

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

MONDAY, DECEMBER 23, 2019 – 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 – Pastor Paul McNett, Caro Church of the Nazarene
Pledge of Allegiance – Commissioner Jensen
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 (**none**)

New Business

- **Resolution Honoring Steven Roland**
- **2020 County Board and Committee of the Whole Meeting Potential Schedule (See Correspondence #2)**
- **Medical Care Community Transfer Request (See Correspondence #3)**
- **Closed Session for Labor Negotiations (9:00 a.m.)**
- **Animal Control Ordinance**
- **Circuit Court/Family Court Legal Services Contract (See Correspondence #4)**
- **Contract for Representation for Alleged Developmentally Disabled Individuals in the Tuscola County Probate Court (See Correspondence #5)**
- **2020 Baseline Budget and Review Request Summary**

Old Business

Correspondence/Resolutions

Board Agenda 12-23-19

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

Behavioral Health Systems Board
Caro DDA/TIFA
Economic Development Corp/Brownfield Redevelopment
MAC 7th District
MAC Workers Comp Board
TRIAD
Local Units of Government Activity Report

YOUNG

Board of Public Works
County Road Commission Liaison
Dispatch Authority Board
Genesee Shiawassee Thumb Works
Great Start Collaborative
Human Services Collaborative Council (HSCC)
Jail Planning Committee
MAC Agricultural/Tourism Committee
MI Renewable Energy Coalition (MREC)
Region VI Economic Development Planning
Saginaw Bay Coastal Initiative
Senior Services Advisory Council
Tuscola 2020
Local Units of Government Activity Report

VAUGHAN

Board of Health
County Planning Commission
Economic Development Corp/Brownfield Redevelopment
MAC Environmental Regulatory
Mid-Michigan Mosquito Control Advisory Committee
NACO-Energy, Environment & Land Use
Parks and Recreation Commission
Tuscola County Fair Board Liaison
Local Units of Government Activity Report

GRIMSHAW

Behavioral Health Systems Board
Recycling Advisory
Local Units of Government

JENSEN

Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
Genesee Shiawassee Thumb Works
Jail Planning Committee
Local Emergency Planning Committee (LEPC)
MAC Judiciary Committee
MEMS All Hazard
Local Units of Government Activity Report

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 21, 2019 Committee of the Whole Minutes.
December 11, 2019 Full Board Minutes and December 12, 2019
Full Board and Statutory Minutes
2. 2020 County Board and Committee of the Whole Meeting
Potential Schedule
3. Medical Care Community Transfer Request
4. Circuit Court/Family Court Legal Services Contract
5. Contract for Representation for Alleged Developmentally
Disabled Individuals in the Tuscola County Probate Court
6. Road Commission Minutes 11/27/19 Meeting
7. Eaton County Board of Commissioners November 20, 2019
Resolution
8. Kankaska County Board of Commissioners Resolution 2019-51
In support of Line 5 Tunnel
9. 2020 DNR Recreation Grant Workshops

1.

Draft
Tuscola County Board of Commissioners
Committee of the Whole
Thursday, November 21, 2019 – 8:00 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan, District 4 - Mark Jensen, District 5 - Daniel Grimshaw (arrived at 8:16 a.m.)

Absent: None

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Steve Anderson, Treasurer Patricia Donovan-Gray, Register John Bishop, Angie Daniels, Rick Sunquist, Carl Osentoski, Steve Erickson, Jim McLoskey, Larry Ruckle, Dan Syms, Curtis Stowe, Jerry Peruski, Chris Hamilton, Carmell Pattullo, Eric King, Kristine King, Ann McLaughlin, Paula Hughes, Lisa Sleight, Carrie Nichols, Mary Brissette, Tisha Jones-Holubec, Joe Greene, Evan Osentoski, Jim Mantley, Tom Hess, Rick Boylan, Eileen Doering, Barb Ruckle, Susan Campbell, Mel Campbell, Jonathan Lauderbach, Dan Ettinger, Ashley Chrysler, Mark Trumbauer, John DiDonato, Peter Goodstein, Michelle Wildman, Jean Doss, Art Graff, Ben Bodkin, Mike Pattullo, Nancy Laskowski, Norm Stephens, Ken Hecht

Finance/Technology
Committee Leaders-Commissioners Young and Jensen

Primary Finance/Technology

1. MREC (Michigan Renewable Energy Collaborative) - Carl Osentoski explained that the Collaborative is comprised of five counties in order to handle tax issues with renewable energy. Rick Sunquist reviewed the multiplier table and tax revenue per turbine.
2. Tuscola County Land Bank - Peter Goldstein and Michelle Wildman reviewed questions presented by the Board of Commissioners regarding establishing a county land bank.
3. Capitol Services - Jean Doss and Ben Bodkin presented to the Board regarding the Caro Center project that Capitol Services worked on. Jean also addressed the Board in regards to continuing lobbying services with Capitol Services.

Motion by Young, seconded by Grimshaw to adjourn the meeting at 9:59 a.m. Motion Carried.

Public Comment -

-Nancy Laskowski - The Airport Ordinance does not allow the Board of Commissioners to go into negotiations. Nancy hopes the matter is taken under advisement and a decision is not rendered today. Handout regarding guaranteed property values provided. Status conference in the Juniata case is scheduled for Monday, November 25, 2019 which is why Nancy feels the push to settle is on.

-Mike Pattullo - Questioned if public comment will be allowed before a decision is made or a closed session begins at the Special Board meeting.

-Curtis Stowe - Curtis questioned the Board if Building Codes would be discussed at the Special Board meeting. Board stated it would not be and would be added to the Board meeting on November 25, 2019.

The following matters were dispensed of at the Committee of the Whole meeting.

4. KC Communications Consultants, LLC Proposal -
5. KC Communications Consultants Reimbursement Invoice -
6. Building Codes Income/Expense Report -

On-Going and Other Finance

Finance

1. Preparation of Updated Multi-Year Financial Plan
2. 2020 Budget Development
3. Continue Review of Road Commission Legacy Costs

Technology

1. Increasing On-Line Services/Updating Web Page
2. Implementation of New Computer Aided Dispatch System

Personnel

Committee Leader-Commissioner Vaughan and Bardwell

Primary Personnel - None

On-Going and Other Personnel

1. Negotiation of Expiring Union Contracts – Setting Financial and Other Objectives
2. Strengthen and Streamline Year-End Open Enrollment

Building and Grounds

Committee Leaders-Commissioners Jensen and Grimshaw

Primary Building and Grounds

1. Discussion on Land Acquisition from State Land Bank

On-Going and Other Building and Grounds

1. County Jail Study
2. Recycling Relocation Update
3. County Physical and Electronic Record Storage Needs – Potential Use of Recycling Pole Building
4. Review of Alternative Solutions Concerning the Caro Dam

Other Business as Necessary - None

Public Comment Period - See above

Meeting adjourned at 9:59 a.m.

Jodi Fetting
Tuscola County Clerk

Draft
TUSCOLA COUNTY BOARD OF COMMISSIONERS
December 11, 2019 Minutes
H. H. Purdy Building

Commissioner Bardwell called the special meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the Caro High School Auditorium in the City of Caro, Michigan, on the 11th day of December 2019, to order at 4:03 o'clock p.m. local time.

Prayer – Commissioner Grimshaw

Pledge of Allegiance – Commissioner Young

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan (via Google Hangouts), District 4 - Mark Jensen, District 5 – Daniel Grimshaw

Commissioner Absent: None

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Deputy Ryan Robinson, Steve Anderson, Valerie Lohr, Duane Hornbacher, Kristine King, Eric King, Laura Strzelewicz, Mark Strzelewicz, Tim Kinney, Bill Campbell, Chris Graf, Jim Mantey, Clayton Johnson, Jamie Nisidis, Jim Tussey, Wayne Koper, John Schneider, Larry Ruckle, Samantha Hughes, Paula Hughes, Eileen Doering, Ann McLaughlin, Nancy Laskowski, Barb Ruckle, Mike Pattullo, Tom Hess, Carol Hess, Richard Peterhans, Fran Silvernail, Norm Stephens, David Davidson, Colleen Russell, Rick Russell, Jon Link, Joe Greene, Jim McLoskey, Rick Lipan, Ione Vyse, Lynn Schriber, Jeff Montei, Jan Daniels, Carl Childs, David Kukuski, Greg Ackerman, Duane Lockwood, Mark Trumbauer, Jon Lauderbach, Michele Lee Hile, Heidi Stark, Dale Jansen, Garrett Tetil, Carrie Nicols, Al Endres, Mike Putnam, Don Atkerson, Maureen Atkerson, Keith Aeder, Joe Fessler, Deb Fessler, Jade Ackerman, Carmell Pattullo, Pat Schefsky, Mary Brissette, Ken Houghtaling, Mike Day, Brad Barnes, Lisa Geiger, Ted Schunn, Doug Shannon, David Traubenkraut, Richard Koener, Mike Hormel, Doug Foster, Paula Sleight, Neil Arnold, Justin Nitz

Adoption of Agenda -

19-M-255

Motion by Young, seconded by Jensen to adopt the agenda as presented. Motion Carried.

Public Comment -

-Jan Daniels - Jan expressed concern over potential interference that wind turbines may cause to flight care landings at the airport.

-David Kukuski - David asked the Board to not spend additional county funds on this matter.

-Dale Jansen - Dale asked the Board to support the Judge's decision.

-Richard Peterhans - Richard is not against wind power but he does not feel that they should not be placed in populous areas or near an airport. Richard asked the Board to appeal the Judge's decision.

-Al Endres - Al asked the Board to appeal the Judge's decision. Al feels that an ordinance is put in place for a reason and asked the Board to uphold the ordinance.

-Nancy Laskowski - Nancy stated that Pegasus has requested the variance permits be issued immediately which she feels is in violation of the ordinance.

-Wayne Koper - Wayne asked the Board to follow the guidelines that are given to them and to do what is right.

-Don Atkerson - Don feels that permits are required to be filed properly and he does not feel that Pegasus filed the required permits properly.

-Jim Tussey - Jim spoke on behalf of the Airport Authority. Jim asked the Board to support the Airport Zoning Board of Appeals and support their decision. The Friends of the Airport have committed to fund any additional legal fees the Airport Zoning Board of Appeals (AZBA) may incur in this appeal matter. Jim also feels that a pre-approval by the AZBA could have been sought prior to moving forward with the project.

-Keith Aeder - Keith stated he feels that the issue at hand is property rights. Keith stated that he feels zoning ordinances have the ability to give the person the right to appeal. Keith compared the number of accidents caused by turbines versus other means such as vehicle accidents.

-Maureen Atkerson - Maureen stated ordinances need to be followed.

-Jade Ackerman - Jade is in support of the wind project and asked the Board to support the project.

-Carl Childs - Carl stated that he does not feel that safety with flight care is an issue. He stated that an Appeal Board is put in place in order for a person to seek relief from an ordinance.

-Pat Schefsky - Pat spoke on behalf of landowners and the rights of the landowners. Pat referenced the Judge's decision in a previous case, the

determination from the Federal Aviation Administration (FAA) and Tall Structures. He asked that the Board support the Judge's decision.

-Ken Houghtaling - Ken stated he feels the wind turbines and the airport can co-exist together. The Zoning Appeal Board is put in place for a reason. He stated the current Townships that have turbines are providing a financial benefit to the county. He asked the Board to not spend any further county funds on the appeal.

-Larry Ruckle - Larry asked if a person that assisted in writing the ordinance could objectively serve on the AZBA Board. He questioned if Bill Campbell has a prejudice.

-Brad Barnes - He lives in Wisner Township and lives among the current wind turbine project. He does not have a problem with wind turbines. He stands by the Judge's decision. He wondered if the Board has researched where the financial backing of the anti-wind group is coming from. He owns property in Juniata Township that has a turbine contract on it and that contract will help to maintain the family homestead. He feels there are false facts that are being published.

-Joe Fessler - Joe stated his Dad, Stanley Fessler, is in favor of the wind turbines. Joe is in favor of renewable energy. He would prefer to see the wind turbines instead of solar panels.

-Bill Campbell - Bill stated that he does not feel that he is biased in the matter. He referenced that the Airport Enabling Act provides that the AZBA shall be provided funds.

-Mike Day - Mike asked the Board if they had received the communication from John McQuillan, which the Board has.

-Mary Brissette - Mary referenced the funds that are being put into escrow as the tax distribution is being fought by NextEra. She asked the Board to appeal the Judge's decision.

-Barb Ruckle - Barb stated that NextEra has filed an additional 8 variance applications. She feels this is setting a precedent and is outside of the ordinance. She asked the Board to appeal the Judge's decision.

-Ted Schunn - Ted stated the Judge's job is to administer the law and he feels that she voted the way that she should have by following the law. Ted feels there are obstacles in everyday driving and as drivers you have to learn how to adjust just as pilots could also if necessary.

-Joe Greene - Joe asked the Board to appeal the Judge's decision. He stated he has had a meeting with the FAA and they are watching the proceedings in Tuscola County. He stated the runway expansion is still being planned.

-Garrett Tetil - Garrett stated that the Board will have to make a decision to defend one of the sides of the issue. Garrett is in support of appealing the Judge's decision.

-Carol Hess - Carol referenced that the Court of Appeals only reviews the facts presented and does not take emotions into play. She is in support of Judge Gierhart's decision in this case and in every case she handles everyday on behalf of Tuscola County. She asked the Board to support the County and its vitality.

-Greg Ackerman - Greg presented a social media post by Kevon Martis who is an anti-wind activist. The FAA protects airspace and does not willingly give up airspace. He feels the community has been torn apart by this anti-wind group. He asked the Board to not use county funds to appeal this decision.

Tom Hess - Tom read a letter on behalf of Tom Hile that is in support of the wind project and that the FAA made the correct decision.

-Mike Pattullo - Mike referenced the appeal cases that were filed in Ellington Township. He asked the Board to appeal the Judge's decision.

-Rick Russell - Rick stated he feels the Board should have accepted the settlement offer. He stated he has not heard of any of the current companies that currently use the airport that they would not use the airport if the turbines were erected. He asked the Board to support the Judge and not appeal the decision.

-Jim Mantey - Jim stated that he does not feel anyone in the room is against renewable energy. He referenced the local zoning board of appeals and the guidelines laid out by the Zoning Enabling Act. He supports the AZBA Board's decision.

-Heidi Stark - Heidi referenced the appeal process, when an appeal is appropriate and when an appeal is allowed by an ordinance. The Board should make their own decision on if the Judge's order should be appealed and not look to the AZBA Board to make that decision.

-Norm Stephens - Norm stated this decision will set a state-wide precedence. Norm referenced a wind project in South Dakota that is experiencing issues similar to Tuscola County.

-Jan Daniels - Jan spoke in response to the flight care availability at the airport.

-David Davison - David stated that the wind turbines currently in operation are financially supporting the entire county. In the townships where there are wind turbines, NextEra has made road improvements as needed.

-Lisa Geiger - Lisa feels this issue is affecting the relationships in the community. She asked the Board to stand behind the decision of the AZBA.

-Wayne Koper - Wayne stated this has been an emotional property rights issue as well as a financial issue. Wayne recognizes there are some benefits of the wind turbines but also sees that it could cause derelicts.

-Nancy Laskowski - Nancy referenced the Emergency Management Plan that included population counts within it and feels that it shows a decrease in population in Fairgrove and Gilford Township. If the Board does not vote to appeal the Judge's decision, she asked the Board to seek separate counsel in that matter so there would not be a conflict of interest.

-Jim Tussey - Jim referenced that in Almer Township and the Airport Authority that there was no outside funding found and that the funding is being provided by local residents. He referenced FAA opinions and that state and local laws must be followed. He feels the airport ordinance is to protect the airspace.

-Mike Day - Mike stated the Akron-Fairgrove school district is seeing an increase in enrollment and an increase in the number of residents in the township.

-Greg Ackerman - The FAA did rule to protect the airspace and denied 8 turbines that they felt would impede the runway expansion.

-Mary Brissette - Mary referenced that the Political Action Committee (PAC) that was formed to fight the Almer Township wind project was funded by Juno money.

-Don Atkerson - Judge's decisions can be overturned and asked the Board to appeal the Judge's decision.

-Carol Hess - Carol referenced the decrease in the population and school enrollment in Tuscola County is mainly because of lack of job opportunity. She stated local business owners she has talked to would like to build the tax base of Tuscola County. She expressed her support of the wind turbine project within Tuscola County.

-Ken Houghtaling - Ken stated that new ordinances are being developed in Gilford Township and the Township is not getting participation in developing them. He feels that is the time for residents to speak out not afterward in a situation like this. Houses have recently sold in Gilford Township for fair-market value.

-Maureen Atkerson - She does not feel the issue is where the leases were signed within the airport zoned area. She feels that the people in attendance are not against wind turbines.

-Al Endres - Al agreed that community residents do not get involved until there is a large issue at hand. He stated that Judge Gierhart knew whatever decision that she made, it would be appealed and he feels that she did the best she could. He feels that the community needs to come together to move this county forward just as they did for the Caro Center. He asked if a compromise was possible.

-Doug Shannon - Doug is on the Fairgrove Township Zoning Board and is currently a pilot. He does not see any danger being caused by the wind turbines to the pilots. He does not feel the airport will close because of the wind turbines as they will not affect air traffic.

-Rick Russell - Rick stated that the county population is decreasing due to the aging population. Relationships have been broken and he does not feel those can be mended due to the financial loss to the lease holders.

-Bill Campbell - Bill stated that he has not heard anyone state that the airport ordinance is not a good law. The emotions should not play a part as it is a matter of law.

-Larry Ruckle - The people of the county elected Judge Gierhart and supported her to be the Judge of the county.

-Richard Koener - Richard is a former pilot but the aircraft that he flew were too large to fly into the Caro Airport. He researched the instrument decent and he would be available if the Board would have any questions. What happens in Tuscola County will set precedence.

-Mike Pattullo - Mike addressed why he has stayed involved in the fight against the wind turbine project over the last 4 years.

-Garrett Tetil - Garrett spoke in favor of appealing the Judge's decision.

-Mike Hormel - Read a statement on behalf of David Craig in support of the turbine project.

-Tom Hess - Read a letter on behalf of Pat Sheridan, who is in support of the wind turbine project. Pat has concerns about the ownership of the Tuscola Area Airport.

*New Business -**Closed Session -*

19-M-256

Motion by Young, seconded by Jensen that the Board meet in closed session under Section 8(h) of the Open Meetings Act to discuss the contents of a written legal memorandum from its attorney, which is exempted from disclosure under Section 13(1)(g) of the Freedom of Information Act, with Tim Kinney, Clayette Zechmeister, and Jodi Fetting to be allowed to attend the closed session at 6:32 p.m.

Commissioner Grimshaw questioned why Tim Kinney, the AZBA Vice-Chairman, can be allowed to attend the closed session meeting. Board discussed.

Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - no; Bardwell - yes. Motion Carried.

Board reconvened from Closed Session at 8:34 p.m.

Board Discussion -

-Commissioner Bardwell addressed how the Board of Commissioners were originally involved in the adoption of the Airport Ordinance.

-Commissioner Grimshaw thanked Tim Kinney for his expertise in the field and providing insight. He also thanked Clayton Johnson and Jamie Nisidis. Commissioner Grimshaw shared his thoughts that the county should not have adopted the airport ordinance in the first place as it is not Tuscola County's Airport. It is only an airport located within the jurisdiction. In reviewing the ordinance, he also feels that the two propane companies currently located near the airport are in violation of the ordinance. He also referenced the new build of the Caro Center will be in violation of the ordinance as well. His concern is how to pick and choose how to enforce the ordinance based on the business or matter at hand. He also shared a concern of how to enforce the ordinance, whose responsibility is it to enforce the ordinance and whose responsibility would it be to tell a person about the Airport Ordinance. Commissioner Grimshaw referenced the guidelines provided in the ordinance is to have the appeal filed to Circuit Court but once the Circuit Court issues an opinion, the ordinance is silent as to whose right it is to appeal the Judge's decision. He does not feel that the Judge is 100% wrong in her decision. There were accusations made against Judge Gierhart accusing her of bribery and he feels that is wrong. Allowing this topic to divide a community as it has is wrong and he feels that it has to stop. He referenced viewpoints that he has received from residents within his district and they do not have a dog in the fight so they don't have a desire to fight this

-Commissioner Jensen stated that he has reached out to residents of his jurisdiction and they are not aware of the issue at hand. Even though he is elected to serve a district, he is also here to represent the entire county. He does

believe in property owner's rights and their ability to protect those. He feels that people have sat on both sides that he knows and respects but their opinions have been very different. He feels that people's statements are half-truths and have twisted their comment to benefit their cause which makes it difficult to determine what really is the truth.

-Commissioner Young feels that it was not proper to take the \$10 million offer as he felt that the people deserved their day in court. He feels that by taking the offer at that time that would not have happened. He feels he should support the Judge's decision.

-Commissioner Vaughan understands this is a difficult decision for everyone that is at the meeting. Ordinances are written so that variance requests can be filed. After Circuit Court rendered the decision, then it has to be decided where to go from there. Everyone on the Board wants what is right for the county and the airport. He hopes that once this matter has passed, that the county can heal from all of this.

-Commissioner Bardwell stated the Board has taken this decision to heart and is diversified in the thoughts that each Commissioner has. Our local economy is struggling, which has caused a decrease in student enrollment and jobs. We have had the fight of the Caro Center twice and are still waiting to see if it will come through. A county needs a good school system and a good hospital. An airport is also an important key factor. The airport is a \$50 million asset which can either grow, stay the same or decrease. Commissioner Bardwell understands that no matter what decision is made tonight that half of the room will be upset with that decision. As we move forward and begin to settle down as a community on this issue, it is very hard not to look at the revenue at the county level. If cuts need to be made at the county level, it would affect full-time employees. Some in the audience have an idea of what they feel the Board should do, but the board has to look at the county as a whole and viability for the future. If appealed and reversed, he feels it may go to the Supreme Court. There is a section of people stating what they want but there is also a larger section that is quiet. The County has never been this late in preparing a budget and the Board's attention needs to begin focusing on that. In the first Caro Center discussion, the needed variance was discussed. The existing water tower is grandfathered in. The first design of the new Caro Center was supposed to be lower than the water tower. The second design will not be lower than the water tower which will require a variance request.

19-M-257

Motion by Grimshaw, seconded by Vaughan that the Board of Commissioners does not support an appeal of Judge Gierhart's decision. Roll Call Vote - Grimshaw - yes; Young - yes; Vaughan - yes; Jensen - yes; Bardwell - no. Motion Carried.

19-M-258

Motion by Grimshaw, seconded by Jensen to allow Braun Kendrick to represent the AZBA in the appeal if Braun Kendrick chooses to do that without there being a conflict of interest and without there being any county funding.

Board discussed the matter of allowing this to proceed with Braun Kendrick.

Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

Old Business - None

Other Business as Necessary - None

Extended Public Comment -

-Nancy Laskowski stated that the Board of Commissioners is not administering the ordinance as it should be as no one has been assigned or equipped to enforce the ordinance and she is asking the board to do that.

-Bill Campbell wanted to clarify that Indianfields does have an Airport Overlay Ordinance that he wrote. It is not written in as much detail but the Township does have an ordinance on file.

-Keith Aeder thanked the Board for their work as it was a hard decision and he appreciates their effort.

-Ken Houghtaling thanked the Board for their time and comments.

-Commissioner Bardwell on behalf of the Board thanked Barbara Ruckle, the School Board and Superintendent Newman for allowing the use of the auditorium. He also appreciates everyone who attended and their endurance.

-Commissioner Grimshaw thanked everyone who came whether for or against and for participating.

-Commissioner Vaughan appreciated everyone attending.

Motion by Vaughan, seconded by Jensen to adjourn the meeting at 9:34 p.m.

Jodi Fetting
Tuscola County Clerk

Draft
TUSCOLA COUNTY BOARD OF COMMISSIONERS
December 12, 2019 Minutes
H. H. Purdy Building

Commissioner Bardwell called the regular 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 12th day of December 2019, to order at 8:00 o'clock a.m. local time.

Prayer – Nicholas Schmelter, Worship Director, First Presbyterian Church, Caro

Pledge of Allegiance – Commissioner Jensen

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan (via Google Hangouts), District 4 - Mark Jensen, District 5 – Daniel Grimshaw (arrived at 8:06 a.m.)

Commissioner Absent: None

Also Present: Clerk Jodi Fetting (arrived at 8:52 a.m.), Chief Deputy Clerk Caryl Langmaid, Clayette Zechmeister, Nicholas Schmelter, Eean Lee, Mike Miller, Sheila Long, Steve Anderson, Drain Commissioner Bob Mantey, Nancy Laskowski, Lieutenant Brian Harris, Register John Bishop, Jim Tussey, Mary Brissette, Jean Doss (via Google Hangouts), Mark Haney, Angie Daniels,

Adoption of Agenda -
19-M-259

Motion by Young, seconded by Jensen to adopt the agenda as amended.
Motion Carried.

Action on Previous Meeting Minutes -
19-M-260

Motion by Young, seconded by Jensen to adopt the meeting minutes from the November 25, 2019 Regular Board and Statutory Finance meetings. Motion Carried.

Brief Public Comment Period for Agenda Items Only -

-Nancy Laskowski informed the Board, Juniata Township has sent out requests and would like clarification on the Airport Authority Ordinance section 3.6g. Juniata Township is looking for interpretation on glare. Clayette to follow-up. Commissioner Grimshaw read section 3.6g of the Airport Authority Ordinance and stated there is nothing in this section regarding glare and believes this is an issue for Juniata Township. Commissioner Grimshaw also believes the County should not get the attorney involved in this matter. Nancy stated she may have

the incorrect section of the ordinance, she will research and will let the Commissioners know the correct section.

Consent Agenda Resolution -
19-M-261

Motion by Young, seconded by Grimshaw that the Consent Agenda Minutes and Consent Agenda Resolution from the December 9, 2019 Committee of the Whole Meeting be adopted. Motion Carried.

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move to receive and place on file the 2019 MSU Annual report as presented by District Director Jerry Johnson.

Agenda Reference: B

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move that the 2020 Michigan State University Agreement to provide Extension Services to Tuscola County for \$153,647 be approved and all appropriate signatures are authorized.

Agenda Reference: C

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move to receive and place on file the 2018 Tuscola County Recycling Annual Report as presented by Mike Miller Director.

Agenda Reference: D

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move to re-appoint Dr. Russell Bush the Medical Examiner representing Tuscola County within the new Michigan Institute of Forensic Science & Medicine through the end of the contract on June 30, 2022. Also, any appropriate signatures required are authorized.

Agenda Reference: E

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move to approve the two-month contract with Capitol Services through January 31, 2020 for \$4,200 each month. Also, all signatures and budget amendments be authorized.

Agenda Reference: F

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move to approve the budget amendments of \$4,900 for the Tuscola County Community Foundation/Janks grant that was awarded to the Sheriff's Department be authorized.

Agenda Reference: G

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move that authorization is provided to post and advertise to refill a vacant Full time Tech position in the IT Department.

Agenda Reference: H

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move that the December 4, 2019 letter of retirement from Kimberly Green, Mosquito Abatement Director be received and placed on file with regret. Said retirement will be effective March 20, 2020.

Agenda Reference: I

Entity Proposing: COMMITTEE OF THE WHOLE 12/09/19

Description of Matter: Move that authorization is provided to post and advertise to refill the upcoming vacancy of the retirement of the Mosquito Abatement Director after the review of an updated job description is completed.

New Business -

-Commissioner Per Diem (matter added) - Board discussed if the Commissioners should receive a per diem payment for the two special Board meetings. Board discussed changing the policy to include special meetings to receive per diem payment.

19-M-262

Motion by Young, seconded by Grimshaw that the Commissioners receive one per diem for the last two special meetings.

19-M-263

Motion by Grimshaw, seconded by Young to amend motion 19-M-262 to lift the policy regarding per diem to allow one per diem for the last two special meetings. Motion to Amend Carried.

Vote on 19-M-262 as amended. Motion carried.

-Request to use Courthouse Lawn - Board received a request to use the courthouse lawn.

19-M-264

Motion by Young, seconded by Grimshaw that per the December 9, 2019 request from Jim McLoskey with the Right to Life Board, that authorization is given to use the front of the Courthouse on Sunday, January 19, 2020 at 3:30 in the afternoon. Motion Carried.

-Jean Doss, Capitol Services Update - Jean Doss reviewed the state budget agreement that happened last week. There are new designs being developed for the Caro Center to adjust it from a 200 bed facility to a 100 bed facility. Timeline of goals to complete were discussed. The solution of water supply to the Caro Center and options available were discussed. Jean reported that demolition is scheduled to begin in the Spring of 2020. Commissioners requested a monthly meeting to provide an update on the Caro Center.

-NACo Membership (matter added) - Clayette explained to the Board the annual membership invoice has been received and she wanted the Commissioners to verify that they would like to continue their membership with NACo. The Commissioners agreed to continue the membership for the 2020 year.

-Airport Ordinance (matter added) - Commissioner Young would like the matter of who is responsible to enforce the airport ordinance to be researched. Matter to be deferred to the Controller's Office for review of the airport ordinance. The position requirements for the Airport Administration that Michael Yates holds is also to be reviewed. Matter to be placed on a future Committee of the Whole meeting agenda for discussion.

Old Business

-Equalization Promotion - Matter was presented to the Board at the Committee of the Whole meeting on Monday, December 9, 2019. Board discussed the matter.

19-M-265

Motion by Jensen, seconded by Vaughan that per the December 3, 2019 correspondence from the Equalization Director, Colleen Smith be promoted from Property Appraiser I to Property Appraiser II effective December 16, 2019 because she has successfully passed the Michigan Certified Assessing Officer training and certification course. Motion Carried with Grimshaw dissenting.

-Correctional Health Care Services 10th Amended Agreement - Lieutenant Harris explained the amendments that were made to the agreement.

19-M-266

Motion by Grimshaw, seconded by Young that per the recommendation of the Jail Administrator, that the tenth amendment to the Correctional Health Care Services agreement for January 1st, 2020 through December 31, 2020 be approved with the annual amount of \$145,041.48 as reviewed by legal counsel. Also, all appropriate signatures are authorized. Motion Carried.

-2020 Draft Baseline Budget Review - Clayette Zechmeister reviewed the baseline budget and line items that are critical. There are line items that will be affected if the Governor makes additions back to the State budget that were previously cut. The baseline budget does not include contracting with a lobbying firm for 2020. Commissioner Grimshaw would like to review the option of the Commissioners having health insurance.

Board has set a special Committee of the Whole meeting for Finance Committee discussion for December 19, 2019 at 1:30 p.m. Clayette will reach out to department heads that need to talk to the Commissioners about requests to set a time slot for them. Clerk Fetting to prepare the notice.

Correspondence/Resolutions -

- Sheila Hebner, Millington Township letter to the Commissioners to retain the building code inspector program at the County level.
- Christmas card received from Capital Services.
- Commissioner Bardwell received letters from elected officials in reference to Deputy pay increases.

COMMISSIONER LIAISON COMMITTEE REPORTS**JENSEN**

Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
Genesee Shiawassee Thumb Works
Jail Planning Committee
Local Emergency Planning Committee (LEPC)
MAC Judiciary Committee
MEMS All Hazard
Local Units of Government Activity Report - Update provided of local units.

BARDWELL

Behavioral Health Systems Board
Caro DDA/TIFA
Economic Development Corp/Brownfield Redevelopment
MAC 7th District
MAC Workers Comp Board
TRIAD - Report provided.
Local Units of Government Activity Report

YOUNG

Board of Public Works
County Road Commission Liaison
Dispatch Authority Board
Genesee Shiawassee Thumb Works
Great Start Collaborative
Human Services Collaborative Council (HSCC)
Jail Planning Committee
MAC Agricultural/Tourism Committee
MI Renewable Energy Coalition (MREC)
Region VI Economic Development Planning
Saginaw Bay Coastal Initiative
Senior Services Advisory Council
Tuscola 2020
Local Units of Government Activity Report - Village of Cass City wants the county to provide building codes.

VAUGHAN

Board of Health
County Planning Commission
Economic Development Corp/Brownfield Redevelopment
MAC Environmental Regulatory
Mid-Michigan Mosquito Control Advisory Committee
NACO-Energy, Environment & Land Use
Parks and Recreation Commission
Tuscola County Fair Board Liaison
Local Units of Government Activity Report - Update provided on Boy Scout Road being closed and efforts to try to open at least one lane.

GRIMSHAW

Behavioral Health Systems Board
Recycling Advisory
Local Units of Government - The Village of Reese is interested in handling their own building codes enforcement. He has also received another complaint from a City of Vassar resident regarding building codes. The

Other Business as Necessary -

An updated sheet showing updated revenue for county, township, schools and libraries \$37,456,954.00 in revenue was presented.

Resolution for Steve Roland (matter added)-

19-M-267

Motion by Grimshaw, seconded by Young to adopt the proposed resolution and to have it presented at the earliest convenient time to Steve Roland for his dedicated years of service. Roll Call Vote: Young - yes, Jensen - yes, Vaughan - yes, Grimshaw - yes, Bardwell - yes. Motion Carried.

-RFP for County Lobbying Services - Proposed RFP is being drafted.

-Animal Control Ordinance - Clayette Zechmeister provided an update on the proposed revised ordinance. There are some questions regarding the enforcement of the ordinance.

-Commissioner Bardwell reported on a complaint regarding building codes for an unscheduled electrical inspection that caused an issue.

-Boards Policy on Per Diem payments - Commissioner Bardwell thought that the number of per diems allowed to be paid per day was recently changed. Board policy to be reviewed.

Extended Public Comment -

-Eean Lee - Thanked the Board for their dedication in their meeting last night.
Court system is looking to partner with Oakland County in the CLEMIS system in order to pay for a ticket online.

Meeting adjourned at 11:38 p.m.

Jodi Fetting
Tuscola County Clerk

DRAFT

Statutory Finance Committee Minutes
December 12, 2019
H.H. Purdy Building
125 W. Lincoln St, Caro MI

Meeting called to order at 11:38 a.m.

Commissioners Present: Young, Bardwell, Jensen, Grimshaw

Commissioners Absent: Vaughan

Also Present: Clerk Jodi Fetting, Clayette Zechmeister

-Claims and Per Diems were reviewed and approved.

Public Comment - None

Meeting adjourned at 11:42 a.m.

Jodi Fetting
Tuscola County Clerk

TO: Department Heads and Public
 FROM: County Board of Commissioners, Controller/Administrator, County Clerk
 DATE
 RE: County Board and Committee of the Whole Meeting Schedule for 2020

The following is a list of dates for the County Board and Committee of the Whole meetings in 2020. Requests to address the Board of Commissioners and Committee of the Whole should be submitted to the Controller/Administrator in advance of the scheduled meeting dates. Also, it should be noted that meetings can be added or cancelled at the discretion of the Committee Leader. All meetings are held in the Tuscola County Purdy Building at 125 W. Lincoln St., Caro, MI 48723 unless otherwise stated.

	2 nd & 4 th Mondays Committee of the Whole		2 nd & 4 th Thursdays Full Board	
	8:00 A.M.		8:00 A.M.	
January	13 th , 27 th		16 th , 30 th	
February	10 th , 24 th		13 th , 27 th	
March	9 th , 23 rd		12 th , 26 th	
April	13 th , 27 th		16 th , 30 th <i>(*MAC conf. 4/15-4/17)</i>	
May	11 th , ----		14 th , 28 th	
June	8 th , 22 nd		11 th , 25 th	
July	13 th , 27 th		16 th , 30 th	
August	10 th , 24 th		13 th , 27 th	
September	14 th , 28 th		17 th , Oct. 1	
October	12 th , 26 th		15 th , 29 th	
November	9 th , 23 rd		12 th , 25 th ??	
December	7 th , 21 st		10 th , 23 rd	

County Board
 Chairperson:
 Vice-Chairperson:

Work Groups:
 Finance:
 Personnel:
 Building & Grounds:

Meetings may be added, cancelled or rescheduled as necessary. If you need accommodations to attend a meeting, please notify the Tuscola County Controller/Administrator's Office at (989) 672-3700 two days in advance of the meeting.

2020 Conferences

MAC Conferences

-Legislative April 15 – April 17
(Lansing)

-Annual August 16 – August 19
(Kalamazoo)

NACo Conferences

-Legislative February 29 – March 4
(Washington DC)

-Annual July 17 – July 20
(Florida)

YEAR 2020 HOLIDAYS

TUSCOLA COUNTY COURTHOUSE, ANNEX, H.H. PURDY BUILDING OFFICES,
MOSQUITO ABATEMENT, FRIEND OF THE COURT and RECYCLING CENTER

WILL BE CLOSED

THE FOLLOWING WEEKDAYS TO OBSERVE THE LISTED HOLIDAYS:

WEDNESDAY, JANUARY 1, 2020	NEW YEAR'S DAY
MONDAY, JANUARY 20, 2020	MARTIN LUTHER KING, JR. DAY
MONDAY, FEBRUARY 17, 2020	PRESIDENT'S DAY
FRIDAY, APRIL 10, 2020	GOOD FRIDAY
MONDAY, MAY 25, 2020	MEMORIAL DAY
FRIDAY, JULY 3, 2020	INDEPENDENCE DAY OBSERVED
MONDAY, SEPTEMBER 7, 2020	LABOR DAY
WEDNESDAY, NOVEMBER 11, 2020	VETERAN'S DAY
THURSDAY, NOVEMBER 26, 2020	THANKSGIVING DAY
FRIDAY, NOVEMBER 27, 2020	FRIDAY AFTER THANKSGIVING
THURSDAY, DECEMBER 24, 2020	CHRISTMAS EVE DAY
FRIDAY, DECEMBER 25, 2020	CHRISTMAS DAY
THURSDAY, DECEMBER 31, 2020	NEW YEAR'S EVE DAY
FRIDAY, JANUARY 1, 2021	NEW YEAR'S DAY

Normal Business Hours are 8:00 A.M. - 12:00 Noon and
1:00 P.M. - 4:30 P.M. for the Courthouse, Annex & H.H. Purdy Building
Please Note: Friend of the Court and Magistrate Offices remain
open through the lunch hour.

Tuscola County Medical Care Community

Your Care Partner in Skilled Nursing and Rehabilitation Therapy

1285 CLEAVER ROAD ♦ CARO, MICHIGAN 48723
PHONE (989) 673-4117 ♦ FAX (989) 673-6665

3.

Executive Management

Brenda Kretzschmer, RN, NHA – Chief Executive Officer
Maggie Root, CHC – Chief Financial Officer
Rachel Curtis, RN – Chief Nursing Officer
Arshad Aqil, M.D. – Certified Medical Director



Tuscola County Department of Health & Human Services
and Tuscola County Medical Care Facility

Board of Directors
Douglas Hall - Chairman
Sue Morris - Vice-Chair
Michael Bearden - Member

December 11, 2019

Mrs. Clayette Zechmeister, Controller
Tuscola County Board of Commissioners
125 W. Lincoln Street
Caro, MI 48723

RE: Funds Transfer Request for various Capital Projects

Dear Mrs. Zechmeister:

This letter is to request a Transfer of Funds from Millage Fund 298-000-001-000 to General Fund Account 291-000-001-000 for recent capital expenses paid by the Community:

1. Small House Loan Interest Payment Chemical Bank	\$64,237.25 December 2019
2. Small House Loan Principle Payment Chemical Bank	\$190,000.00 December 2019

The total amount of this request is \$254,237.25. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Kretzschmer".

Brenda L. Kretzschmer, RN, NHA, CEO

Cc: Pat Donovan, Tuscola County Treasurer

STATE OF MICHIGAN



HON. AMY GRACE GIERHART
CIRCUIT COURT JUDGE

54TH JUDICIAL CIRCUIT COURT

440 NORTH STATE STREET
CARO, MICHIGAN 48723

NOV 23 2019

CIRCUIT COURT/FAMILY COURT
LEGAL SERVICES CONTRACT

THIS AGREEMENT is made this ____ day of November, 2019, by and between THE ATTORNEY GROUP and the 54th Judicial Circuit Court/Family Court, hereinafter referred to as "the Court".

WHEREAS, THE Court desires to obtain a consortium of attorneys to provide court appointed legal services to indigent respondents and/or parents in delinquency and neglect proceedings.

WHEREAS, the Attorney(s) hereby represent to the Court that they are members in good standing of the State Bar of Michigan, licensed to practice law in the State of Michigan and capable of performing legal services required of them pursuant to the terms of this contract.

Each member of the Attorney Group is an independent contractor and shall be solely and independently responsible for all actions and professional matters in connection with each case assigned to that member. No member of the Attorney Group shall be responsible for the conduct of any other members of the Attorney Group with regards to any and all professional services under this contract.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

I. TERM OF THE CONTRACT

This Contract shall take effect January 1, 2020, and shall continue until December 31, 2020. This Contract may automatically be renewed with the same terms after December 31, 2020, for one (1) calendar year by the Attorney Group notifying the Court in writing no later than November 1, 2020, of its intention to do so and with the Court's agreement.

II. SERVICES TO BE PERFORMED

ATTORNEYS agree to provide legal representation in all newly commenced proceedings in the following area under the jurisdiction of the Court: Protective Proceedings, Child Neglect and Juvenile Delinquency. Attorney services will

include representation for all hearings and trials for which legal counsel have, as a matter of practice, been appointed in the past.

ATTORNEYS shall continue to provide representation for all currently pending cases before the Court in which said Attorneys have already been appointed and those pending cases to which they are appointed as substitute counsel, if any.

Attorney services will also include appeals where the client represented in the trial court has an appeal by right. The scope of representation shall be limited to appeals by right only.

Legal services will include, but not necessarily be limited to, the following court appearances and all out of the court preparation therefore:

1. Preliminary hearings, adjourned preliminary hearings and waiver hearings;
2. Pretrial Conferences;
3. Trials and pretrial motions;
4. Review hearings;
5. Re-hearings;
6. Dispositional hearings, including termination;
7. Probation Violation Hearings
8. Permanency Planning Hearings
8. Other hearings – Visitation, Placement and Removal, Support/Reimbursement, Bond/Detention.

Appearances may include sixty (60) minutes notice on Saturdays and during the normal work week.

ATTORNEYS shall represent mother, father, putative father, children, and when the Court feels that representation is absolutely necessary, shall represent other persons that fall in the definition of a “custodian” under the Juvenile Code. Where more than four (4) attorneys are needed, either because an attorney is appointed for a custodian other than a parent or a child, or for any other reason, including but not limited to, more than two (2) parents, or a conflict between children, then the appointment of an attorney or attorneys beyond (4) attorneys shall be paid by the court. The Court shall be responsible for obtaining services of additional attorneys, as needed.

III. FEES AND COSTS

In addition to the compensation noted below the Court shall pay all subpoena fees, deposition fees, witness fees and other similar costs, and mileage for out of Tuscola County travel, at the IRS business mileage rate. Provided, however,

Attorneys shall seek prior approval from the Court before incurring deposition fees or expert witness fees. Any extraordinary expenses may be reimbursed based upon the actual amount incurred and upon prior written approval of the assigned judge. The ATTORNEY shall file a monthly request with the 54th circuit Court upon a Statement of Service and Order for Payment for any such charges.

IV. STATISTICS

Record of Case Appointments: The COURT shall keep a day-to-day record of case appointments. This record shall reflect the following information: the day of appointment, the court case number, the name of the case, the name of each attorney appointed, the name of the client for each said attorney, and the nature of the case (child neglect, juvenile delinquency). The COURT shall provide an annual report of case appointments reflecting numbers of cases, neglect and delinquency.

V. ASSIGNMENT OF CASES

The Court shall make appointments on a rotational basis to all contract attorneys in the following manner so as to ensure, to the extent possible, an equal number of appointments to each contracted attorney for both delinquency and neglect/abuse cases: Juvenile cases shall be appointed to all contract attorneys three (3) at a time, and Neglect/Abuse cases shall be appointed on a case by case basis and rotating the roles for each attorney for each case that is filed.

Except as otherwise provided in this agreement, any conflicts of interest or scheduling conflicts arising from appointments made under this Contract shall be resolved by the Attorney Group.

The Court reserves the right to assign cases to individual contracted attorneys.

This contract is not transferable or assignable without the consent of the Chief Judge.

In the event any attorney awarded a share of this contract is unable to continue the services to be performed, the Chief Judge reserves the right to award those shares to an attorney or attorneys deemed by the court as meeting the specified qualifications.

One-fourth of the assigned cases under the contract shall be divided between Elizabeth V. Weisenbach (1/8) and Lisa Blanton (1/8).

VI. COMPENSATION


The contract price for the calendar year 2020 shall be \$250,000. Contract payments shall be divided into four (4) groups and made in twelve (12) equal installments per group beginning with the first vendor pay cycle following February 1, 2020. Attorneys appointed on Appeals, not otherwise provided by this contract, shall be paid at the rate of \$85.00 per hour.

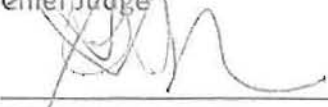
One-fourth of the contract price shall be equally divided between Elizabeth V. Weisenbach (1/8) and Lisa Blanton (1/8). The contract payments shall be made by the Court in twelve equal installments to each firm.

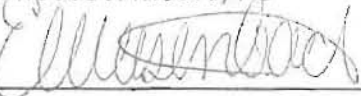
VII. TERMINATION OF THE CONTRACT

This Agreement may be terminated by either party at any time, with or without cause, upon not less than thirty (30) days written notice delivered by mail or in person to the other party. Notice to the Court shall be delivered to the Chief Judge of the 54th Circuit Court, located at 440 N. State Street, Caro, Michigan 48723. Notice to the Attorney Group shall be delivered to the Law Office of Duane E. Burgess, 121 W. Grant Street, Suite 2, Caro, Michigan 48723. From and following the date of termination, the Court shall not, and the Attorney Group will not, require, entertain or accept the Attorney Group's representation of indigents in new matters unless otherwise separately approved and authorized by the Court and the Attorney Group in writing.


In the event of termination by either party or at the end of the terms of this contract, the Attorney's responsibility for any and all services required by this contract shall end, with the exception of transferring files and preparing substitutions of new court appointed attorneys. It is the parties' intention that the new attorneys will substitute and replace all the current attorneys and take over their cases, subject to the Michigan Rules of Professional Conduct. If the Chief Judge determines a substitution is not appropriate, the Attorneys under this contract shall continue to represent their clients, and shall be paid at an hourly rate of \$75.00 per hour.

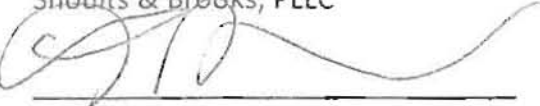

HONORABLE AMY GRACE GIERHART
Chief Judge


PHOEBE J. MOORE
Phoebe J. Moore, PC


ELIZABETH V. WEISENBACH


DUANE E. BURGESS


HEATHER BROOKS
Shoultz & Brooks, PLLC


LISA BLANTON

APPROVED FOR FUNDING: _____
DATE

Thomas Bardwell, Chairman
Tuscola County Board of Commissioners

STATE OF MICHIGAN

HON. AMY GRACE GIERHART
CIRCUIT COURT JUDGE

54TH JUDICIAL CIRCUIT COURT
440 NORTH STATE STREET
CARO, MICHIGAN 48723

(989) 672-3720

**CONTRACT FOR REPRESENTATION FOR ALLEGED DEVELOPMENTALLY DISABLED
INDIVIDUALS IN THE TUSCOLA COUNTY PROBATE COURT**

The Tuscola County Probate Court and Duane E. Burgess, attorney at law and court-appointed counsel, agree as follows:

1. The term of the agreement shall be from the first day of January, 2020 (1-1-2020) until the thirty-first day of December, 2020 (12-31-2020).
2. Court-appointed counsel shall be appointed to, and shall accept, all appointments of counsel on behalf of individuals and respondents in developmentally disabled actions. Further, court-appointed counsel shall continue representation of the individuals and respondents in all pending cases as of 1-1-2020, however counsel's responsibilities end at the end of the contract.
3. Court-appointed counsel shall represent solely and exclusively the interest of the individual or respondent throughout all court proceedings until their conclusion in the Court, or until otherwise relieved of said responsibility. The scope of this representation shall include appeals. The term "conclusion" is understood to mean the Court no longer retains jurisdiction over the case as a result of the matter being dismissed, discharged, or other resolution with the Court discharging counsel.
4. The Court will make accommodations, when possible, to schedule proceedings in order to minimize court-appointed counsel's required attendance at court. When a scheduling conflict occurs, court-appointed counsel shall be responsible for providing a substitute counsel to represent the legal interests of the individuals and respondents for a particular hearing or proceeding.
5. If the Court determines that there exists a conflict of interest which prevents court appointed counsel from representing the individual or respondent, the Court shall appoint a substitute attorney, the cost of which shall be paid by the Court.
6. The court-appointed counsel represents that he is an attorney in good standing with the State Bar of Michigan and knows of no pending disciplinary proceedings by appropriate grievance authorities directed against him. Any suspension or disbarment of said attorney shall be cause for immediate rescission of this agreement, without further compensation.

7. The Court, in consideration of this agreement, shall pay the court-appointed counsel the sum of \$6,000.00, to be paid in equal monthly installments. Payment shall begin on the 1st day of February, 2020 and continue on the first day of each month thereafter until paid in full. The Court will also pay mileage at the IAS business rate, to be billed monthly.
8. This agreement, including the proceeds thereof, is not transferrable or assignable to any third person, corporation or entity.
9. When it shall become necessary for witnesses to be called, subpoenas shall be prepared by the court appointed counsel and served on the witnesses as directed by the Court. Court appointed counsel is responsible for all drafting, service and filing of petitions, orders, subpoenas, etc. Prior approval for any expert witness or extraordinary fees, if necessary, shall be obtained from the Court by the court-appointed attorney.
10. The court-appointed counsel is an independent legal service provider and at no time shall be considered an employee of the court or Tuscola County. The court-appointed counsel shall provide his own professional liability insurance with limits no less than the standard limits of the legal community and agrees to provide to the court proof of said insurance. The court-appointed counsel agrees to hold the court harmless of any and all liability arising out of the court-appointed counsel's acts or omissions in carrying out the terms, conditions and requirements of the agreement.
11. If a conflict of interest as defined by the Rules of Professional Conduct arises between counsel and an individual or respondent, the court-appointed counsel shall prepare and file an appropriate motion and order to withdraw. Upon the granting of such motion, the Court may appoint alternate counsel for the alleged developmentally disabled person. The court shall be responsible for the payment of all fees and costs attributable to the appointment of alternate counsel. Any fees or costs paid to alternate counsel shall be paid by the Court.
12. The Court may terminate the contract upon 30 days' written notice to counsel. The Court shall appoint another counsel on all petitions filed with the Court from and after the date of such notice. If the Court terminates the contract under this provision, court-appointed counsel shall be compensated at the contract rate between the date of notice and the date upon which such termination becomes effective.
13. The agreement may be renewed in writing on an annual basis upon the same terms or such other terms as may be agreeable to the parties.

14. If any term or provision of this agreement is determined to be unlawful, null, or void, the remaining terms of the agreement shall remain in full force and effect.

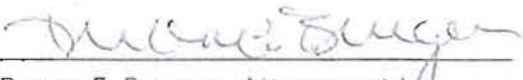
This document incorporates the complete understanding and agreement of the parties.



Hon. Amy Grace Gierhart, Chief Judge

09.11.19

Date



Duane E. Burgess, Attorney at Law

9/16/19

Date

APPROVED FOR FUNDING

Thomas Bardwell, Chair
Tuscola County Board of Commissioners

Date



Tuscola County

Sheila Long <slong@tuscolacounty.org>

Contract for Representation for Alleged Developmentally Disabled Individuals in Tuscola County Probate Court

1 message

duaneburgessatty@centurytel.net <duaneburgessatty@centurytel.net>

Tue, Sep 10, 2019 at 2:48 PM

To: slong <slong@tuscolacounty.org>

Sheila -

This will confirm our discussion from last week that I would be willing to renew the Contract for Representation for Alleged Developmentally Disabled Individuals, for another year, 2020, for the total annual sum of \$6,000.00.

Thank you -

DUANE E. BURGESS

Attorney at Law

121 W. Grant Street, Suite 2

Caro, MI 48723

(989) 673-1990

(989) 673-1989 - fax

duaneburgessatty@centurytel.net

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November 27, 2019

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Wednesday, November 27, 2019 at 8:00 A.M.

Present: Road Commissioners John Laurie, Gary Parsell (at 8:10 A.M.), Julie Matuszak, David Kennard, and Duane Weber; Acting County Highway Engineer Brent Dankert, Operations Engineer Technician Will Green, Superintendent/Manager Jay Tuckey, and Director of Finance/Secretary-Clerk Michael Tuckey.

Motion by Matuszak seconded by Weber that the minutes of the November 14, 2019 regular meeting of the Board be approved. Weber, Kennard, Matuszak, Laurie --- Carried.

Payroll in the amount of \$112,761.91 and bills in the amount of \$1,233,964.53 covered by vouchers #19-60, #19-61, and #HRA-77 were presented and audited.

Motion by Matuszak seconded by Kennard that the payroll and bills be approved. Weber, Kennard, Matuszak, Laurie --- Carried.

Brief Public Comment Segment:

None.

Motion by Weber seconded by Matuszak to receive the update from Envirologic Technologies, and to move forward with the proposed plans for the Vassar Garage, the Cain #1 Brine Well, and the Livingston Brine Well. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak to approve the proposal from Wolverine Sealcoating to extend their 2019 bid prices for Overband Crack Fill to the 2020 season. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Kennard seconded by Parsell to approve the proposals from both Pavement Maintenance Systems and Fahrner Asphalt Sealers to extend their 2019 bid prices for Chip Seals to the 2020 season. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Weber to approve the proposal from Pavement Recycling, Inc. to extend their 2019 bid prices for HMA Base Crushing, Shaping, and Compaction with Stabilization to the 2020 season. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Weber seconded by Matuszak to approve the request from the Watertown Township Board to close a portion of Fostoria Road on December 13, 2019 for a Christmas Parade. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak granting Larry Weller a final extended Leave of Absence for three (3) months through March 1, 2020, all in accordance with the Union Agreement. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Director of Finance Michael Tuckey presented to the Board a revised 2019 Budget. After discussion and review of various financial reports, the following motion was introduced:

Motion by Weber seconded by Kennard to approve the revised 2019 Budget as presented. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Director of Finance Michael Tuckey presented to the Board a proposed 2020 Budget. After discussion and view of various financial reports, the following motion was introduced:

Motion by Parsell seconded by Weber to accept the proposed 2020 Budget as presented, and to table approving the proposed 2020 Budget pending the Budget Hearing scheduled at the next regular meeting of the Board. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

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

Chairman

Secretary-Clerk of the Board

EATON COUNTY BOARD OF COMMISSIONERS

November 20, 2019

RESOLUTION TO ENCOURAGE CHANGES TO THE APPLICATION OF A FEE-FOR-SERVICE MODEL FOR LOCAL SUBSTANCE ABUSE SERVICE DELIVERY

Introduced by Commissioner Joe Brehler

Commissioner Brehler moved to approve for the following resolution. Seconded by Commissioner Lautzenheiser.

WHEREAS, The Eaton County Board of Commissioners was made aware of the unfortunate decision the Barry-Eaton District Board of Health was recently forced to make to cease the services provided by Eaton Behavioral Health; and

WHEREAS, The Board of Health made this difficult decision due to continued funding uncertainty which led to a staffing crisis; and

WHEREAS, the continued uncertainty made it an impossibility to recruit and maintain clinical staff to provide services; and

WHEREAS, Eaton Behavioral Health provided substance abuse services to the citizens of Eaton County for over 20 years; and

WHEREAS, during this time Eaton Behavioral Health was the sole provider of substance abuse services within Eaton County; and

WHEREAS, the services provided were designed to meet the local needs of rural Eaton County; and

WHEREAS, the cost structure to continue to provide these vital services in a rural setting was inconsistent with the one size fits all fee for service model sought by the 21 county "mega"-regional PIHP; and

WHEREAS, the closure of EBH and the loss of these crucial services to the community likely could have been avoided if the regional PIHP model had been implemented in more effective manner; and

WHEREAS, the continued regionalization cost Eaton County the experienced, locally-designed delivery system for the services it needed in the community; and

NOW, THEREFORE, BE IT RESOLVED, The Eaton County Board of Commissioners urges the fee-for-service reimbursement model to be evaluated to assure that services remain accessible and responsive to community needs; and

BE IT FURTHER RESOLVED, more importantly the Eaton County Board of Commissioners emphasizes that this evaluation must be done immediately so that other similar rural programs do not suffer the same unfortunate fate as Eaton Behavioral Health. Carried.

Kalkaska County Board of Commissioners
Resolution 2019-51
In Support of Line 5 Tunnel

At a Regular Meeting of the Kalkaska County Board of Commissioners, on November 20, 2019: Motioned by West. Supported by Comai:

WHEREAS, Enbridge's Line 5 has been operating safely and reliably in the Straits of Mackinac for more than 66 years; and

WHEREAS, Enbridge's Line 5, a light crude and natural gas liquids pipeline, helps to safely meet Michigan's energy needs by fulfilling more than half of the propane needs of the state, and 69% of the needs of Upper Peninsula residents; and

WHEREAS, the products delivered to regional refineries provide jobs and ultimately fuel our lives; and

WHEREAS, issues have been raised by several concerned parties regarding the possibility and impact of a breach of Line 5 into the Straits of Mackinac. Multiple and extensive inspections and safety tests over the last several years have confirmed the integrity of Line 5 at the Straits of Mackinac.

WHEREAS, consequences to energy supply, local producers, regional airports and refineries, jobs, local economies and the pocketbook of Michiganders across the entire state are too great for Line 5 to be shut down before the tunnel replacement can be completed.

WHEREAS, the State of Michigan, under the Snyder administration, and Enbridge negotiated an "agreement" for a 5 year \$500 million project, to construct a tunnel 100 feet below bedrock to encase Line 5, the entire length of the Straits, in one-foot-thick concrete walls in order to mitigate the chances of any leaks of product into the Great Lakes.

WHEREAS, the recently elected Michigan Attorney General, Dana Nessel, has subsequently opposed the negotiated "agreement" and filed a law-suit in Ingham County Circuit Court to close down Line 5 immediately, effectively canceling all efforts to begin construction of the tunnel; and

WHEREAS, this action may very well provide unintended consequences for all parties as the litigation to close down Line 5 may take years to be resolved in the court with no assurance of the outcome and;

WHEREAS, the time to resolved the litigation may simply result in the delay of the start of the construction of the tunnel thereby leaving the existing Line 5 in place unnecessarily for several additional years.

WHEREAS, Enbridge has demonstrated a willingness to work with the State to both protect the Great Lakes and ensure the continued safe delivery of energy we all rely on.

NOW, THEREFORE BE IT RESOLVED, the Kalkaska County Board of Commissioners hereby joins with other Michigan Counties in extending its support for Enbridge's proposed tunnel replacement project and urges the State of Michigan to work with Enbridge to complete the tunnel project as quickly as possible and not disrupt Line 5 service before the tunnel can be completed.

AND, BE IT FURTHER RESOLVED, that Mackinac County sends this resolution to all counties of Michigan as an invitation to join in expressing support for increasing the safety of our current energy infrastructure as our society simultaneously seeks energy efficiencies and energy alternatives that will continue to reduce risks to our environment.

Motioned by West. Supported by Cornai. Roll call vote:

Yeas: West, Cornai, Cox, Ngirarsaol, Fisher.

Nays: Crambell, Sweet.

Absent: None

5 yeas. 2 nays.

Motion Carried.

 10-10-2019
Kohn E. Fisher,
Chairman of the Board of Commissioners Kalkaska County

I, the undersigned, Clerk of Kalkaska County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Kalkaska County Board of Commissioners, at its Regular Meeting on November 20, 2019 the original of which is part of the Board's minutes.


Deborah L. Mill
Clerk of the Board of Commissioners Kalkaska County

2020 DNR RECREATION GRANT WORKSHOPS

9.



DATES/TIMES/LOCATIONS

No pre-registration is necessary and there is no cost for these workshops.

Call 517-284-7268 for information

Monday, January 6, 2020 – LANSING – 9:00 AM to 12:00 PM – Michigan Library and Historical Center, Forum, 702 West Kalamazoo Street, Lansing, 48915 – 517-373-6227

Tuesday, January 7, 2020 – CARO – 1:00 PM to 4:00 PM – Tuscola Technology Center, 1401 Cleaver Road, Caro, 48723 – 989-673-5300

Tuesday, January 14, 2020 – GRAYLING – 1:00 PM to 4:00 PM – Kirtland Community College, Community Room A, 4800 W. 4 Mile Road, Grayling, 49738 – 989-275-5000 Ext. 273

Wednesday, January 15, 2020 – BARAGA – 9:00 AM to 12:00 PM – Baraga Lakeside Inn, 900 S. US-41, Baraga, 49908 – 906-353-7123

Wednesday, January 15, 2020 – BIG RAPIDS – 1:00 PM to 4:00 PM – Holiday Inn Hotel and Conference Center, 1005 Perry Avenue, Big Rapids, 49307 – 231-796-4400

Thursday, January 16, 2020 – MARQUETTE – 9:00 AM to 12:00 PM – Staybridge Suites, 855 W. Washington Street, Marquette, 49855 – 906-225-9901

Thursday, January 16, 2020 – KALAMAZOO – 1:00 PM to 4:00 PM – Delta Hotel by Marriott Kalamazoo, 2747 South 11th Street, Kalamazoo, 49009 – 269-375-6000

Friday, January 17, 2020 – ST. IGNACE – 9:00 AM to 12:00 PM – Little Bear East Arena, 275 Marquette Street, St. Ignace – 906-643-8676

Wednesday, January 22, 2020 – WEBINARS – 10:00 AM to 12:00 PM – SCORING,
1:00 PM to 3:00 PM – STANDARD WORKSHOP

Tuesday, January 28-31, 2020 – NOVI – Michigan Recreation and Park Association Conference (MParks), Suburban Collection Showplace, 46100 Grand River Avenue, Novi, 48374 – **YOU DO NOT HAVE TO BE REGISTERED AT THE CONFERENCE TO ATTEND THESE WORKSHOPS.**

<https://www.mparks.org/event/Conference2020>

