. At that point, the County itself acquires authorization to “receive and expend funds” pursuant to the state highway act. Given the fact that only three counties dissolved a road commission under this provision, there is a scarcity of case law regarding the impact of such dissolution.

The Michigan Court of Appeals has, however, evaluated one case that raises the issue of succession of rights and obligations of a dissolved road commission. In County of Ingham v. Mich. County. Rd. Comm’n Self-Insurance, 2017 Mich. App. LEXIS 1529, the three counties that dissolved their road commissions sought to collect premium refunds from a self-insurance pool in which the predecessor road commissions were members. The self-insurance pool argued that the three counties were not successors to the predecessor road commissions and therefore were not contractually entitled to the premium refunds at issue. The Court of Appeals choose to interpret the phrase “powers, duties and functions” somewhat broadly on the basis that failing to do so could lead to unconstitutional impairment of the former road commissions’ contractual obligations. The Court concluded that “the counties took on all statutory rights and responsibilities given to road commissioners” upon dissolution.

This appears to be a somewhat unique case in that the counties were arguing in favor of the position that they were the successors to the road commissions in order to access the financial benefit of the premium refunds at issue. It seems unlikely that the counties would take such a position with regard to other obligations such as current and retired employee benefits. Even so, the only direct legal authority at this time is the Ingham County decision, and that decision points to a broad assumption of responsibilities and liabilities when a county opts to dissolve its corresponding road commission.¹

Have any counties established joint Road Commissions?

We are not aware of any counties that have formed actual joint Road Commissions. However, Jackson and Calhoun Counties both opted to dissolve their respective Road Commissions and then consolidate the resulting road/transportation departments into a merged entity with common management.

¹ Any specific proposals involving potential modification to existing pension or retiree healthcare obligations should also be analyzed in more detail for issues under contractual impairment clause of the Michigan Constitution.

mhoagland@tuscolacounty.org

From: mhoagland@tuscolacounty.org
Sent: Thursday, November 30, 2017 4:29 PM
To: 'Kim Vaughan'
Subject: FW: Road Commissioners Term of Office Expiration

Kim information you requested.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

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From: Jodi Fetting [mailto:jfetting@tuscolacounty.org]
Sent: Thursday, November 30, 2017 3:59 PM
To: mhoagland@tuscolacounty.org
Subject: Re: Road Commissioners Term of Office Expiration

Hi Mike,

Jack Laurie expires 2020
Gary Parsell expires 2018
Mike Zwerk expires 2022
Julie Matszak expires 2022
Pat Sheridan expires 2018

I have not had any contact me on the Sunday Liquor Sales as of yet.

Jodi



On Thu, Nov 30, 2017 at 3:46 PM, mhoagland@tuscolacounty.org <mhoagland@tuscolacounty.org> wrote:

44 - appointed

34 - Elected

5 - County Government Oversight

Company Name	Commissioner Selection
Alcona County Road Commission	Elected
Alger County Road Commission	Elected
Allegan County Road Commission	Appointed
Alpena County Road Commission	Appointed
Antrim County Road Commission	Appointed
Arenac County Road Commission	Appointed
Baraga County Road Commission	Appointed
Barry County Road Commission	Appointed
Bay County Road Commission	Elected
Benzie County Road Commission	Elected
Berrien County Road Commission	Appointed
Branch County Road Commission	Appointed
Calhoun County Road Department	County Government Oversight
Cass County Road Commission	Appointed
Charlevoix County Road Commission	Appointed
Cheboygan County Road Commission	Elected
Chippewa County Road Commission	Appointed
Clare County Road Commission	Elected
Clinton County Road Commission	Appointed
Delta County Road Commission	Elected
Dickinson County Road Commission	Appointed
Eaton County Road Commission	Appointed
Emmet County Road Commission	Appointed
Genesee County Road Commission	Appointed
Gladwin County Road Commission	Elected
Gogebic County Road Commission	Appointed
Gratiot County Road Commission	Elected
Hillsdale County Road Commission	Elected
Houghton County Road Commission	Appointed
Huron County Road Commission	Appointed
Ingham County Road Department	County Government Oversight
Ionia County Road Commission	Appointed
Iosco County Road Commission	Appointed
Iron County Road Commission	Elected
Isabella County Road Commission	Elected
Jackson County Department of Transportation	County Government Oversight
Kalkaska County Road Commission	Appointed
Kent County Road Commission	Appointed
Keweenaw County Road Commission	Elected
Lake County Road Commission	Elected
Lapeer County Road Commission	Elected
Leelanau County Road Commission	Elected
Lenawee County Road Commission	Elected
Livingston County Road Commission	Appointed
Luce County Road Commission	Appointed
Mackinac County Road Commission	Elected

Macomb County Department of Roads	County Government Oversight
Manistee County Road Commission	Appointed
Marquette County Road Commission	Appointed
Mason County Road Commission	Appointed
Mecosta County Road Commission	Elected
Menominee County Road Commission	Elected
Midland County Road Commission	Appointed
Missaukee County Road Commission	Elected
Monroe County Road Commission	Appointed
Montmorency County Road Commission	Elected
Muskegon County Road Commission	Appointed
Newaygo County Road Commission	Appointed
Oceana County Road Commission	Elected
Ogemaw County Road Commission	Elected
Ontonagon County Road Commission	Appointed
Osceola County Road Commission	Elected
Oscoda County Road Commission	Elected
Otsego County Road Commission	Elected
Ottawa County Road Commission	Appointed
Presque Isle County Road Commission	Appointed
Road Commission for Crawford County	Elected
Road Commission for Montcalm County	Elected
Road Commission for Oakland County	Appointed
Road Commission of Kalamazoo County	Appointed
Roscommon County Road Commission	Elected
Saginaw County Road Commission	Appointed
Sanilac County Road Commission	Elected
Schoolcraft County Road Commission	Elected
Shiawassee County Road Commission	Elected
St. Clair County Road Commission	Appointed
St. Joseph County Road Commission	Appointed
Tuscola County Road Commission	Elected
Van Buren County Road Commission	Appointed
Washtenaw County Road Commission	Appointed
Wayne Department of Public Services	County Government Oversight
Wexford County Road Commission	Appointed
Grand Traverse County Road Commission	Appointed

From: Clayton J. Johnson <CLAJOH@BraunKendrick.com>
Sent: Wednesday, March 14, 2018 11:22 AM
To: 'MHoagland@TuscolaCounty.org'
Cc: Eric M. Morris
Subject: County Road Commission Questions

Dear Mike,

Per your request, please find below our input on three questions regarding Road Commission matters:

- What is the term of road commissioners who are appointed by the County Commission?

Appointed Road Commissioners serve for a term of 6 years. MCL 224.7

- What is the deadline to adopt a resolution to have appointed, rather than elected road commissioner?

There is no set deadline to make this change. The change would be phased-in as the terms of elected road commissioners ends, they would be replaced by appointed road commissioners.

On the other hand, there is a deadline which applies to allow the County Board of Commissioners to take on the responsibilities of the Road Commission. This depends on whether the County Road Commission is elected or appointed at the time. If the Road Commission is appointed, then the County need only to conduct two public hearings on the subject and then pass a resolution before January 1, 2020. The dissolution of the appointed County Road Commission is effective as of the date of the resolution. MCL 224.6(8).

The answer is different if the road commissioners are elected. In that case, in order to assume the responsibilities of the Road Commission, the County Commission needs to hold two public hearings, then pass a resolution putting the question before the County voters. The measure then goes to a county-wide ballot at the next regular election following the date the resolution was passed. If approved by the voters, the elected Road Commission is dissolved. The statute is somewhat unclear as to whether the resolution to put the measure on the ballot needs to be passed prior to January 1, 2020 or whether the resulting election needs to be held prior to January 1, 2020. The safest course would be to pass the resolution passed in time for the issue to go before County voters prior to January 1, 2020.

- What happens in the case of a vacancy occurring after the County has adopted an appointed system, but before the elected Road Commissioner reaches the end of his or her term?

Michigan Law is clear that in the event of a vacancy on the County Road Commission, the County Commission appoints the replacement. Furthermore the appointed replacement serves for the balance of the term of the commissioner he or she replaced. There is an exception to this general rule in a "county in which county road commissioners are elected." In that case, depending on when the replacement is appointed, he or she may only serve until the next general election. However, this exception only applies in counties where the road commissioners are elected. Though this issue does not appear to have been tested by the Courts, we believe that in this case the switch to the appointed system would mean that a replacement serves for the balance of the vacant term without subsequent election regardless of when the replacement was appointed.

Please feel free to let me know of any additional aspects you would like to discuss.

DRAFT
Tuscola County Board of Commissioners
Committee of the Whole
Monday, March 12, 2018 – 8:00 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

Commissioners Present: District 1 - Thomas Young (via Google Hangouts), District 2 - Thomas Bardwell, District 3 - Kim Vaughan, District 4 - Craig Kirkpatrick (via Google Hangouts), District 5 - Matthew Bierlein

Absent: None

Also Present: Mike Hoagland, Clerk Jodi Fetting, Eean Lee, Mike Miller, Tisha Jones, Nancy Laskowski, Jonathan Lauderbach, Caryn Michalak, Sheriff Glen Skrent

Finance/Technology
 Committee Leaders-Commissioners Kirkpatrick and Bierlein

Primary Finance/Technology

1. **2017 Year-End Financial Assessment – Controller/Administrator** - Mike Hoagland provided an overview of the 2017 financial report. He reported that 2017 was a successful financial year remaining in a stable financial standing on a near-term basis with a strong AA-bond rating. Mike provided a pre-audit comparison of 2016 to 2017. Report to be placed on file. Matter to be placed on the Consent Agenda. Approve the transfer of the funds for technology and capital improvements. Matter to be placed on the Consent Agenda.
2. **Initiating Work on an Update to the Multi-Year Financial Plan - April** - Commissioner Bierlein stated a meeting will be scheduled to put a long-term plan in place.
3. **Millage Renewal Scheduling** - Mike Hoagland explained the need to place the Medical Care Facility millage renewal on the August 2018 ballot. County Attorney has approved the proposed language. Matter to be placed on the Consent Agenda.
4. **Update Regarding Airport Zoning Board of Appeals** - Mike Hoagland updated the Board that an appeal has not been filed as the issue of no hazard is still being worked on by NextEra.
5. **Opioid Lawsuit Update** - County Attorney has reviewed the contract and has some additional language to have added.
6. **Planning for Jail Remodeling** - Mike Hoagland provided an update regarding the Jail Remodeling. The Assessment for the Tuscola County Sheriff's Office from the National Sheriff's Association has been received. Sheriff Skrent distributed the 2017 Sheriff's Office Annual Report. Sheriff Skrent explained the steps the National Sheriff's Association would take in proposing a plan for the jail and the costs involved. Matter of National Sheriff's Association to be placed on the Consent Agenda.

7. **Empower Deferred Compensation Proposed Contract Changes** - No action to be taken at this time. May be added to an upcoming meeting
8. **Quarterly Computer System Security Update and 2018 IT Project Status** - Eean Lee provided an overview of the third quarter results. Eean also provided an update on 2018 projects.
9. **Potential State Change with Age of Children in Criminal Justice System** - Caryn Michalak updated the Board regarding the potential change of how 17 year old juveniles would be handled by the Juvenile Department. She explained how Tuscola County Juvenile Department is set-up and how what the impact could be. Caryn also provided an update on the Community Garden project.
10. **Potential Personnel Property Tax Changes** - Matter discussed during the 2017 Year-End Financial Assessment.

On-Going and Other Finance

1. Update Regarding Potential Dental Clinic - Matter under review.
2. Update Regarding Time Attendance/Scheduling Software - Eean Lee provided an update in his presentation.
3. Continue Review of Road Commission Legacy Costs - Mike Hoagland discussed.
4. Update Wind Turbine Revenue History and Projections
5. Work to Resolve Remaining Assessing/Taxation Disputes with Wind Turbine Companies
6. Presentation of County Treasurer Investment Reports
7. Water Rates Paid for County Facilities Along M24 and Deckerville Roads
8. Assess Avoidance Costs from Retirement System Changes Previously Implemented
9. Solar Assessing/Taxation Information
10. Update Regarding Indigent Defense Plan - Mike Hoagland discussed.
11. March 20th Meeting in Bay City Regarding Medical Examiner System - Commissioner Vaughan, Mike Hoagland and Dr. Bush will attend in person. Commissioner Kirkpatrick is going to try to remote in.

Personnel

Committee Leader-Commissioner Bardwell

Primary Personnel

1. **Receive and Place on File Letter of Resignation from Deputy County Treasurer** - Mike Hoagland updated the Board. Matter to be placed on the Consent Agenda.

On-Going and Other Finance

1. Reporting Relationship (Nepotism Policy)
2. Review the Potential Formation of Quarterly Meetings with County Leaders
3. Procedural Coordination with HR Director Regarding Hiring/Discharge/Payroll/Record Keeping
4. Develop a System to Keep Job Postings on the Web Site Current
5. Determine how to Gain Help for the County from the Leaders Program
6. Process and Cost to Replace County Health Department Medical Director

Building and Grounds

Committee Leaders-Commissioners Young and Vaughan

Primary Building and Grounds

1. **Various Bids for Work at the New Recycling Facility** - Mike Miller reviewed various bids.
 - Pole barn steel - Keys Construction, Marlette - \$19,642.00 and Rickwalt Building Solutions, Caro - \$39,130.00. Keys Construction to be awarded bid.
 - Masonry - Keys Construction, Marlette - \$8,150.00. Keys Construction to be awarded bid.
 - Roof - Rickwalt Building Solutions, Caro - \$26,505.00 with gutter allowance included and Marlette Roofing, Marlette - \$26,425.00 with \$2,200 additional for gutters. Rickwalt Building Solutions to be awarded the bid.
 - Plumbing and Mechanical - Burkhart Plumbing and Heating, Bad Axe - \$28,794.00 and Newton Johnson, Vassar - \$31,600.00. Burkhart Plumbing and Heating to be awarded the bid.All Matters regarding bids to be placed on the Consent Agenda.
2. **State Infrastructure Report** - Mike Hoagland provided the Board the information that Michigan roads earn D- grade on state infrastructure. Commissioner Bierlein updated the Board regarding discussion that happened at NaCO.
3. **Request to Use Courthouse Lawn** - Future Youth in Government is requesting to use the courthouse lawn from April 16 to April 21, 2018. Matter to be placed on the Consent Agenda.

On-Going and Other Building and Grounds

1. County Property Ownership Identification - Update provided.
2. Recycling Building Remodeling – Next Steps
3. Review Potential Acquisition of Land from State Near Caro Regional Center
4. Update 10 Year Capital Improvement Plan
5. 2018 Budgeted Driveway, Parking Lot and Sidewalk Repairs
6. Vanderbilt Park Next Steps for Further Improvement - Update provided.
7. Planning for County Record Storage Needs

8. Potential Annexation of County Property to City for Water/Sewer Cost Reductions
9. Update Regarding County Record Storage Needs

Other Items Not Assigned to a Committee

1. 2018 Work Program Update - Mike Hoagland is working on.
2. Review of Alternative Solutions Concerning the Caro Dam - Update provided.
3. 2018 MAC Priorities
4. Cass River Greenways – Media Coverage - Progress on projects underway.
5. Ongoing Economic Development Activity Updates from EDC Director
6. Review County-Wide Economic Development Strategic Plan
7. Dairy Farmers of America Phase 2– Cass City
8. Road Commission Organizational Alternatives – Next Steps - Matter discussed.
9. Sunday Retail Sales of Spirits, Beer and Wine – Next Steps - Update provided.

Other Business as Necessary -

-MAC 7th District - March 19, 2018.

Public Comment Period - None

Meeting adjourned at 10:18 a.m.

Jodi Fetting
Tuscola County Clerk

February 8, 2018

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, February 8, 2018 at 8:00 A.M.

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

Absent: Road Commissioner Julie Matuszak.

Motion by Parsell seconded by Sheridan that the minutes of the January 25, 2018 regular meeting of the Board be approved. Sheridan, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$112,966.24 and bills in the amount of \$82,042.14 covered by vouchers #18-06 and #18-07 were presented and audited.

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

Brief Public Comment Segment:

None.

County Highway Engineer Zawerucha presented to the Board a letter from Mr. Robert Albrecht, President of Albrecht Sand & Gravel Company, announcing that he is liquidating the asphalt portion of the business. After discussion, the following motion was introduced:

Motion by Zwerk seconded by Sheridan that the following Resolution be adopted:

RESOLUTION

WHEREAS, Albrecht Sand & Gravel Company has been in business in the thumb area since 1954, and

WHEREAS, The Tuscola County Road Commission has contracted with Albrecht Sand & Gravel Company for asphalt paving, and has worked directly with Mr. Robert Albrecht for the past nineteen (19) seasons, and

WHEREAS, Albrecht Sand & Gravel Company has always provided excellent service in the most professional manner when paving the hundreds of miles of roads in Tuscola County over the years, and

WHEREAS, Mr. Robert Albrecht has decided to liquidate the asphalt portion of Albrecht Sand & Gravel Company this season.

THEREFORE, BE IT RESOLVED, that this Tuscola County Board of Road Commissioners acknowledges its debt and gratitude to Mr. Robert Albrecht, and deeply appreciated doing business with Albrecht Sand & Gravel Company paving the roads of Tuscola County.

BE IT FURTHER RESOLVED, that this resolution be spread upon the official records of the Tuscola County Road Commission, and that on behalf of the Citizens of Tuscola County, we thank you and wish you good luck.

Sheridan, Zwerk, Parsell, Laurie --- Motion Carried.

Motion by Parsell seconded by Zwerk to approve the Tuscola County Road Commission purchase one (1) new Tandem Axle Dump Truck as part of its 2018 Capital Outlay Budget, all under the following conditions; to accept the proposal from Grand Traverse Diesel to honor their Tandem Axle Truck Cab & Chassis bid price from the March 13, 2014 regular meeting of the Board, and to approve the purchase of the Tandem Axle Truck Equipment through the MI-Deal Program. Sheridan, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan that the Tuscola County Road Commission advertise for bids for Financing one (1) Tandem Axle Dump Truck. Sheridan, Zwerk, Parsell, Laurie --- Carried.

Motion by Pat Sheridan seconded by Mike Zwerk to authorize Chairman John Laurie and Vice-Chairman Gary Parsell to sign the Michigan Department of Transportation Contract #18-5010 for the removal and replacement of the structure which carries Bay City-Forestville Road over the Wiscoggin Drain in Sections 6 & 7 of Columbia Township, all together with necessary related work. Sheridan, Zwerk, Parsell, Laurie --- Carried.

At 8:30 A.M. the following bids were opened for Supplying the Box Culvert on Barnes Road over the Dead Creek in Arbela Township:

<u>Bidder</u>	<u>Total</u>
Mack Industries	\$ 59,475.00
Northern Concrete Pipe	68,253.00

Motion by Sheridan seconded by Parsell that the bids for Supplying the Box Culvert on Barnes Road over the Dead Creek in Arbela Township be accepted and awarded to the low bidder, Mack Industries. Sheridan, Zwerk, Parsell, Laurie --- Carried.

Management and the Board reviewed job applicants that were interviewed to fill open Laborer positions. After review and discussion, the Board will table a decision in regards to filling the open Laborer positions until the next regular meeting of the Board.

At 8:45 A.M. the following bids were opened for 2018 Overband Crack Fill:

<u>Bidder</u>	<u>Unit Price</u>
Astec Asphalt, Inc.	1.35 / lb.
Wolverine Sealcoating, LLC	1.13 / lb.
Fahrner Asphalt Sealers, LLC	1.14 / lb.

Motion by Parsell seconded by Sheridan that the bids for 2018 Overband Crack Fill be accepted and awarded to the low bidder, Wolverine Sealcoating, LLC. Sheridan, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell to accept the Letter of Retirement from David Kennard to be effective March 31, 2018. Sheridan, Zwerk, Parsell, Laurie --- Carried.

Chairman Laurie reported to the Board of receiving an email from Michigan State Representative Edward Canfield's office regarding the proposed state legislation House Bill 5097 and House Bill 5098, pertaining to broadband expansion in the road right-of-way. After discussion, the Board requested that Management review the proposed legislation, and report back at the next regular meeting of the Board.

Motion by Parsell seconded by Zwerk that the meeting be adjourned at 9:20 A.M. Sheridan, Zwerk, Parsell, Laurie --- Carried.

February 22, 2018

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, February 22, 2018 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.

Motion by Parsell seconded by Matuszak that the minutes of the February 8, 2018 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$114,179.07 and bills in the amount of \$186,600.85 covered by vouchers #18-08, #18-09, and #18-10 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:

- (1) Mr. James Satchel appeared before the Board and presented a list of questions regarding the Shays Lake Road Bridge replacement project scheduled this season. County Highway Engineer Zaverucha will report back to Mr. Satchel with the answers to his questions.
- (2) Mr. Erico Lopez introduced himself to the Board as the contact from NextEra Energy regarding their next wind turbine project.

At 8:15 A.M. the following bids were opened for Five (5) ¾ Ton Pickup Trucks:

<u>Bidder</u>	<u>Price Per Truck</u>	<u>Alternate Price Per Truck (4-Wheel Drive)</u>
Signature Ford	\$ 24,116.00	\$ 26,854.00
Bell-Wasik, Inc.	26,869.60	28,908.60
Mike Young GMC	27,620.00	29,659.00
Cook Chevrolet	27,265.00	29,395.00

Motion by Zwerk seconded by Parsell that the bids for Five (5) ¾ Ton Pickup Trucks be accepted, reviewed by Management, and tabled until later this meeting. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell that bid items #1, #2, #3, #4, #5, #6, #7, #8, and #9 of the 2018 bituminous resurfacing bids for primary roads be awarded to the low bidder, Pyramid Paving Company. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Zwerk that bid items #15, #16, #17, #18, #19, #20, #21, and #22 of the 2018 bituminous resurfacing bids for Columbia Township funded by the wind turbine project be awarded to the low bidder, Pyramid Paving Company. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Matuszak that the following Seasonal Weight Restrictions were put into effect on Monday, February 19, 2018 at 7:00 A.M.

1. When the axle spacing is 9 feet or over between the axles, the maximum axle load shall not exceed 18,000 lbs. for vehicles equipped with high pressure pneumatic or balloon tires.
2. When the axle spacing is less than 9 feet between two axles, but more than 3 ½ feet, the maximum axle load shall not exceed 13,000 lbs. for high pressure pneumatic or balloon tires.
3. When axles are spaced less than 3 ½ feet apart the maximum axle load shall not exceed 9,000 lbs. per axle.
4. The normal size of tires shall be rated size as published by the manufacturers and in no case shall the maximum wheel load of any steering axle exceed 700 pounds per inch of width of tire.
5. During the months of March, April and May in each year, the maximum axle load allowable on a normal load road, shall be reduced by 35% from the maximum axle loads as herein specified. The maximum wheel load shall not exceed 450 pounds per inch of tire width while the seasonal road restrictions are in effect.
6. The Tuscola County Road Commission with respect to highways under their jurisdiction, may suspend the restrictions imposed by the section (257.722) when and where in their discretion conditions of the highway so warrant, and may impose the restricted load requirements of this section on designated highways at any other time that the conditions of the highway may require.
7. No truck, tractor or tractor with trailer, nor any combination of such vehicles with a gross weight, loaded or unloaded, in excess of 10,000 lbs. shall exceed a speed of 55 miles per hour on highways or streets which shall be reduced to 35 miles per hour during the period when reduced loadings are being enforced in accordance with the provisions of this chapter.

Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 8:30 A.M. the following bids were opened for 2018 Seed and Mulch:

<u>Bidder</u>	<u>Hydro seeding, Mulch, Straw</u>	<u>Hydro seeding, Mulch, Paper</u>	<u>Seed, Fertilizer, Mulch Blanket</u>
No bids received.			

Motion by Zwerk seconded by Parsell that the Tuscola County Road Commission advertise for bids for Two (2) Road Graders. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan that Management review options for financing or leasing Two (2) Road Graders. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan to approve the request from the Cass River Greenway Trail Committee for the Road Commission's continued participation in the control of phragmites along the road right-of-ways draining into the Cass River. Sheridan, Matuszak, Parsell, Zwerk, Laurie --- Carried.

At 8:45 A.M. the following bids were opened for 2018 Pavement Marking:

<u>Bidder</u>	<u>WPM, 4" White</u>	<u>WPM, 4" Yel.</u>	<u>W.RR X Sym.</u>	<u>Cold Plastic RR X Sym.</u>	<u>Low Temp 4" White</u>	<u>Low Temp 4" Yellow</u>
P.K. Contracting, Inc.	\$0.0400 p/lft	\$0.0570 p/lft	\$100.00 ea.	\$385.00 ea.	\$0.047 p/lft	\$0.068 p/lft
M&M Pavement Mark.	\$0.0400 p/lft	\$0.0400 p/lft	\$ 70.00 ea.	\$510.00 ea.	\$0.044 p/lft	\$0.046 p/lft
R.S. Contracting, Inc.	\$0.0500 p/lft	\$0.0500 p/lft	\$100.00 ea.	\$250.00 ea.	\$0.060 p/lft	\$0.060 p/lft
Mich. Pavement Mark.	\$0.0400 p/lft	\$0.0400 p/lft	\$ 70.00 ea.	\$300.00 ea.	\$0.046 p/lft	\$0.046 p/lft

<u>Bidder</u>	<u>WPM, Stop Bar</u>	<u>Cold Plastic Only</u>	<u>Cold Plastic Left Arrow</u>	<u>Cold Plastic Thru Arrow</u>	<u>Cold Plastic Thru Rt Turn</u>	<u>Cold Plastic Stop Bar</u>
P.K. Contracting, Inc.	\$2.00 p/ft	\$120.00 each	\$120.00 ea.	\$ 90.00 ea.	\$190.00 ea.	\$8.25 p/ft
M&M Pavement Mark.	\$1.50 p/ft	\$150.00 each	\$150.00 ea.	\$150.00 ea.	\$270.00 ea.	\$10.00 p/ft
R.S. Contracting, Inc.	\$0.30 p/ft	\$100.00 each	\$ 90.00 ea.	\$ 90.00 ea.	\$100.00 ea.	\$ 8.00 p/ft
Mich. Pavement Mark.	\$1.50 p/ft	\$100.00 each	\$100.00 ea.	\$100.00 ea.	\$175.00 ea.	\$ 7.50 p/ft

Motion by Parsell seconded by Zwerk that the bids for 2018 Pavement Marking be accepted, reviewed by Management, and tabled until the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell to approve the recommendation of the Superintendent/Manager to initiate the hiring process and background investigations on candidate finalists Alex Magiera and Kyle Ruiz to fill two (2) hourly job openings within the Laborer classification. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Zwerk that the Tuscola County Road Commission add a request for references on its job application form. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan that the agreement between Ben Grady and the Tuscola County Road Commission allowing Designated and Special Designated All-Season loads for Sheridan Road from 1715 Sheridan Road north 0.55 mile to Fairgrove Road be extended for an additional two (2) years with the conditions specified in the agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Matuszak to approve the proposal from Envirollogic Environmental Consulting Services for ground well monitoring and reporting of the Livingston Brine Well, in accordance with the Michigan Department of Environmental Quality. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 9:00 A.M. the following bids were opened for the Quanicassee Road over the Centerline Drain Box Culvert Fabrication and Installation Project:

<u>Bidder</u>	<u>Project Total</u>
Nicol & Sons, Inc.	\$ 238,776.99
Wonsey Tree Service, Inc.	278,735.44
E.T. MacKenzie Company	292,450.89
Worth Construction Inc.	300,735.00
Marlette Excavating Company	302,383.50
Rohde Bros. Excavating, Inc.	312,031.00
Champagne & Marx Excavating	313,233.41
Anlaan Corporation	327,665.00
John Henry Excavating, Inc.	344,915.00
L.J. Construction, Inc.	357,143.38
Nashville Construction Company	381,277.37

Motion by Parsell seconded by Zwerk that the bids for the Quanicassee Road over the Centerline Drain Box Culvert Fabrication and Installation Project be accepted, reviewed by Management, and tabled until the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak to send a letter to Michigan State Representative Edward Canfield and the County Road Association of Michigan opposing House Bill 5097 and House Bill 5098 regarding Right-Of-Way Reform for Broadband Expansion. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell to approve the legal services of Michael R. Kluck and Associates as the new Labor Law Attorney for the Tuscola County Road Commission. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak to approve moving forward with the recently approved fixed object and tree removal safety grant project. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan that the bids received and accepted earlier this meeting for Five (5) ¾ Ton Pickup Trucks be awarded to Signature Ford for the alternate 4-wheel drive truck bid. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board reviewed and discussed the Road Commission's current staffing, and filling the Vassar Division Foreman position. Management and the Board will further review the Road Commission's positions, and further discuss at the next regular meeting of the Board.

The Board discussed the needed building improvements at the Vassar Division and the Akron Division.

Management and the Board reviewed and discussed the Road Commission's winter maintenance mailbox policy. Management and the Board will further review the Road Commission's policy, and further discuss at the next regular meeting of the Board.

Motion by Parsell seconded by Matuszak that the meeting be adjourned at 10:35 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board

From: Mary Drier <drier92@yahoo.com>
Sent: Wednesday, March 14, 2018 9:36 AM
To: Mike Hoagland; Thomas Bardwell; Craig Kirkpatrick; Tom Young; Matt Bierlein
Subject: fyi

Illegal tax? Michigan Supreme Court looking at court fees

DETROIT (AP) — The Michigan Supreme Court has agreed to hear arguments about whether court costs ordered by local judges are an illegal tax against those convicted of crimes.

It's a question worth tens of millions of dollars in courts up and down the state.

Under Michigan law, anyone convicted of a crime can be ordered to pay for a portion of a court's operating expenses. The state Supreme Court said Friday that it is looking at the case of Shawn Cameron, who was told to pay \$1,611 in Washtenaw County on top of other fees after an assault conviction.

The case comes at a critical time. A state commission has until the fall of 2019 to come up with recommendations about long-term ways to fund the court system. That work could be influenced by a decision by the state's top court.

Critics say court costs are an illegal tax because the amounts are determined by local courts, not the Legislature. They also say it puts a disproportionate burden on poor people who commit crimes.

In Cameron's case, the state appeals court agreed with the tax label but said the law is constitutional.

In 2016, courts statewide collected \$38 million, much of it in Michigan's District Courts, which handle misdemeanors. Berrien County's 5th District Court collected \$1 million, trailing only Oakland County's 52nd District Court at \$2.3 million, according to reports filed with the State Court Administrative Office.

Circuit Courts, which handle felonies, also order court costs.

"This is an issue of significant importance to the state. ... Criminal defendants are not a special class of citizens who must bear the expenses of government by means of a higher tax imposed on them alone," said Cameron's lawyer, Marilena David-Martin.