

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING AGENDA**

THURSDAY, FEBRUARY 11, 2021 – 08:00 A.M.

125 W. Lincoln Street
Caro, MI 48723

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

Electronic remote access will be implemented for this meeting, in accordance with the Department of Health and Human Services Emergency Order under MCL 333-2253 Gathering Prohibition and Face Covering Order and Public Act No. 254 of 2020.

To participate in the Electronic Meeting you can join by phone:

(US) +1 337-520-0339 PIN: 671 878 038#

Join by Hangouts Meet: meet.google.com/dtb-rchm-gjj

- 8:00 A.M. Call to Order – Chairperson Bardwell
Prayer – Commissioner DuRussel
Pledge of Allegiance – Commissioner Grimshaw
Roll Call – Clerk Fetting
Adoption of Agenda
Action on Previous Meeting Minutes (***See Correspondence #1 & 2***)
Brief Public Comment Period for Agenda Items Only
Consent Agenda Resolution (***See Correspondence #3***)

New Business

- Updates - Ann Hepfer, Health Officer
- Budget Amendment Request - Chief Judge Amy Grace Gierhart (***See Correspondence #4***)

Old Business

- Request to add a position – County Treasurer Ashley Bennett (***See Correspondence #5***)
- Pool Vehicles Bid Awards (***See Correspondence #6***)
- Animal Shelter Furnace Bid Award (***See Correspondence #6***)

- Board Organization Rules Review (*See Correspondence #7*)
 - ❖ Topic/issue assignment to a committee
- Draft RFP Building Codes (*See Correspondence #8*)
- MAC 7th Meeting February 15th 9:00 am UPDATE

Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

DuRUSSEL

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

BARDWELL

Behavioral Health Systems Board
 Caro DDA/TIFA
 Economic Development Corp/Brownfield Redevelopment
 MAC 7th District
 MAC Workers Comp Board
 MAC Finance Committee
 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
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
Jail Planning Committee
MI Renewable Energy Coalition (MREC)

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. January 28, 2021 Full Board Minutes – Statutory Finance Minutes
2. February 8, 2011 Committee of the Whole Meeting Minutes
3. Consent Agenda Resolution
4. Budget Amendment Request - Chief Judge Amy Grace Gierhart
5. Request to add a position – County Treasurer Ashley Bennett
6. Pool Vehicles Bid Awards and Animal Shelter Furnace Bid Award
7. Board Organization Rules Review
8. Draft RFP Building Codes
9. January 21, 2021 Tuscola County Road Commission Minutes
10. Alpena County Pandemic Resolution #21-03
11. Antrim County Resolution in Support of Local Businesses #09-2021
12. Jackson County Resolution In Support of the Request to Reopen Jackson County of Jackson Resolution #06-20.19

Draft

TUSCOLA COUNTY BOARD OF COMMISSIONERS

January 28, 2021 Minutes

Meeting held via Google Meet Electronic remote access, in accordance with the Department of Health and Human Services Emergency Order Under MCL 333.2253 – Gathering Prohibition and Mask Order and Public Act 254 of 2020.

Commissioner Bardwell called the regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held via Google Meet on the 28th day of January 2021, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Young

Pledge of Allegiance – Commissioner Vaughan

Roll Call – Clerk Jodi Fetting

Commissioners Present Virtual:

District 1 - Thomas Young - Columbia Township, Tuscola County, State of Michigan

District 2 - Thomas Bardwell - Ellington Township, Tuscola County, State of Michigan

District 3 - Kim Vaughan - Lake County, State of Florida (excused at 10:46 a.m.)

District 4 - Doug DuRussel - Tuscola Township, Tuscola County, State of Michigan

District 5 - Daniel Grimshaw - Vassar Township, Tuscola County, State of Michigan

Commissioner Absent - None

Also Present Virtual:

Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Mary Drier, Steve Erickson, Debbie Babich, Tracy Violet, Heidi Chicilli, Lisa Ozbat, Wayne Koper, Mike Miller, Bob Baxter, Brian Woodin, Jana Brown, Matt Brown, Steve Anderson, Drain Commissioner Bob Mantey, Barry Lapp, Jessica VanHove, Mark Haney, Pam Shook, Jim McLoskey, Donna Fraczek, Shannon Gwizdala, Jim Tischler, Debbie Mika, Shelly Lutz, Brian Harris, Sheriff Glen Skrent, Mark Ransford, Register John Bishop, Bob DeCoe

At 8:09 a.m., there were a total of 31 participants attending the meeting.

Adoption of Agenda -
2021-M-018

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

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

*Action on Previous Meeting Minutes -
2021-M-019*

Motion by Young, seconded by Vaughan to adopt the meeting minutes from the January 14, 2021 Regular meeting as presented. Roll Call Vote: Vaughan - yes; DuRussel - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

Brief Public Comment Period for Agenda Items Only - None

*Consent Agenda Resolution -
2021-M-020*

Motion by Young, seconded by Vaughan that the Consent Agenda Minutes and Resolution from the January 25, 2021 Committee of the Whole Meeting be adopted. Roll Call Vote: DuRussel - yes; Grimshaw - yes; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 1/25/21

Description of Matter: Move to approve the Amendment to the 2012 Communication Site Lease Agreement with Thumb Cellular, LLC at 420 Court Street. This will add Section 25 to install a camera on the tower for a security feed to cover the Sheriff's parking lot. Other terms and conditions on the agreement will remain in force and effect. Also, all appropriate signatures are authorized.

Agenda Reference: B

Entity Proposing: COMMITTEE OF THE WHOLE 1/25/21

Description of Matter: Move that per the recommendation of the Building and Grounds Director that Shawn Cameron be hired to fill the vacant part-time custodian position. Effective hire date of February 8, 2021 at the beginning step rate of \$15.18 per hour. Also, approval is pending favorable background, physical and drug screening.

New Business -

-Murphy Lake Level – Robert Mantey, Drain Commissioner explained that there is an informational meeting scheduled for February 8, 2021 from 3:00 p.m. to 5:00 p.m. This informational meeting will be held to provide an update on the Murphy Lake Level Control Structure. Watertown Township and Millington Township are involved.

-Economic Development Corporation (EDC) Updates –
-Stephen Erickson, Executive Director, expressed his appreciation of Frankenmuth Credit Union providing funds for local businesses to apply for. Steve also explained some various other programs that were made available to local businesses. Steve provided an overview in general of some upcoming 2021 projects. The state land acquisition was discussed at length. Jim Tischler from the State Land Bank Authority provided an update on the State Land Bank process. He was unclear of Tuscola County's intention regarding the land. Steve was working with an outside developer regarding a portion of the land that the County had not approved. The Board stated they are interested in the parcels of land that was originally discussed and surveyed.

-Jim McLoskey mentioned a new venture called Michigan House of Hope.

-Matter of restaurants reopening at 25% capacity on February 1, 2021 discussed.

-Agenda Distribution - Board discussed the quick turnaround time from the Committee of the Whole meeting to having to have the Board agenda in the mail to the Commissioners.

Old Business -

-Families First Coronavirus Response Act (FFCRA) Expiration – As of January 14, 2021, 87 out of 166 employees have sick time available in their sick banks. Emergency Services employees (Sheriff's Deputies, Correction Officers and 911 Dispatchers) experiencing COVID related situations would be considered under workman's compensation claim guidelines until March 31, 2021. Board discussed the possible options that are available. Board at this time decided to stay with current policies that are in place.

-Medical Examiner William R. Morrone, DO, MPH d/b/a Capitol Toxicology - Clayette Zechmeister updated the Board that Dr. Morrone has signed the contract for Capitol Toxicology to provide Medical Examiner services to Tuscola County.

2020-M-021

Motion by Grimshaw, seconded by Vaughan that Tuscola County terminate, without cause, its current contract with the Michigan Institute of Forensic Science & Medicine (MIFSM) for the provision of medical examiner services. I further move to instruct legal counsel for the County to give appropriate written notification of this termination such that it is effective April 30, 2021 and to take any other actions as are necessary to transition to William R. Morrone, DO, MPH Doing Business As Capitol Toxicology for Medical Examiner services. I further move that legal counsel and the County Controller/Administrator calculate the appropriate pro-rata amount of payment for services for the month of April 2021, as the County has already paid the Michigan Institute of Forensic Science & Medicine through March 2021. Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan - yes; DuRussel - yes; Bardwell - yes. Motion Carried.

-Michigan Institute of Forensic Science & Medicine (MIFSM) - Matter not discussed further.

-Board Rules of Order - Clayette Zechmeister has received a copy of the Conflict of Interest policy from Tuscola County Behavioral Health Systems. This policy along with the others that she has found are to be distributed to the Commissioners. Matter to be placed on the next Committee of the Whole meeting agenda.

-State Land Bank Update - Matter discussed at length during the EDC update. Board further discussed moving forward with acquiring the property. Commissioner Vaughan reported that Indianfields Township has expressed to him they are not interested in partaking in the project.

2020-M-022

Motion by Grimshaw, seconded by Vaughan that Tuscola County affirm in writing its intent to proceed with acquisition of parcels of land in Indianfields Township from the State of Michigan Land Bank as disclosed in Survey Job No. 2019.484 dated January 8, 2020 prepared by D&M Site, Inc. Roll Call Vote: Young - yes; Vaughan - yes; DuRussel - no; Grimshaw - yes; Bardwell - yes. Motion Carried.

Commissioner Vaughan excused at 10:46 a.m.

Correspondence/Resolutions -

- Michigan House of Representatives Committee Assignments for Appropriations Committees
- Michigan House of Representative Committee Assignments for Policy Committees
- Email from a Concerned Citizen Regarding Vaccine Distribution
- Michigan.gov COVID-19 Vaccine Dashboard
- Tuscola County Employee COVID-19 Claims Dashboard
- Tuscola Behavioral Health Systems Board of Directors 2021 Board Meeting Schedule
- Tuscola County Road Commission Meeting Minutes
- Grand Traverse County Pandemic Resolution #8-2021
- Kalkaska County Pandemic Resolution #2021-14
- Houghton County In Support of Local Business Resolution #21-01

COMMISSIONER LIAISON COMMITTEE REPORTS

GRIMSHAW - No Report at this time.
Behavioral Health Systems Board
Recycling Advisory
Local Units of Government
Jail Planning Committee
MI Renewable Energy Coalition (MREC)

DURUSSEL - No Report at this time.

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

BARDWELL

Behavioral Health Systems Board
Caro DDA/TIFA
Economic Development Corp/Brownfield Redevelopment
MAC 7th District - Discussed potential meeting date of February 17, 2021.
MAC Workers Comp Board - Meets in May 2021.
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
Region VI Economic Development Planning
Saginaw Bay Coastal Initiative
Senior Services Advisory Council
Tuscola 2020
Local Units of Government Activity Report
Commissioner Young attended the MREC meeting on January 19, 2021.

VAUGHAN - Absent

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

Other Business as Necessary - None

At 10:58 a.m., there were a total of 26 participants attending the meeting.

Extended Public Comment -

-Register John Bishop expressed concern regarding the FFCRA expiration. He expressed the time off for COVID needs to be considered differently than time off for the flu.

-Wayne Koper spoke in reference to the economic impact COVID has had on the community.

-Bob DeCoe thanked the Tuscola County Health Department for a well-organized vaccination clinic at the Colwood Church. He is not in support of the Sanctuary County Resolution adopted by the Board. Expressed concern over economic impact to local businesses.

-Wayne Koper spoke in reference to wealth distribution in the middle class.

2021-M-023

Motion by Young, seconded by DuRussel to adjourn the meeting at 11:13 a.m.

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

Meeting adjourned at 11:13 a.m.

Jodi Fetting
Tuscola County Clerk

Tuscola County Board of Commissioners
Statutory Finance Committee Minutes
January 28, 2021

Electronic remote access will be incorporated for this meeting, in accordance with the Department of Health and Human Services Emergency Order Under MCL 333-2253 Gathering Prohibition and Mask Order and Public Act No. 254 of 2020.

Commissioner Young called the Statutory Finance meeting of the Board of Commissioners of the County of Tuscola, Michigan, held via Google Meet on the 28th day of January, 2021, to order at 11:14 o'clock a.m. local time.

Roll Call – Clerk Jodi Fetting

Commissioners Present Virtual:

District 1 - Thomas Young - Columbia Township, Tuscola County, State of Michigan (joined at 11:16 a.m.)

District 2 - Thomas Bardwell - Ellington Township, Tuscola County, State of Michigan

District 4 - Douglas DuRussel - Tuscola Township, Tuscola County, State of Michigan

District 5 - Daniel Grimshaw – Vassar Township, Tuscola County, State of Michigan

Commissioner Absent - District 3 - Kim Vaughan

Also Present Virtual:

Jodi Fetting, Clayette Zechmeister, Eean Lee, Brian Harris, Mark Haney, Mary Drier, Steve Anderson

At 11:14 a.m., there were a total of 21 participants attending the electronic meeting.

New Business:

-Review and Adoption of Finance Report and Checks –
2021-SF-M-005

Motion by Grimshaw, seconded by DuRussel to approve the finance checks as submitted on the January 26, 2021 report. Roll Call Vote: Vaughan - absent; DuRussel - yes; Grimshaw - absent; Young - yes; Bardwell - absent. Motion Carried.

-Review and Adoption of Daily Report and Checks –
2021-SF-M-006

Motion by Grimshaw, seconded by DuRussel to approve the daily checks as submitted on the January 25, 2021 report. Roll Call Vote: DuRussel - yes; Grimshaw - yes; Young - yes; Vaughan – absent; Bardwell - absent. Motion Carried.

Commissioner Bardwell joined at 11:16 a.m.

-Review and Adoption of Per Diems Report and Checks – None

2020-SF-M-007

Motion by Grimshaw, seconded by DuRussel to approve the Committee Per Diem Payments as submitted on the January 2020 report with the removal of Commissioner Grimshaw's Per Diem payment for the Recycling Committee. Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan – absent; DuRussel – yes; Bardwell - yes. Motion Carried.

Old Business –

-Adoption of Previous Meeting Minutes

2021-SF-M-008

Motion by Grimshaw, seconded by DuRussel to adopt the meeting minutes from the January 14, 2020 Statutory Finance. Roll Call Vote: Young - yes; Vaughan - absent; DuRussel - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

Public Comment - None

202-SF-M-009

Motion by Bardwell, seconded by DuRussel to adjourn the meeting at 11:18 a.m. Roll Call Vote: Young - yes; Vaughan - absent; DuRussel - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

Meeting adjourned at 11:18 a.m.

Jodi Fetting
Tuscola County Clerk

Draft
Tuscola County Board of Commissioners
Committee of the Whole
Monday, February 8, 2021 – 8:00 A.M.

**Electronic remote meeting will be implemented for this meeting,
in accordance with the Department of Health and Human Services Emergency
Order Under MCL 333.2253 – Gathering Prohibition and Mask Order and
Public Act No. 254 of 2020.**

Roll Call - Clerk Jodi Fetting

Commissioners Present Virtual:

- District 1 - Thomas Young - Columbia Township, Tuscola County, State of Michigan
- District 2 - Thomas Bardwell - Ellington Township, Tuscola County, State of Michigan
- District 3 - Kim Vaughan - Lake County, State of Florida (excused at 11:32 a.m.)
- District 4 - Douglas DuRussel - Tuscola Township, Tuscola County, State of Michigan
- District 5 - Daniel Grimshaw - Vassar Township, Tuscola County, State of Michigan

Commissioner Absent - None

Also Present Virtual:

Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Tracy Violet, Brian Neuville, Sandy Nielsen, Wayne Koper, Patrick Wood, Treasurer Ashley Bennett, Mike Miller, Darcie DiBasio, Debbie Babich, Steve Erickson, Heidi Chicilli, Joanne Montgomery, Mary Drier, Bob Baxter, Steve Anderson, Representative Phil Green, Garrett Smith, Debbie Mika, Sheriff Glen Skrent, Richard Clement, Steve Root

At 8:11 a.m., there were a total of 29 participants attending the meeting.

New Business - continued below

1. **Media Board Representation:** CCO Role and Responsibility (continued below) - Commissioner Bardwell reviewed the needs for having a Public Information Officer (PIO) for the county and the importance of communication amongst the Board members and the Controller/Administrator.
2. **State Land Bank:** Communication: Review and Protocol Forward (continued below) - Board reviewed the timeline of events with the State Land Bank regarding the acquisition of the state land near the Caro Center.

County Updates

-Legislative Updates - State Representative Phil Green provided an update that the Legislature has met for the first time this session, pending legislation that will be introduced this upcoming year, that he is working with Clerks to get their input on election reform and state revenue sharing.

New Business - continued from above and continued below

1. Media Board Representation: CCO Role and Responsibility (continued) - Commissioner Grimshaw feels that there needs to be an explanation of the difference in the roles of the spokesperson for the Board and the spokesperson for the County.
2. State Land Bank: Communication: Review and Protocol Forward (continued) - Commissioner Grimshaw questioned if Brownfield Development funding was applied for to remove the buildings on the state land property. Board will wait for Steve Erickson to answer that question.
3. MDI Log: Use with ME Update and Recognition Received - Clayette Zechmeister reviewed communication received regarding the Medical Investigators and how they assist the Gift of Life program. Board discussed the Medical Investigators having access to iPads which allows them to communicate quickly to the Gift of Life Michigan program.
4. Video and Recording of County Meeting - Board discussed the request that was received to record and archive the recordings of the Board meetings. The Board does not have interest in pursuing the option.

Old Business

1. State Land Bank Land Acquisition Overview: From inception to current Board Review - Steve Erickson briefly referenced this earlier in the meeting under New Business.
2. State Land Bank Chronological Order Timeline - Information was provided in the Board agenda packet.
3. Purchase Agreement: State Land Bank Authority Update
 - a. Board Resolution 2020-7
-Board reviewed and discussed the proposed purchase agreement for the property. Matter to be placed on the Consent Agenda.
4. Organizational Rules Update and review (11.1 specifically) - See Item 5 regarding Section 11.1. Commissioner Bardwell referenced Section 6.4: Public Comment and requested input from the Board on if a time limit should be adopted to the section.
5. Conflict of Interest Policies – Review/Suggestions for Potential Adoption - Clayette Zechmeister included Tuscola Behavioral Health's conflict policy as well as policies received from other counties. Board discussed the potential of adopting a county policy rather than a policy addressing just the Commissioners. Board would like the matter to be presented to the County Attorney for preparation of a county policy for Tuscola County.
6. Commissioner Liaison Committee Contact - Information Still Needed - Board discussed the matter and Clerk Fetting offered to assist Angie House with contact information that the Clerk's Office may have on file. Commissioner Bardwell has been appointed to the MAC Finance Committee and Commissioner

DuRussel will follow up to see if he was appointed to the MAC Judiciary Committee.

Finance/Technology
Committee Leader Commissioner Young
Commissioner DuRussel

Primary Finance/Technology - Continued below

1. Request for Budget Amendment for Extra Home Delivered Meals - Brian Neville, Human Development Commission (HDC), reviewed the current number of meals that have been delivered during the pandemic and how they are providing a drive through option as well. Brian reviewed how the amount requested for the increase in funding was determined. Matter to be placed on the Consent Agenda.

New Business - continued from above

5. Request to Add Position – Ashley Bennett, County Treasurer, explained changes in legislation that has added additional responsibilities to the Treasurer's Office regarding the foreclosure process of properties. Treasurer Bennett is requesting an additional full-time staff person to that office due to the adoption of Public Acts 255 and 256. Matter discussed at length. Matter to be placed on Thursday's agenda.

Primary Finance/Technology - Continued from above and continued below

2. Recycling Budget Amendment Request - Mike Miller, Building and Grounds Director, explained the proposed budget reduction requests presented in the Board agenda packet.
3. G2G Cloud Solutions I.T. Service Agreement Amendment - Eean Lee, Chief Information Officer, explained the amended agreement which was included in the Board agenda packet. Matter to be placed on the Consent Agenda.
4. Budget Amendment Request/Purchase Use of Fund Balance - Clayette Zechmeister presented the request for the 2021 budget as the request was originally presented in 2020 but the purchase was not completed. Matter to be placed on the Consent Agenda.
5. Request for Budget Amendment – Planning Commissioner Budget - Clayette Zechmeister presented the request for training for two Planning Commission members. Clayette Zechmeister will make a line item adjustment from the travel line item to a training line item.

Commissioner Vaughan excused at 11:32 a.m.

New Business - continued from above and continued below

2. State Land Bank: Communication: Review and Protocol Forward (continued) - Steve Erickson provided an update on the Brownfield Grant that was applied for and that funds within the grant were to be dedicated to removal of buildings on the state land being acquired near the Caro Center. Board discussed the matter. The matter is to be referred to the Buildings and Grounds Committee. Steve Erickson will schedule a meeting with Jim Tischler, Commissioner Grimshaw and Commissioner DuRussel. Steve Erickson to remain the lead contact with the State Land Bank.

Primary Finance/Technology - Continued from above

6. LEPC Application for Hazardous Materials Emergency Preparedness Grant - Clayette Zechmeister explained to the Board that Steve Anderson is submitting a grant application and will provide an update if the grant is approved.
7. RFP for Building Codes Update & Discussion - Board discussed matter during the Recycling Budget Amendment Request (Item 2). Matter to be placed on the Committee of the Whole meeting on February 22, 2021.
8. Recycling Center Indirect Costs (matter added) - Commissioner Grimshaw referenced indirect costs that were charged to the Recycling Center Budget for time that members of the Maintenance team worked out there to aid in saving costs to the county. Board discussed how indirect services are billed out of the various county millages. Clayette will provide a copy of the last two years of the Cost Allocation Plan (CAP) plan to the Commissioners. Commissioner Grimshaw and Commissioner DuRussel will serve on a special sub-committee to work on this project.

On Going and Other Finance and Technology

Finance

1. Fund Balance History Reports
2. Preparation of Multi-Year Financial Planning

Technology

1. GIS Update
2. Increasing On-Line Services/Updating Web Page
 - a. County Resolutions Website Addition

Building and Grounds

Committee Leader Commissioner Grimshaw

Commissioner DuRussel

Primary Building and Grounds

1. State Police Lease Proposal – Mike Miller, Building and Grounds Director, reviewed the proposed lease that he would like to present to the State of

Michigan for review. Board discussed the matter. Matter to be placed on the Consent Agenda.

2. RFP for Storage Space Update & Discussion - Mike Miller provided an update that the RFP has been distributed and the bids are due back by March 5, 2021.
3. Bids for Pool Vehicles - Mike Miller opened the received bids.
 - a. Jorgensen Sales, Detroit, Michigan
Ford Edge - Purchase \$28,500.00 per vehicle; Lease \$470.63/ month, 36 months with \$0 due at signing per vehicle.
Ford Escape - Purchase \$23,500.00 per vehicle; Lease \$459.77/month, 36 months with \$224.77 due at signing per vehicle.
10,500 miles per year.
 - b. Moore Motors, Caro, Michigan
2020 Ford Edge - Purchase \$28,747.00 per vehicle; Lease \$358.00/month, 36 month lease with \$0 due at signing per vehicle.
10,500 miles per year.
 - c. John Jones Police Pursuit Vehicle, Salem Indiana
2020 Dodge Durango - \$33,233.00 per vehicle; 3-year installment payment plan for 2 vehicles with each installment to be in the amount of \$24,457.00 per year.
2021 Dodge Durango - \$29,708.00 per vehicle; 3-year installment payment plan for 2 vehicles with each installment to be in the amount of \$21,955.69 per year.
 - d. Signature Ford, Owosso, Michigan
2021 Ford Explorer \$29,525.50 per vehicle; 3-year installment payment plan for 2 vehicles with the installment amounts of \$20,869.43, \$16,074.83 and \$13,222.65.
 - e. Bell Wasik, Caro, Michigan
GMC Terrain - \$30,495.00 per vehicle with no lease option provided.
4. Bids for Animal Control Furnace -
 - a. Burkhart Plumbing and Heating, Bad Axe, Michigan
Furnace and Air Conditioning Unit - \$5,290.00
 - b. Doty Mechanical, Lansing Michigan
Furnace and Air Conditioning Unit - \$6,090.00

On Going and Other Building and Grounds

1. State Police Building-Water and Annexation

Personnel

Committee Leader Commissioner Grimshaw
Commissioner Vaughan

Primary Personnel

1. County Building Public Access Status Update
 - a. Concerns or issues moving forward with latest directives

-Purdy Building is open to the public and all seems to be going well.
Board room is ready for in-person meetings when they are allowed again.

On-Going and Other Personnel

1. MAC 7th Meeting Updates - Commissioner Bardwell stated a communication has been sent out regarding an upcoming meeting and awaiting on responses.
2. Workman's Comp Updates
3. Safety Committee's

Other Business as Necessary

1. Formation of Legislative Committee with Commissioners and Possibly Huron County - Waiting for further information before making a decision on if moving forward.
2. Wayne Koper: Resolution for Consideration - Wayne Koper read two prepared statements and the resolution he proposed for consideration and adoption. Board did not take any action on the resolution.

On-Going Other Business as Necessary

1. Animal Control Ordinance - No updates at this time.

At 1:22 p.m., there were a total of 24 participants attending the meeting.

Public Comment Period -

-Wayne Koper submitted comments in the chat thread during the virtual meeting and he would like those included in the record and will submit a FOIA request for those.

-Bob DeCoe expressed his appreciation for a well-organized vaccination clinic conducted by the Health Department. Mr. DeCoe asked if the additional funding payments have been released to assist small businesses. Also, he stated that he appreciated when the Board asked the tough questions and drilled down to the answer regarding the state land acquisition. Mr. DeCoe expressed his appreciation for Clerk Fetting and her efforts during the 2020 election cycle.

-Eean Lee informed the Board that Wayne Koper took his video down when requested by the Board Chair so that Eean Lee did not have to turn the video off. Also, Eean referenced the Google Meet chat requested by Wayne Koper as the chat is not retained once the meeting is closed.

-Commissioner Grimshaw referenced that public comment is kept when verbally offered by an individual during the public comment period not what is submitted outside of that.

-Clerk Fetting supported Commissioner Grimshaw regarding public comment.

-Commissioner DuRussel reminded the Commissioners of the meeting today regarding the Murphy Lake dam.

Motion by Young, seconded by Grimshaw to adjourn the meeting at 1:53 p.m. Roll Call Vote: Young - yes; Vaughan - absent; DuRussel - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

Meeting adjourned at 1:53 p.m.

Jodi Fetting
Tuscola County Clerk

DRAFT

'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, by Electronic Remote Access, In accordance with the Department of Health and Human Services Emergency Order Under MCL 333-2253 – Gathering Prohibition and Mask Order, Public Act 254 of 2020 on February 11, 2021 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 2/08/21
- Description of Matter:** Move to approve the Purchase Agreement with the State Land Bank Authority to purchase real property located in the Township of Indianfields, County of Tuscola. Described in County Resolution 2020-7 as Parcel B, Parcel C and Parcel A-1 (Part of parcel no. 013-020-100-0600-01). Also, all appropriate signatures are authorized.

- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 2/08/21
- Description of Matter:** Move that per the request from Brian Neuville, Deputy Director from Human Development Commission that due to an increased demand for home delivered meals caused by Covid, \$91,887 be added to the budget for extra home delivered meals 297-672-700-020 through the use of fund balance in the Voted Senior Citizens fund.

Agenda Reference: C
Entity Proposing: COMMITTEE OF THE WHOLE 2/08/21
Description of Matter: Move to approve amendment #1 to the G2G Cloud Solutions between I.T. Services and Oakland County for online payments. This amendment will add the feature to process credit cards for Tuscola County for on line payments.
Also, all appropriate signatures are authorized.

Agenda Reference: D
Entity Proposing: COMMITTEE OF THE WHOLE 2/08/21
Description of Matter: Move to approve the budget amendment request from Undersheriff Baxter to increase the Road Patrol budget 207-309-975-000 by \$16,000 for the purchase of firearms and ammo through the use of the fund balance in the Road Patrol fund.

Agenda Reference: E
Entity Proposing: COMMITTEE OF THE WHOLE 2/08/21
Description of Matter: Move to approve the State Police Lease proposal at 1365 Cleaver Rd in Caro for annual rent consideration of \$52,822.
Also, submit the proposal to DTMB Real Estate Division for review.

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

STATE OF MICHIGAN



54TH JUDICIAL CIRCUIT COURT


HON. AMY GRACE GIERHART
CIRCUIT COURT JUDGE

440 NORTH STATE STREET
CARO, MICHIGAN 48723

(989) 672-3720

DATE: 02-04-2021

TO: Tuscola County Board of Commissioners
Clayette Zechmeister, County Controller/Administrator

FROM: Hon. Amy Grace Gierhart, Chief Judge 

RE: Request to Amend 2021 Unified Court Budget

In the past, the Unified Court Budget has included a line-item for overtime for hourly employees. In reviewing the 2021 Unified Court Budget, no funds were allocated to this line-item when wages and fringes were entered. As the Court employs both salary and hourly employees, there is a possibility that these funds may need to be utilized. At this time, I am requesting that \$1500 be allocated for overtime in the Unified Court Budget to cover any hourly employee who works overtime in 2021. This amount reflects the same amount earmarked for overtime in the Unified Court Budget for the past few years.

Thank you for your consideration.

Ashley Bennett

TUSCOLA COUNTY TREASURER

125 W LINCOLN STREET
CARO, MICHIGAN 48723

989-672-3890

Tuscola County
Board of Commissioners
125 W. Lincoln Street
Caro, MI 48723

February 01, 2021

Dear Commissioners,

Due to the impending changes that will be coming to my department as a result of Public Acts 255 and 256, my office is in need of some additional assistance. With these changes comes a myriad of new responsibilities that my department will need to take on, which would result in a drastic decrease in service to the County without implementing a new position. I am writing you today to ask for your support in adding an Abstract/Tax Clerk to my staff that will specialize in foreclosure proceedings.

Under MCL 211.78, Michigan County Treasurers are now required to pay back any surplus of funds that are acquired through the tax foreclosure and sale process to property owners who file their intent to collect said funds. This new process greatly complicates the foreclosure process in many ways that will affect the County as a whole and it is my hope that by adding this new position that we can mitigate some of the difficulties that are likely to arise.

One of the biggest changes that is going to be a result of the new legislation is that the surplus funds that we are required to return will take away from our ability to cover the deficit left by those properties that sell for less than minimum bid. In the past, we have counted on that surplus to help us break even when it comes to delinquent tax collection. Without those surplus funds, we stand a strong chance of being left holding a negative balance after the tax sale. To help prevent this, we need to be able to account for every expense that has been incurred in the tax foreclosure process. Previously, this was not an issue as the sale always brought in enough money to cover whatever expenses existed, but that is no longer the case. The proposed Tax Clerk/Foreclosure Specialist would be responsible for keeping detailed records of all amounts spent on each parcel so that it could be included in the cost of the sale and deducted from the sale proceeds. This will allow the County to keep more of the funds made at the sale and to offset our costs. It also guarantees that no General Fund dollars are being spent to fund the foreclosure process due to a lack of money in the foreclosure fund.

Another result of this new legislation is the increase in information requests that the Treasurer's Office is receiving. We are receiving multiple requests per month from attorneys and title companies looking for information related to the foreclosure and sale of property in our county. It appears that they are using this information to build their cases for their clients to get their money back. Under the Freedom of Information Act, we only have 5 days to respond to these requests. As they continue to roll in, it will be difficult for us to stay compliant with that timeline and complete all of the other duties for which we are responsible. I fear that this could lead to things being missed, or incorrect information being given, which would open Tuscola County to lawsuits.

The addition of an Abstract/Tax Clerk to my office to serve as the Foreclosure Specialist will allow us to devote more time to the foreclosure process. This will lead to increased accuracy in the accounting of expenses as related to foreclosure, faster response times to information requests, and greater organization of the process as a whole, all of which will lead to a savings of County funds and a safety net to ensure compliance with laws and regulations. Because this position can be funded entirely through the Delinquent Tax Revolving Fund under MCL 211.78, it avoids having any impact on the General Fund and allows the cost of the position to be absorbed in the foreclosure and tax sale process. The position will literally pay for itself on top of saving the County money.

I sincerely thank you for your consideration in this matter. Please feel free to reach out to me with any questions you may have.

Sincerely,



Ashley Bennett
Tuscola County Treasurer

An Overview of Public Acts 255 and 256 of 2020

Presented by Title Check, LLC – January 2021



I. Introduction

Public Acts 255 and 256 of 2020 (the “Amendments”) modify the General Property Tax Act in response to the Michigan Supreme Court’s decision in *Rafaeli v Oakland County*. In *Rafaeli*, the Court determined that parties with an interest in tax foreclosed real property retain a right under the Michigan Constitution to proceeds realized at auction which exceed the taxes, interest, penalties, fees, and other costs owed on that property. *Rafaeli* marked a drastic change in Michigan law with respect to real property tax foreclosure and rendered unconstitutional portions of the GPTA which previously allowed Foreclosing Governmental Units to retain remaining proceeds. Characterized broadly, the Amendments essentially comprise four significant changes to the GPTA:

1. **A Claims Process** – A newly created MCL 211.78t establishes a process by which former interest holders can claim Remaining Proceeds realized from the sale of foreclosed property.
2. **Application of Proceeds** – Changes to MCL 211.78m modify the way in which FGUs apply foreclosure proceeds and clarify what costs can be recovered.
3. **Notice and Reporting** – Changes to various statutory notices to include reference to the newly enacted Section 78t and interested parties’ rights under that section. Changes also require FGUs to submit additional reporting to the state treasurer.
4. **Right of First Refusal** – Changes to the requirements and procedures surrounding local units’ right of first refusal.

II. Claims Process

Perhaps the most consequential change found in the Amendments comes with the addition of *MCL 211.78t* which establishes a comprehensive process by which former interest holders can claim remaining proceeds following foreclosure and sale. This new Claims Process is certain to garner the most public interest and will also require the most effort to implement of any portion of the Amendments.

A. Remaining Proceeds Defined

At the outset, it is useful to define precisely what is at stake. More specifically—what are Remaining Proceeds? Put simply, Remaining Proceeds are what is leftover following the sale or transfer of foreclosed property after all delinquent taxes, interest, penalties, fees, and applicable FGU costs and expenses are paid. Remaining Proceeds is defined in MCL 211.78t(12)(b) and reflects a clear legislative intent that the DTRF be reimbursed in full and the FGU recover all costs and expenses before any funds are disbursed to Claimants. More specifically, Section 78t(12)(b) defines Remaining Proceeds to mean:



- The amount paid to the FGU for the sale or transfer of the property under Section 78m

MINUS

- The Minimum Bid, defined by 78m(16)(c)
- Any other fees or expenses incurred by the FGU pursuant to section 78m in association with the forfeiture, foreclosure, sale, maintenance, repair, and remediation of the property and that *were not already included in the Minimum Bid*
- A sale cost recovery payable to the FGU that is equal to 5% of the amount received by the FGU for the property

i. Minimum Bid

In order to fully understand Remaining Proceeds, it is also necessary to examine what comprises the “Minimum Bid.” The Amendments modify the definition of Minimum Bid under 211.78m(16)(c) to clarify that the FGU may recoup all costs incurred with respect to each foreclosed parcel. The Minimum Bid *must* include all delinquent taxes, interest, penalties, and fees due and *may* include any additional expenses incurred by the FGU in connection with the foreclosure, maintenance, repair, or remediation of the property or administration of the GPTA *including but not limited to foreclosure avoidance, mailing, publication, personal service, legal, personnel, outside contractor, and auction expense*. In other words, Minimum Bid is intended to be broad enough to encompass any and all FGU expenses associated with each property.

Indeed, it is advisable that FGUs include all applicable costs in the Minimum Bid or else the prospect of recovery is diminished. Prior to *Rafaeli*, costs and expenses for things like demolition, maintenance, or environmental remediation could be recovered from proceeds which were administered on a fund-wide basis even if those costs weren’t initially included in the Minimum Bid. However, with the return of Remaining Proceeds to Claimants and changes to the application of sale proceeds, costs must now be closely addressed on a parcel-by-parcel basis to maximize the probability that those costs are recovered.

B. The Claims Process Explained

Once one has an understanding of what Remaining Proceeds are, the Claims Process itself is relatively straight forward, at least in theory. While there will most certainly be complications that arise, the process anticipates and addresses many of the most difficult challenges to processing claims. In the most basic terms, the Claims Process consists of the following seven steps:

1. ***Claimant Files Notice with FGU - 78t(2)***: Following foreclosure, a former interest holder (“Claimant”) has until ***July 1*** to file a notice of intention to claim remaining proceeds form with the FGU (“Notice of Claim”). The Notice of Claim form will be issued by the Department of Treasury but has not yet been released as of the time of this writing. The Notice of Claim is a necessary first step for any Claimant seeking to later recover Remaining Proceeds. In essence, the Notice of Claim asserts a Claimant’s intention to recover their commensurate share of Remaining Proceeds if any are realized. It also provides the FGU with applicable contact information and details about the Claimant’s former interest in the property at issue. This Notice of Claim must be notarized and delivered to the FGU by either certified mail or personal service.



2. ***FGU Sends Proceeds Notice - 78t(3):*** After the local unit transfers and auctions take place—and no later than January 31 in the year following foreclosure—the FGUs send a certified mail notice (“Certified Proceeds Notice”) to each Claimant providing information including the amount of remaining proceeds available, if any. The FGU is also required to include information about other Claimants who submitted a Notice of Claim with respect to each property as well as information about any state, federal, or local unit liens associated with each property at the time of foreclosure. This notice is addressed in greater detail in section IV below.
3. ***Claimant Files Motion During Claims Period - 78t(4):*** Between February 1 and May 15 in the year following sale (the “Claims Period”), Claimants may file a motion in the circuit court seeking to recover their share of any Remaining Proceeds. Section 78t(4) lays out specific items which must be included in Claimant’s motion in order to establish their claim to any Remaining Proceeds.
4. ***FGU Responds to Claimant’s Motion:*** Once Claimant files a motion, the FGU must respond. The court will then set a hearing date. FGUs should work in consultation with their legal counsel to appropriately respond to each motion filed. In many cases, the appropriate response will likely be relatively simple. In other instances, particularly those with complex title histories and multiple Claimants, greater detail may be required.
5. ***FGU Submits Information to the Court - 78t(5), (7):*** Following the end of the Claims Period, the FGU submits information to the court including a proof of service of the Certified Proceeds Notice and details about each property for which a claimant submitted a Notice of Claim form. 78t(5) and (7) detail specific information which the FGU must file with the court. This information is largely identical to that which the FGU must already include on the Certified Proceeds Notice. This filing is analogous to that which is made by the FGU prior to the annual foreclosure hearing and will ultimately assist the court in allocating Remaining Proceeds at subsequent hearings.
6. ***Court Hears Motion and Orders Distribution - 78t(9):*** The court will hold a hearing on each Claimant’s motion. The FGU may attend but is not required to. At this hearing, the court will allocate the available remaining proceeds among the Claimants and issue an order disbursing those proceeds to the applicable parties. Allocation will be relatively simple for some parcels without complicated title histories. In other instances, the court will face significant challenges due to myriad possible complications.
7. ***FGU Disburses Proceeds - 78t(10):*** Within 21 days of the court’s order, the FGU must pay the amounts ordered by the court to the applicable Claimants.

C. Which Foreclosures Fall Within the Claims Process?

At the time of this writing, it is clear that the claims process provides a mechanism for the return of Remaining Proceeds going forward. As such, Remaining Proceeds realized in 2021 or thereafter will be dealt with utilizing this new statutory framework. Proceeds from previous years, however, require a more nuanced answer.

Parcels which were foreclosed for the 2017 tax year and sold at auction in the fall of 2020 present perhaps the most pressing question. MCL 211.78t(1) provides that for parcels sold or transferred after



July 17, 2020, a Notice of Claim must have been submitted by July 1, 2020. Unfortunately, given the fact that these Amendments were not signed until December 2020, this timeline is clearly untenable. A question thus remains as to how such claims might be handled procedurally. Further complications exist as a result of myriad ongoing legal matters concerning past sale proceeds. FGUs should thus consult with their individual legal counsel to determine the best course of action as regards 2020 proceeds.

A question also remains with respect to proceeds from sales that occurred *before* July 17, 2020. The short answer, at the time of this writing, is that it is unclear whether the Claims Process will apply to these earlier years. More specifically, there is an ongoing legal dispute concerning whether the court's decision in *Rafaeli* applies only prospectively (2020 forward) or whether it instead applies retroactively to earlier years. The legislature recognized this uncertainty and provided that the Claims Process only applies to earlier years *if* the Michigan Supreme Court determines that *Rafaeli* applies retroactively. For the time being then, the claims process does not apply to these earlier years unless or until the Michigan Supreme Court decides otherwise.

Despite remaining uncertainty, FGUs can take some comfort in the fact that a legislative solution exists to deal with Remaining Proceeds going forward and should thus devote attention toward implementation starting with 2021 proceeds.

III. Application of Proceeds

In light of the previously described Claims Process, the Amendments significantly alter the “waterfall” contained in MCL 211.78m(8) which outlines the order of priority to which proceeds must be applied by the FGU. Ultimately, this results in a drastic shift in the way proceeds are accounted for, from a county or unit-wide basis, to a parcel-by-parcel basis. This is a direct reflection of *Rafaeli*. Because former owners can now claim remaining proceeds for any given property, those proceeds can no longer be allocated across the DTRF in the same manner as they were previously (at least initially). Instead, this new paradigm creates a distinction between parcels that sell for Minimum Bid or greater and those which sell for less than Minimum Bid or remain unsold. In simplified terms, proceeds must now be applied as follows:

- a. For each property sold for *Minimum Bid or greater*, the DTRF must be reimbursed on a property-by-property basis. 78m(8)(a)
- b. For each property sold for *Minimum Bid or greater*, fees and costs incurred by the FGU must be reimbursed, on a property-by-property basis, up to the amount for which property sold. 78m(8)(b)
- c. Payments to Claimants ordered by the court under 78t must be paid. 78m(8)(c)
- d. For each parcel sold for *less than Minimum Bid or unsold* (i.e. everything else), the DTRF is reimbursed. 78m(8)(d)
- e. For each parcel sold for *greater than Minimum Bid*, any remaining FGU fees and costs not already paid under subdivision (b) are reimbursed. Such costs might include expenses that weren't included in the Minimum Bid and that exceeded the amount for which the parcel was ultimately sold. This underpins the importance of including all applicable costs in the Minimum Bid where possible. 78m(8)(e)
- f. For any parcel sold for less than Minimum Bid, any remaining FGU fees and costs. 78m(8)(f)
- g. FGU fees and costs from prior years. 78m(8)(g)



IV. Notice and Reporting:

A. Changes to Existing Notices:

The Amendments include several changes to existing notices provided during the forfeiture process.

These changes include:

1. A statement that any equity associated with a party's interest will be lost if the property is foreclosed
2. An explanation of the right to claim an interest in remaining proceeds under 78t
3. The website for State Bar's legal resource and referral center and the phone number for the State Bar's lawyer referral service

Changes apply to the following notices:

i. *The Certificate of Forfeiture*

- a. Does not require state bar info, just notice about equity and the claims process
- b. This notice is on a form prescribed by the Department of Treasury
- c. MCL 211.78g(2)

ii. *Property Visit Notice*

- a. Must include all three pieces of information
- b. MCL 211.78i(3),(7)
- c. This notice is not on a form prescribed by the Department of Treasury

iii. *Certified Notice*

- a. Must include all three pieces of information
- b. MCL 211.78i(7)
- c. Statute does not mandate that this notice be prescribed by the Department of Treasury, though Treasury has issued a form for this notice

iv. *Publication*

- a. Must include all three pieces of information
- b. This notice is not on a form prescribed by the Department of Treasury
- c. MCL 211.78i(8)

v. *Additional Non-Statutory Notices*

- a. The first-class Final Warning and Post Foreclosure Notices sent for Title Check clients will both be amended to add reference to the claims process under 78t.
- b. These notices are not required by the General Property Tax Act but are sent as an additional form of notice in an effort to prevent foreclosure and inform delinquent taxpayers of their rights.

B. New Notice Requirements

As discussed in Section II above, MCL 211.78t(3) imposes a new notice requirement upon FGUs. More specifically, the FGU must send a notice no later than January 31 in the year of foreclosure to each



Claimant that files a Notice of Claim with the FGU (the “Certified Proceeds Notice”). The purpose of the notice is to provide an accounting of the Remaining Proceeds obtained, to provide notice of other parties that filed a Notice of Claim on the property, and to provide information required to file the necessary circuit court motion under 78t(4). Furthermore, this notice must be sent to each Claimant regardless of whether the property to which the notice pertains was sold or unsold or whether any Remaining Proceeds were realized or not.

The Department of Treasury will ultimately issue an official form for the Certified Proceeds Notice which meets the requirements outlined in MCL 211.78t(3)(a) – (k). Stated more succinctly, however, the Certified Proceeds Notices effectively includes the following information:

- Property details including PID, legal description, and address for the property at issue; 78t(3)(a)-(c)
- The date on which property was sold or transferred or a statement that the property was unsold; 78t(3)(d)
- The Minimum Bid and ultimate sale/transfer amount; 78t(3)(e)-(f)
- The amount of 5% sale cost recovery fee payable to FGU; 78t(3)(g)
- The amount of any unpaid state, federal, or local tax collecting liens at time of foreclosure based on records of FGU; 78t(3)(h)
- The total amount of Remaining Proceeds or shortfall; 78t(3)(i)
- The name and address of each Claimant that filed a Notice of Claim with respect to the property at issue; 78t(3)(j)
- A statement regarding the requirement to file a motion in the circuit court and applicable case details; 78t(3)(k)

While the effort required to prepare and send the Certified Proceeds Notice is not insignificant, several features of 78t(3) make the task more manageable. First, the necessary recipients of the notice are limited to those Claimants that filed the applicable Notice of Claim form. Furthermore, issues regarding deliverability should be limited because Claimants are required to provide the FGU with the address at which they wish to receive notice as part of the Notice of Claim process.

C. Updated Reporting Requirement

Amendments to MCL 211.78m(8)(i) modify the FGU’s reporting obligations to the county board of commissioners and, additionally, now require the FGU to submit information to the state treasurer as well. First, the timing of this reporting has changed slightly. Previously, the FGU was required to submit a report regarding remaining fund balance by June 30th in the second year following foreclosure. However, this deadline has been extended to September 30th. Additionally, following this report, the board is *no longer empowered* to transfer any remaining fund balance to the county general fund. Instead, remaining fund balance must be utilized to reimburse FGU costs or to pay claims for Remaining Proceeds. Finally, the FGU is also required to compile additional information outlined in Section 78m(8)(i)(i)-(xii) on a form prescribed by the Department of Treasury. In short, this is an accounting of foreclosed parcels including what was sold and transferred, how much revenue was received, how many claims were paid, and how much was leftover.



V. Right of First Refusal

The Amendments include significant changes to the right of first refusal process contained in MCL 211.78m. Previously, local units of government had the opportunity to purchase foreclosed parcels for a public purpose by paying Minimum Bid to the FGU. However, changes to Section 78m(1) now require these local units to pay the greater of fair market value or Minimum Bid to obtain the property in at least some circumstances. Additionally, both city and county land bank authorities are now afforded an opportunity to obtain property through this right of first refusal process.

There are two different points at which governmental units have an opportunity to obtain property. The first occurs prior to the initial auction under section 78m(1). As before, the State of Michigan has first option but must pay fair market value. Next a city, village, township, or city land bank authority has the option to purchase. If a Notice of Claim under section 78t(2) has been filed on the property at issue, the local unit must pay *the greater of the fair market value or Minimum Bid*. If no Notice of Claim has been filed, they may purchase for only Minimum Bid. Next, the county has the option to purchase followed by the county land bank authority, subject to the same caveat regarding parcels upon which a Notice of Claim has been filed. In other words, local units must pay the greater of the Minimum Bid or fair market value on any parcel upon which a Notice of Claim has been submitted.

It is important to note that the Legislature did not define fair market value in this context. Nonetheless, fair market value is a term of art which courts and real estate practitioners are often called upon to quantify. Unfortunately, the answer to "what is fair market value?" in any given context may very well be "it depends." Two times SEV is often an appropriate proxy for fair market value and is likely the most readily available metric for FGUs. Nonetheless, circumstances and property condition may change since the most recent assessment. The myriad possible scenarios are beyond the scope of this overview. Suffice it to say, as with many things, review may very well be necessary on a case-by-case basis.

The second right of first refusal option comes between the first and second auction for any parcels remaining unsold at that time. The second option remains largely unchanged by the Amendments except for the inclusion of city and county land banks. At the second option, local units may purchase for only Minimum Bid, regardless of whether a Notice of Claim has been filed.

There are two additional significant changes to the right of first refusal process. The first is that local units are no longer required to exercise their right for a "public purpose." The logic behind this change is that, since local units are no longer provided a discounted option (at least in some cases), the public purpose restriction is no longer necessary. The second change, rooted in the same logic, is that local units are no longer required to account to the FGU for surplus that they realize through subsequent sale of the property.

It is yet to be seen how significant these changes to the right of first refusal process will be. At this time, it is unknown how many parcels will ultimately have Notices of Claim filed or how higher costs will ultimately affect local units' desire to exercise their right of first refusal. Time will tell.



VI. Miscellaneous Changes

While the bulk of the Amendments relate to changes necessary in light of *Rafaeli*, there are some additional minor changes which fix previously frustrating issues. In particular are changes to 78m relating to leftover unsold parcels. First, MCL 211.78m(7) clarifies that FGUs may transfer leftover parcels to their local land bank or subsequently sell such parcels. Both of these practices have been commonplace as a matter of practical necessity but are now specifically recognized in statute. Secondly, MCL 211.78m(11) now specifically provides that leftover parcels held by the FGU pursuant to the GPTA are *tax exempt*. While this was the case prior to this amendment, certain local assessors nonetheless insisted on placing value on these parcels despite the FGU's best efforts. This explicit exemption should now be enough to convince even the most stubborn of assessors.

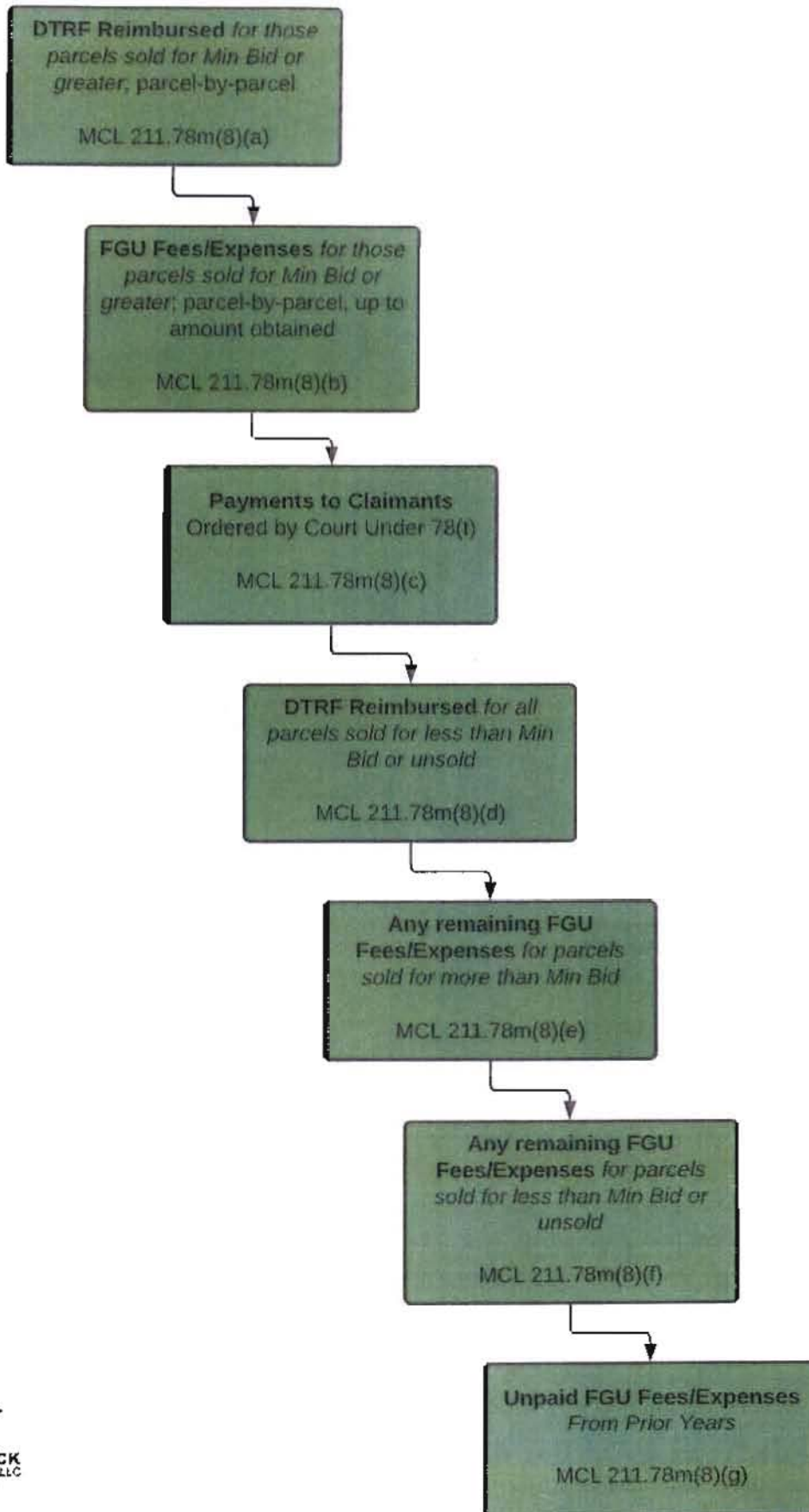
VII. Conclusion

The Amendments represent the most significant changes to Michigan tax foreclosure since PA 123 of 1999 abolished the old tax lien system. FGUs are faced with a paradigm shift with respect to the disposition of sale proceeds and with this shift come new obligations and challenges. As with all new things, experience will lead the way. There will no doubt be unforeseen problems to overcome. Nonetheless, through the tireless work of dedicated public servants, what was once new and challenging will soon enough be familiar and refined. We at Title Check are proud and honored to assist in this endeavor in any way that we can and are, as always, grateful for the opportunity to do so.



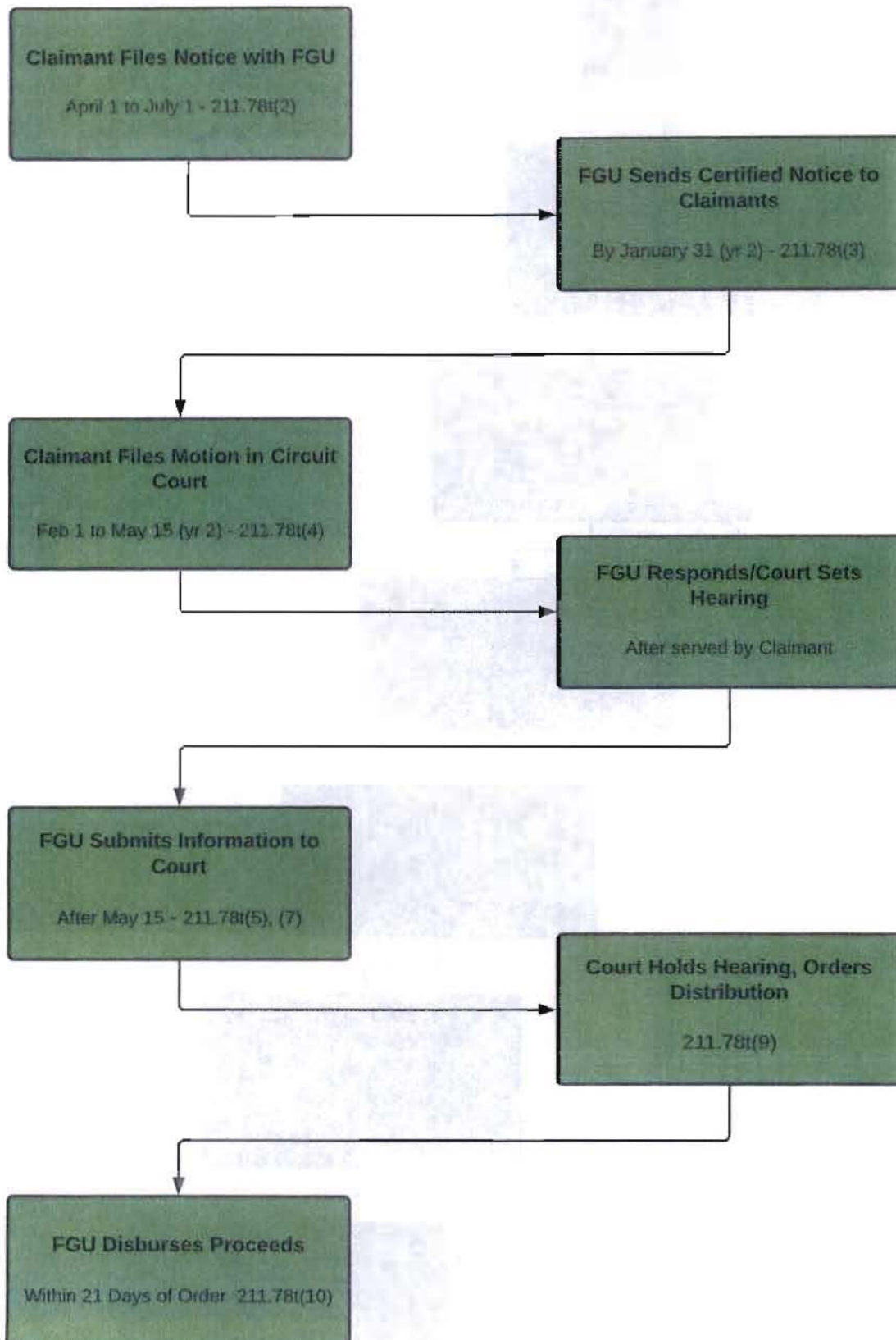
Application of Proceeds

MCL 211.78m(8)



Remaining Proceeds Claims Process

MCL 211.78t





Tuscola County

Clayette Zechmeister <zclay@tuscolacounty.org>

Bids

1 message

Mike Miller <mmiller@tuscolacounty.org>
To: Clayette Zechmeister <zclay@tuscolacounty.org>

Tue, Feb 9, 2021 at 12:06 PM

Here are my recommendations for the Board meeting:

Animal Shelter Furnace Replacement - Burkhard Plumbing and Heating who was the low bidder at \$5290.00

2 New Pool Cars - Moore Motor Sales for the Ford Edge SE model for a total amount of \$57,494.00. Moore Motors was not the low bid (\$247.00 Higher per car) but they are local.

I would also recommend an outright purchase because these cars are not purchased every 3-4 years, the two we are replacing are from 2001. Leasing on Ford's terms of \$358 a month for 36 months would be \$25,776.00 for the pair.

\$358 for 10 years would be \$85,920
\$358 for 15 years would be \$128,800
Outright purchase of \$57,494

Based on our history it would be safe to assume that we will have these vehicles for 15 years, that would save the County \$71,386 in today's dollars.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 1/03/17-01-25-21

1. PURPOSE

These rules are adopted by the Board of Commissioners of Tuscola County pursuant to Section 46.11 of the Compiled Laws of Michigan, as amended.

2. MEETINGS

2.1 Organizational Meeting

The first meeting in each calendar year shall be the organizational meeting. At each such meeting, the County Clerk shall preside at the start of the meeting. The organizational meeting may be held in December of the current year provided all current commissioners remain unchanged for the next two year term. If there are any commissioner changes for the next two year term, then the organizational meeting shall be held within 72 hours after New Year's Day.

The first item of business shall be election of the Chairperson of the Board. There are two procedural steps related to electing the Chairperson that have to be decided prior to conducting the election:

The Board Chairperson shall be elected each odd numbered year for a 2-year term, unless the Board provides by resolution that the chairperson shall be elected annually to a 1-year term. The Board needs to make a decision on this term length. If no action is taken the Michigan law states the term shall be for 2-years.

The Board also needs to make a decision regarding the potential use of a secret ballot. State law provides that the vote of the Chairperson may be accomplished by way of a secret ballot. If the Board chooses to conduct the election of the Board Chairperson by secret ballot, a majority of the Board must first vote to do so.

Unless a secret ballot is chosen, the clerk shall call for nominations for the office of chairperson and when nominations are closed by majority vote or no other nominations are forthcoming, the clerk shall call for a vote. When one nominee receives a majority of the votes of the members elected and serving, the nominee shall be declared chairperson.

The next order of business is to proceed with the election to the office of Vice-chairperson, which shall be conducted by roll call vote.

There is no statutory provision for the election of the vice-chairperson by secret ballot or to have a 2-year term, therefore the vice-chairperson is elected for a 1-year term.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

2.2 Regular Meetings

At its first meeting in each calendar year, the Board of Commissioners shall establish its schedule including meeting times of regular meetings for the balance of the year.

2.3 Special Meetings

The Board of Commissioners shall meet in special session upon the call of the chairperson of the board. The chairperson may convene a meeting of the Board upon his/her discretion. Notice shall be given as provided in Rule 3.3.

2.3.1 As an alternate means of calling a special meeting, upon the written petition filed with the county clerk and signed by one-third or more of the members. The petition for a special meeting shall specify the time, date, place, and purpose of the meeting.

2.4 Emergency Meetings

Emergency meetings of the Board of Commissioners may be held only with the approval of two-thirds of the members of the Board and only if delay would threaten severe and imminent danger to the health, safety, and welfare of the public. A meeting is defined as an emergency meeting only if it must be held before public notice as provided in Rule 3.3 can be given. Actions taken at an emergency meeting should be ratified at the next publicly noticed meeting.

2.5 Place of Meetings

Meetings of the Board of Commissioners shall be held in the chambers of the HH Purdy Building (125 W. Lincoln Street, Caro) unless public notice of the meeting states a different location. Whenever the regular meeting place of the Board shall appear inadequate for members of the public to attend, the chairperson may change the meeting location to a larger facility in the county. A notice of such change shall be prominently posted on the door of the regular meeting place.

2.6 Time of Regular Meetings

The time of regular meetings shall be stated in the regular schedule of meetings adopted under Rule 2.2. Matters on the agenda and not yet acted upon at the time of adjournment will be placed on the agenda of the next regular meeting or special meeting if one is called.

2.6.1 Change in Schedule

Change in the regular meeting schedule shall not be made except upon the approval of a majority of the members. In the event the Board shall meet and a quorum is not present, the Board, with the approval of those present, may adjourn the meeting to a later day and time provided that proper notice to members and the public is given.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

3. PUBLIC NOTICE OF MEETINGS

The county clerk shall provide the proper notice for all meetings of the Board. Such notice shall include, but not necessarily be limited to the following:

3.1 Regular Meetings

Posting a notice within 10 days after the first meeting of the Board in each calendar year indicating the date, time, and place of the Board's regularly scheduled and committee meetings.

3.2 Schedule Change

Whenever the Board shall change its regular Board schedule of meetings, a posting of notice of the change will be done by the clerk within three days following the meeting in which the change was made. Committee meeting changes from the original schedule will be posted by the Controller/Administrator's Office.

3.3 Special and Emergency Meetings

If the Board shall schedule a special meeting under Rule 2.3 or an emergency meeting under Rule 2.4, notice of such meeting shall be posted immediately by the clerk. No meeting, except emergency meetings, shall be held until the notice shall have been posted at least 18 hours. Commissioners will be notified by written or telephone communication of said meeting.

4. QUORUM, ATTENDANCE, CALL OF THE COUNTY BOARD, COMPENSATION

4.1 Quorum

A majority of commissioners of the Board, elected and serving, shall constitute a quorum for the transaction of ordinary business of the Board.

4.2 Attendance

No member of the County Board may absent himself or herself without first having notified the chairperson of his or her intent to be absent from a scheduled meeting.

4.3 Compensation

Commissioner compensation shall be reviewed at least once no later than July of election years to determine if compensation changes will be implemented for the Board of Commissioners taking office January 1st of odd numbered years.

5. AGENDA FOR MEETINGS

5.1 Agenda Preparation Responsibility

The Controller/Administrator, after first reviewing pending matters and requests, shall prepare a draft of the agenda of business for all regularly scheduled Board of Commissioners, committee, and other meetings. The chairperson of the Board or chairperson of the respective committee shall review and add or delete items, as he/she considers proper. Unanticipated agenda items that require discussion or decisions may

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

be covered under the other business agenda reference. It is each individual's responsibility to attend the meeting to understand other business items that may be covered.

5.2 Distribution of Regular Board of Commissioner Agenda and Materials

Upon completion of the agenda for the regular Board meeting, the Controller-Administrator shall immediately distribute to Commissioners copies of the agenda together with copies of reports, etc. which shall relate to matters of business of the agenda.

Unless extenuating circumstances arise, a paper copy of the agenda and attachments will be sent enough in advance of the scheduled meeting date to allow commissioner review prior to the meeting. A paper copy of the complete agenda and attachments is made available in the Controller/Administrator's Office. An electronic copy of the agenda and attachments is also made available on the county web www.tuscolacounty.org. The Controller/Administrator's office electronically notifies all department heads and other requesting parties when agendas are available on the website.

It is stressed that other agenda items may be added the day of the meeting. Also, certain items may be covered under the agenda heading "other business/on-going matters."

5.3 Distribution of Committee Meeting Agendas

Committee agendas (in draft form) will be made available electronically via the county website **and/or faxed** in advance of the scheduled meeting. The Controller/Administrator's Office also notifies all department heads and other requesting parties when the agenda is available on the website. It is stressed that other agenda items may be added the day of the meeting. Also, certain items may be covered under the agenda heading "other business/on-going matters." There may be extenuating circumstances where it is not possible to distribute the agenda in advance of the meeting.

5.4 Consent Agenda

The Board shall use a "Consent Agenda" according to the resolution and rules approved by the Board on January 25, 2000. The consent agenda motions will be prepared by the Controller/Administrator's Office.

5.5 Order of Business

The order of business at all Board meetings shall follow the following agenda, unless the Board approves modifications during the "Agenda" section of the meeting:

- a. Call to Order

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

- b. Prayer
- c. Pledge of Alliance
- d. Roll Call
- e. Adoption of Agenda
- f. Action on Previous Meeting Minutes
- g. Brief Public Comments – **Agenda Items Only**
- h. Consent Agenda
- i. New Business
- j. Old Business
- k. Correspondence
- l. Committee and Liaison Reports
- m. ~~Closed Sessions (if necessary)~~ **Other Business as Necessary**
- n. Extended Public Comment
- o. Adjournment

6. CONDUCT OF MEETINGS

6.1 Chairperson

The person elected chairperson in the first meeting each year of the Board shall preside at all meetings of the Board. In the absence of the chairperson, the person elected vice-chairperson shall preside. If neither the chairperson nor the vice-chairperson is present, the clerk shall preside until the commissioners present elect a commissioner to preside during the absence of the chairperson or vice-chairperson.

6.2 Form of Address

Any person, including Board members, wishing to speak at a meeting shall first obtain the approval of the chairperson and each person who speaks shall address the chairperson, and not other members of the audience, other commissioners or staff in attendance.

6.3 Disorderly Conduct

The chairperson shall call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, by speaking vulgarities, or by violating Board rules. Such person shall there upon be seated until the chairperson shall have determined whether the person is in order. If a person so engaged in presentation shall be ruled out of order, he or she shall not be permitted to speak further at the same meeting except upon special leave by the Board of Commissioners. If the person shall continue to be disorderly and to disrupt the meeting, the chairperson may order the person to leave the meeting. Since the purpose of the meeting is to discuss public business and not address individual personalities, "personal attacks" on government officials are prohibited and shall be considered "out of order".

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 1/03/17-01-25-21

6.4 Brief and Extended Public Comment Period

A brief public comment period will be provided early on the Board agenda for agenda items only. Comments during this period will be limited to 3 minutes in order to leave time for the Board to conduct other items on the agenda unless this time is waived by the Chairperson.

Another public comment period will be provided later on the agenda with the length of public comment extended. The length of comment during this period will be at the discretion of the Chairperson.

Discussion on putting a length of time maybe 5 min and would extend if necessary.

6.5 Procedures to Address the Board

Any person who addresses the Board shall state their name and their township of residence for the record. When there are many people who desire to address the Board, the Chairperson may implement other reasonable rules for public participation, including but not limited to requiring the completion of a written request to speak at the meeting.

7.0 RECORD OF MEETINGS

7.1 Minutes and Official Records

The county clerk shall be clerk of the Board and shall be responsible for maintaining the official record and minutes of each meeting of the Board. The minutes shall include all the actions and decisions of the Board. The minutes shall include the names of the mover and seconder and the vote of the commissioners. The record shall also state whether the vote was by voice or by roll call; when by roll call, the record shall show how each member voted. The clerk shall maintain, in the office of the clerk, copies of each resolution and ordinance or other matter acted upon by the Board. The official minutes, however; may refer to those matters by an identifying number and the descriptive title of the ordinance, resolution/motion, or other matter.

7.2 Record of Discussion

The clerk shall not be responsible for maintaining a written record or summary of the discussion or comments of the Board members nor of the comments made by the members of the public.

7.3 Request for Remarks to Be Included

Any Commissioner may have his or her comments printed as part of the record upon the concurrence of a majority of the other members. Comments to be included in the record shall be provided in writing by the member.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

7.4 Public Access to Meeting Records

The clerk shall make available to members of the public the records and minutes of the Board meetings in accordance with the Freedom of Information Act. Draft board minutes, prepared but not approved by the Board, shall be available for public inspection not more than eight business days following the meeting. Minutes approved by the Board shall be available within five business days of the meeting at which they were approved. The Board shall also promptly mail copies of minutes to persons who have subscribed and paid the fee therefore as determined by the Board, consistent with any requirements of the Freedom of Information Act.

7.5 Board Stationery

County Board stationery cannot be used for personal commissioner use unless approved by the Full Board of Commissioners.

8.0 COMMITTEES

8.1 Committee of the Whole

All commissioners shall serve on a Committee of the Whole which will be advisory only but responsible for making recommendations to the Board but not decisions for the Board. The Committee of the Whole may have topic leaders whereby a commissioner is assigned to lead topics areas such as finance, personnel, building and grounds, etc. The County Clerk shall keep minutes of these meetings. The consent agenda motions will be prepared by the Controller/Administrator's Office.

8.2 Statutory Finance Committee

A Statutory Finance Committee (consisting of all five commissioners) will be responsible for review and approval of all claims and per diems. In the event that the Statutory Finance Committee meets in a continuous meeting setting with the Full Board or a Committee of the Whole meeting, the Statutory Finance Committee meeting shall be separately called, opened and adjourned, and separate minutes shall be kept. The County Clerk must keep the minutes of this meeting. The County Clerk will maintain minutes of all Statutory Finance Committee meetings and shall make them available to necessary parties and they shall be included with each Board packet.

8.3 Grievance Committee

Two commissioners will be appointed and serve on the union contract grievance committee as needed.

8.4 Commissioner Appointments

The Board chairperson shall appoint commissioners to various boards and commissions and in certain cases as a liaison to boards and commissions.

9.0 CLOSED MEETINGS

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised ~~4/03/17~~ 01-25-21

- 9.1 The vote to hold a closed meeting shall be recorded in the minutes of the meeting at which the decision was made.
- 9.2 The Board of Commissioners may meet in closed session, closed to members of the public, upon the motion of any member and roll call approval by two-thirds of the members for the following purposes:
- 9.2.1 To consider the purchase or lease of real property, until an option to purchase or release that property is obtained.
 - 9.2.2 To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the county Board.
 - 9.2.3 To consider a County attorney's written opinion.
 - 9.2.4 To review the specific contents of an application for employment to a county position and the applicant requests that the application remains confidential. Whenever the Board meets to interview an applicant, the meeting shall be open to the public.
 - 9.2.5 Other Reasons

The Board may also meet in closed session for the following reasons without the requirement of a two-thirds vote:

- 9.2.5.1 To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee, staff member, or individual agent if the named person requests a closed hearing. If the person rescinds his/her request for a closed hearing the matter at issue shall thereafter be considered only in open public meeting.
- 9.2.5.2 To consider strategy connected with the negotiation of a collective bargaining agreement.
- 9.2.5.3 To consider any other matter authorized as a topic of a closed meeting by the Open Meetings Act, upon the proper vote specified therein.

9.3 Minutes, Closed Meetings

Generally, the County Clerk shall prepare the minutes for closed meetings. If the Board Chair determines that it would be inappropriate for the Clerk to attend the closed meeting, he shall designate another party to take the minutes. The County's attorney may review the draft minutes of the Closed Meeting. The minutes are to be sealed and

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 1/03/17-01-25-21

kept in the County Clerk's office. Such minutes **may but** do not have to be approved by the Board. The minutes shall not be disclosed to the public except upon the order of a court. ~~With the approval of the Board Chair, the Clerk may destroy the minutes after one year and one day have passed after the meeting at which the Board approved the minutes of the meeting at which the Board voted to hold the closed meeting.~~ **Closed session minutes are not to be destroyed unless ordered by the Court.**

10. MOTIONS AND RESOLUTIONS

10.1 Statement by Chairperson, Motions, and Resolutions

No motions or resolution shall be adopted until the presiding officer states the motion. All motions, except procedural motions and resolutions, may be required to be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order.

10.2 Rank of Motions

- a. Privileged Motions
- b. Fix the time to which to adjourn (to set the time for next meeting)
- c. Adjourn
- d. Recess
- e. Raise a question of privilege
- f. Call for orders of the day

10.3 Subsidiary Motions

- a. Lay on the table
- b. Call the previous question (immediately to close debate and making of subsidiary motions except lay on the table)
- c. Limit or extend the limits of debate
- d. Postpone to a certain time (postpone definitely)
- e. Refer to a committee
- f. Amend the main motion
- g. Postpone indefinitely
- h. Clear the floor of all motions

10.3.1 Main Motion

10.3.2 Non-debatable Motions

The motions to fix the time of the next meeting, adjourn, recess, point of privilege, call for orders of the day, to table, vote immediately, limit or extend debate shall be ordered and voted upon without debate.

10.4 Procedural Motions

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

10.4.1 Motion to Reconsider

The motion to reconsider shall be in order on any question that the Board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order on the same day as the vote to be reconsidered was taken, or at the following meeting. The motion to reconsider shall be made only by a member who voted with the prevailing side. A motion to reconsider a motion to amend shall not be in order if the main question has been voted upon. If the Board has adopted a motion to reconsider, however, motions to amend shall be in order.

10.4.2 Motion to Clear the Floor

The motion to clear the floor may be made by the chairperson or a member, whenever procedural matters have become sufficiently confused. If the motion to clear the floor has been adopted, it shall clear the floor of all motions as though they have been withdrawn. The motion shall not be subject to debate nor, if adopted, to reconsideration.

10.4.3 Temporary Suspension of the Rules

These rules may be suspended temporarily at any time by vote of two-thirds of the members elected and serving to achieve any legal objective of the Board in a legal manner.

10.4.4 Appeal Rulings of the Chairperson

Any Commissioner may appeal the ruling of the chairperson. On all appeals receiving a second, the question shall be "Shall the decision of the Chairperson stand as the decision of the County Board of Commissioners?"

11. VOTING

11.1 Abstaining from Voting –

Whenever the Chair puts a question to the members, every commissioner present shall vote on the question. No member present shall abstain from voting "yes" or "no". In the event that a member refuses to declare a "yes" or "no", the Chair shall direct the Clerk to record the vote as a "no" vote.

NEED TO CLARIFY HOW TO HANDLE THIS IN REGARDS TO 11.1
BOC CAN ONLY OPT NOT TO PARTICIPATE IN A BOC VOTE IF THERE IS A LEGITIMATE BASIS UNDER STATE LAW TO DO SO. GENERALLY THESE SITUATIONS INVOLVE A FINANCIAL CONFLICT OF INTEREST. SUGGESTED TO SEEK LEGAL COUNSEL TO DETERMINE THE SCOPE OR CONSIDER ADOPTING A FORMAL CONFLICT OF INTEREST RULE OR POLICY APPLICABLE TO THE BOC.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-01-25-21

11.2 Roll Call Votes

The names and votes of commissioners shall be recorded on Board actions to adopt final measures such as ordinances, resolutions, appointment or election of officers, etc. The election of the Board chairperson may be by secret ballot with the approval of a majority of commissioners present. Upon the demand of one fifth of the commissioners, a roll call vote shall be taken on other motions and actions.

11.3 Voting Via Voice

When in the judgment of the chairperson, the Board of Commissioners will cast a unanimous vote on the question on the floor, the Chairperson may put the questions to the members by stating: "Without objection, the chair will direct the clerk to enter a unanimous affirmative (or negative) vote on the question. Is there objection? Hearing none, the clerk is directed to enter a unanimous affirmative (or negative) vote on the question." At this point, the clerk shall enter an affirmative (or negative) vote for each of the members present.

If any member objects, he or she should do so aloud. Whereupon, the chairperson shall direct the clerk to call the roll.

11.4 Votes Required

Procedural and other questions arising at a meeting of the Commissioners, except for those decisions required by statute to have a higher majority, shall be decided by a majority of the members present. A majority of the members elected and serving shall be required for final passage or adoption of a measure, resolution, or the allowance of a claim.

12. PARLIAMENTARY AUTHORITY

Robert's Rules of Order (Newly Revised) shall govern all questions of procedure not otherwise provided by these rules or by state or federal law. The legal counsel to the Board or other person so designated by the Board shall serve as the Board's parliamentarian and shall advise the presiding officer regarding rules of procedure.

13. INTRODUCTION AND ADOPTION OF ADMINISTRATIVE RESOLUTIONS

13.1 Definition

Any action regarding the operation or administration of a department of the county government or containing policies of the Board of Commissioners applicable to one or more departments of the county, and not adopted as an ordinance, shall be declared administrative policy.

13.2 Introduction

Any commissioner may introduce an administrative resolution at any regular or special meeting of the Board of Commissioners in the regular order of business.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 1/03/17-01-25-21

13.3 Order for Consideration

The regular order for consideration of proposed administrative resolutions shall be:

13.3.1 Introduction, first reading by title, and reference to the appropriate committee, as determined by the Board chairperson.

13.3.2 Report by the committee considering the proposal and placement on the agenda under new business – adoption of resolutions.

13.3.3 Full Board discussion and vote. Each member shall be given opportunity to discuss the resolution and offer such amendments as she or he shall consider appropriate. Amendments shall be made in the following forms:

“I move to amend by striking the following (sections or words).”

“I move to amend by striking the following (sections and words) and inserting the following (sections or words).”

“I move to amend by inserting the following (lines or words) after (describe the location).”

“I move to amend by adding the following (lines or words) after (describe the location).”

Before calling for a vote on the proposed amendment, the chairperson shall direct the clerk to read the proposed amendment and to state how the section or sentence will read if the amendment is approved. Thereafter, the chairperson shall call the question on the amendment.

13.3.4 Form

Each administrative resolution shall conform to the form required for introduction and adoption.

13.5 Committee Review

The chairperson of the Board shall refer all proposed administrative resolutions to an appropriate committee of the Board. The committee shall review the proposal and invite effected departments of the county to comment and offer explanations. The committee, in its report, shall include a summary of the comments and objections to the resolution. Any administrative resolution reported without recommendation shall automatically lie on the table until ordered removed by the Board.

13.6 Adoption

The Board of Commissioners may adopt the committee recommendation or refer the report to a standing committee where further consideration can be given. On the final adoption of a proposed amendment, the vote shall be taken by a record roll call or in accordance with Rule 11.3. A majority of the commissioners elected and

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised ~~1/03/17~~ 01-25-21

serving shall be required for adoption, unless a statute requires a larger number of votes to adopt the policy.

13.7 Notification

Upon the final adoption of an administrative resolution, the Board secretary shall notify each county department head of the Board action. Such notification shall be by title or summary. The Board secretary shall make available a copy of the full administrative resolution.

13.8 Record of Administrative Resolutions

The clerk shall keep a copy of each administrative resolution of the Board in a separate file or book with appropriate subcategories according to subjects covered. The record of each administrative resolution shall provide the date of adoption, the record vote of each commissioner, and any amendments thereto adopted by the Board.

14. INTERPRETATION & OPERATION

14.1 Intent Controls

These Rules shall be interpreted in a manner to effectuate their intent, and as a general rule, form should not be elevated over substance.

14.2 Coordination

Wherever possible, these Rules should be interpreted in a manner consistent with state law and County ordinance.

14.3 Severance

If any Rule herein is determined to be unlawful, it shall be struck and the remaining Rules shall continue in full force and effect.

14.4 Ratification

In the event that a Board action shall be declared invalid because of a failure to follow these Rules, the Board shall have the right to ratify the action and to make such ratification nunc pro tunc (effective as of the original date of the defective action).

14.5 Amendment

The Board may amend these Rules at any time upon a majority vote of the members serving.

REQUEST FOR PROPOSAL

PROFESSIONAL BUILDING PLAN REVIEW SERVICES
AND
PROFESSIONAL BUILDING INSPECTION SERVICES

Tuscola County
[Contact Information]

[Date]

REQUEST FOR PROPOSAL—THIS IS NOT AN ORDER OR OFFER

10

REQUEST FOR PROPOSAL

DATE OF REQUEST [Insert RFP Issuance Date]

RFP DEADLINE [Insert date and time]

SEALED BID OPENING DATE/TIME [Insert date and time]

SUBMIT PROPOSAL TO Tuscola County
[Insert Address]

MARK EXTERIOR ENVELOPE: DELIVER TO [_____] IMMEDIATELY

MARK INTERIOR SEALED ENVELOPE: “BUILDING CODES RFP.”

GENERAL INFORMATION:

1. **RIGHT TO ACCEPT OR REJECT:** Tuscola County reserves the right to accept or reject any or all items in the proposal; to accept or reject any or all proposals; to award the proposal in part or in total; to waive any informalities therein; or for any reason, to award the contract to other than the low bidder.

2. **FIRM BID:** All proposals shall be firm for sixty (60) days from the deadline listed above.

3. **CONTACT INFORMATION:** To receive future communications related to this RFP, possible bidders are asked to immediately send contact information by email to _____ at _____ failure to do so may limit your ability to submit a complete, competitive proposal.

4. **CHANGES TO RFP:** All additions, corrections or changes to the solicitation documents will be made in the form of a written Addendum submitted by _____. Bidders shall not rely upon interpretations, corrections, or changes made in any other manner,

DRAFT – DISCUSSION PURPOSES ONLY

whether by telephone or in person. Additions, corrections, and changes shall not be binding unless made by such a written Addendum. All written Addendums issued shall become part of the Agreement documents.

5. **RFP, PROPOSALS AND ACCEPTANCE DO NOT OBLIGATE:** The parties agree that they will not consider either distribution of this RFP or receipt of Proposals by the County or even notification of Proposal acceptance by the County as an obligation or commitment by the County to enter into a contractual agreement. Rather, the parties understand that the County will have no binding obligation until it signs the Contract approved by its Board of Commissioners.

6. **TAX-EXEMPT STATUS:** Tuscola County is a tax exempt entity. A tax exempt form will be provided to the successful bidder.

7. **FOIA:** All properly submitted sealed bids are confidential until the listed bid opening time and date; however, as a public entity, Tuscola County is subject to the Michigan Freedom of Information Act (FOIA). Information contained in proposals may be subject to FOIA requests.

8. **NON-DISCRIMINATION:** In the performance of the proposal and resultant contract, bidder agrees not to discriminate against or grant preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. Bidder shall not discriminate against any employee or applicant for employment to be employed in the submission of this Proposal or in performance of the duties necessitated by an award of the proposed Agreement with respect to his or her hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his or her race, color, religion, national origin, ancestry, gender, height, weight, marital status, age, except where a requirement as to age is based on a bona fide occupational qualification, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Any breach of this provision will be regarded as a material breach of the Agreement.

9. **CONTRACT:** The County's award of any proposal is subject to and conditioned upon execution of a formal agreement for the proposed services between the successful bidder and the County. In submitting a proposal, the bidder acknowledges that the contents of the RFP will become incorporated within any formal agreement. This RFP does not include every term and provision which shall be included in the formal agreement. In the event that the bidder fails to execute the formal agreement within _____ of its presentment by the County, the County may reject the selected bidder, and proceed to accept another qualified proposal, or reject all proposals.

10. **RESPONSIBILITY:** Bidder is solely responsible for ensuring its bid is received by Tuscola County in accordance with the solicitation requirements, before the date and time specified in this Request, and at the place specified.

DRAFT – DISCUSSION PURPOSES ONLY

Tuscola County shall not be responsible for any delays in mail or by common carrier or mistaken delivery. Delivery of bid shall be made as outlined above.

Deliveries made before the due date and time but to the wrong office will be considered nonresponsive unless re-delivery is made to the office specified before the due date and time specified in this Request.

PROPOSAL SUBMISSION REQUIREMENTS:

Each bidder must provide with its formal Proposal a written sworn statement certifying that it has not colluded with any competing bidder or County employee or entered into any type of agreement of any nature to fix, maintain, increase or reduce prices or competition regarding the items covered by this Request for Proposal. This certification must be in the form as outlined in **Exhibit A** to this RFP.

Each bidder must complete the accompanying business information form, as outlined in **Exhibit B** to this RFP, and submit the form as part of its Proposal.

All Proposals (including 1 original and 6 copies) must be delivered within a sealed envelope marked “BUILDING CODES RFP.” This sealed envelope should be enclosed within an envelope addressed and delivered as described above.

The County will not accept proposals send by fax or e-mail.

The County will not accept late proposals.

In addition to addressing the relevant proposal details (outlined below) each Proposal must address each of the following:

A. **Firm Overview:** History of firm, including organization type, age, size, number and location of offices, number of employees (fulltime & part-time) and their level of experience, number of clients and any specialty areas.

B. Qualifications:

- a. Biographies/resumes of firm leadership and key personnel.
- b. Specialized equipment/vehicles available to service the County.
- c. What is your normal availability and response time for non-emergency service work.
- d. Describe your procedure for taking emergency service requests and what your response time is.
- e. Please provide examples of similar experience, whether governmental or commercial, and describe services provided.
- f. Describe what additional “value added services” your firm can provide.
- g. List the key differentiators for your firm. What factors distinguish your firm from your competitors?
- h. Experience with Construction Code Commission meetings.

C. References:

- a. List five (if you have less than five, list all current) similar clients you currently provide ongoing Professional Building Plan Review and Inspection services for:

DRAFT – DISCUSSION PURPOSES ONLY

- i. Name of company
- ii. Length of time a customer
- iii. Services provided
- iv. Contact name and title
- v. Phone number

D. Conflict of Interest:

- a. Disclose any conflicts or perceived conflicts of interest.
- b. Identify what procedures your firm utilizes to identify and resolve conflicts of interest.

E. Additional Documentation:

- a. Errors and omissions coverage (if none, indicate).
- b. Liability coverage.
- c. Any and all relevant state registration certificates.

If there are general questions that require clarification concerning this RFP, please contact _____ at _____.

PROPOSAL DETAILS:

A. **DESCRIPTION** – Tuscola County is seeking proposals for Professional Building Department Services, Permit Issuance, Plan Review and Inspection Services. The County is soliciting proposals from qualified contractors to perform Professional Building Plan Review Services and Building Inspection Services for new commercial/industrial building, additions, and remodels; new residential construction additions and remodels; and other retro-fits of any and all buildings. The Contractor will serve as the Building Official for Tuscola County. Inspection services will encompass:

- Building Plan Review/Inspections
- Mechanical (HVAC, Fire Suppression) Plan Review/Inspections
- Plumbing Plan Review/Inspections
- Electrical Plan Review/Inspections
- Permit Issuance, all disciplines

B. **BACKGROUND:** Tuscola County currently contracts with a third party for Professional Building Plan Review and Professional Building Inspection Services.

C. **TUSCOLA COUNTY OFFICE:** The winning Contractor will be required to maintain a regular office presence in Tuscola County. All Proposals should address whether bidder is seeking to lease office space from Tuscola County in connection with its Proposal. The terms of an lease agreement between the County and a bidder shall be negotiated concurrently with the final Contract.

D. **COMPENSATION:** The incumbent Contractor provides services in exchange for compensation pursuant to the fee schedule attached as **Exhibit C** to this RFP. All proposals must indicate acceptance of this fee schedule. If a bidder is unable to accept the current fee schedule, its Proposal must propose an alternative fee schedule and justify bidder's need for revised compensation.

E. **SCOPE OF WORK:**

Building Plan Review Services (All Disciplines)

- Provide plan review of any and all types of structures including, but not limited to, single family dwellings, multiple family dwelling units, commercial and industrial building for compliance with all local ordinance, Michigan Building codes, Michigan Mechanical Codes, Michigan Plumbing Codes, Michigan Electrical Codes, American with Disabilities Act and Michigan Barrier Free Codes and the Michigan Energy Codes and referenced standards.

DRAFT – DISCUSSION PURPOSES ONLY

- Generally, residential initial plan check turn-around time shall be no more than _____ working days. Large commercial/industrial plan check turn-around time shall be no more than _____ working days.
- Plan reviews shall include electronic comment reports describing code violations in full with reference to plan sheet and **detail** identification and specific codes and code sections relating to each comment as applicable.

Building Inspection Services (All Disciplines)

- Provide Building Inspection Services for any and all types of structures including single family dwellings, multiple family dwelling units, commercial and industrial buildings, and other structures for compliance with local building codes.
- Inspections shall occur between the hours of _____ Monday – Friday, unless otherwise agreed upon by the contractor and the customer.
- Inspectors shall respond to phone messages and be available to answer customer questions each working day. Inquiries may be handled from the office of the Contractor.
- Whenever possible and appropriate, the contractor shall coordinate inspections between disciplines to occur on a common site on the same day.
- Contractor's inspectors shall be provided by the Contractor with all the necessary code books, tools, equipment, and transportation required to perform plan review and inspection duties. All inspectors shall maintain a cell phone number which shall be available to the public to access the inspector.

F. QUALIFICATIONS AND SELECTION CRITERIA:

Required Qualifications:

- Contractor, and any employee of Contractor providing services to the County, must be appropriately licensed, qualified and registered as required by PA 54 of 1986 and all other applicable state or federal statutes, rules and regulations.
- Contractor must be qualified to act as the County's Building Official under applicable state law and regulations.
- Contractor must be duly licensed to do business in the State of Michigan and acceptable to Tuscola County.
- The contractor must understand, interact and communicate well with all local departments and agencies involved in the inspection and zoning process.
- The County seeks a contractor that can address the challenges of a rural community, able to communicate effectively with all agencies involved with building permits.
- The contractor must be able to communicate effectively with County employees, the construction industry, utilities, developers, property owners, other agencies and property owners.
- The contractor will function as an agent of Tuscola County and provide plan review services, inspections, enforcement of appropriate building codes, respond to citizen

DRAFT – DISCUSSION PURPOSES ONLY

complaints and have the ability to communicate effectively to ensure minimal impacts to the public, neighborhoods, etc. from building activities in the County.

- The contractor shall provide current qualifications and certifications of all its employees providing services.
- Contractor shall hold and save harmless the County from all claims by others whose personnel or property may be damaged or injured by Contractor, its employees or subcontractors in the performance of the duties of the contract.
- Contractor shall make reasonable and prompt restitution by cash, replacement or repairs, subject to the approval of the County, for any damages for which the Contractor is liable, of which the County shall be sole judge.
- Contractor shall ensure that its employees and agents conform to all Federal (OSHA) laws and regulations, State and County safety and health regulations, and shall assume full responsibility for any violations and/or non-compliance with such regulations.

Selection Criteria: The requested information is intended to provide information that will assist Tuscola County in the selection of the most qualified, competent, experienced, responsive and economical service provider, who will best serve the needs of the County .During the evaluation process, where it may serve the its best interest, the County reserves the right to request additional information or clarifications from proposing firms, to reject any or all proposals or unauthorized modifications, to allow corrections of errors or omissions, or to waive irregularities. A selection committee will evaluate the proposals based upon the factors listed above. After a review of the written proposals, selected firms may also be asked to make an in-person presentation or field follow-up questions. Tuscola County will choose the proposal(s) that best fits its needs. The County is not obligated to award the contract based on cost alone. The selected firm will be required to enter into a written agreement with the Tuscola County that will detail the specifics of the relationship and include scope of work, compensation, insurance requirements and other matters. This agreement is anticipated to be for _____ years. If an agreement cannot be reached, Tuscola County reserves the right to render the proposal invalid and may award the contract to another qualified vendor in its sole discretion.

EXHIBIT A

CERTIFICATION

The individual signing below swears, affirms and certifies:

1. He/She fully authorized to submit this Proposal, including all assurances, understanding and representations contained within it which shall be enforceable as specified.
2. He/She has been duly authorized to act as the official representative of the bidder, to provide additional information as required and, if selected, to consummate the transaction subject to additional, reasonable standard terms and conditions presented by County.
3. This Proposal was developed solely by the Bidder indicated below and was prepared without any collusion with any competing bidder or County employee and Bidder has not entered into any type of agreement of any nature to fix, maintain, increase or reduce prices or competition regarding the items covered by this Proposal.
4. The content of this Proposal has not and will not knowingly be disclosed to any competing or potentially competing bidder prior to the proposal opening date, time, and location indicated.
5. No action to persuade any person, partnership, or corporation to submit or withhold a Proposal has been made.

Company Name: _____

Signatory Name: _____

Signatory Title: _____

Signed: _____

Date: _____

EXHIBIT B

BIDDER INFORMATION

*Name:	
*Title:	
*Name Company:	
*Address:	
*City/State/Zip:	
*Phone Number:	
*Fax Number:	
*Email Address:	

EXHIBIT C

Current Fee Schedule

January 21, 2021

A regular meeting of the Board was held via Electronic Remote Access through Google Meet on Thursday, January 21, 2021 at 8:00 A.M.; all in accordance with the Michigan Department of Health and Human Services Emergency Order under MCL 333-2253 and Public Act 254 of 2020 due to the Covid-19 Pandemic.

Present for the Electronic Meeting: Road Commissioners John Laurie (Indianfields Township), Gary Parsell (Indianfields Township), Julie Matuszak (Ellington Township), David Kennard (Vassar Township), and Duane Weber (Arbela Township); Acting County Highway Engineer Brent Dankert, Operations Engineer Technician Will Green, Superintendent/Manager Jay Tuckey, and Director of Finance/Secretary-Clerk Michael Tuckey.

At 8:05 A.M., there were a total of Eleven (11) participants attending the Electronic Meeting.

Motion by Parsell seconded by Matuszak that the minutes of the January 7, 2021 regular meeting of the Board be approved. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Payroll in the amount of \$100,843.55 and bills in the amount of \$108,639.50 covered by vouchers #2021-03, #2021-04, #2021-05, and #HRA-91 were presented and audited.

Motion by Matuszak seconded by Weber that the payroll and bills be approved. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Brief Public Comment Segment:

- (1) Mr. Matt Kuschel and Mr. Aaron Arking appeared before the Board regarding the request from the Indianfields Township Board to abandon portions of Wells Road and Graf Road in conjunction with the construction of the new Caro Center. Director of Finance Michael Tuckey will follow up with both Mr. Kuschel and Mr. Arking regarding the road abandonment process.

Motion by Weber seconded by Parsell that the Tuscola County Road Commission mileage reimbursement rate be decreased to \$.56 cents per mile effective January 1, 2021. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by David Kennard seconded by Julie Matuszak that the following resolution be adopted:

RESOLUTION

WHEREAS, the Acting County Highway Engineer of the Tuscola County Road Commission has reviewed the 2020 Michigan Department of Transportation Road Certification Maps for Tuscola County, and

WHEREAS, upon review there are no changes and/or corrections.

THEREFORE, BE IT RESOLVED, that this Tuscola County Board of Road Commissioners approve Operations Engineer Technician Will Green to electronically sign the 2020 Michigan Department of Transportation Road Certification Maps for Tuscola County with no changes and/or corrections.

Roll Call Vote:

- Ayes: John Laurie, Gary Parsell, Julie Matuszak, David Kennard, Duane Weber
- Nays: None

Motion by Weber seconded by Matuszak to approve and sign the title sheet for the Lee Hill Road over the Sucker Creek Bridge Replacement Federal Aid Project, and to move forward with letting the project. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Kennard seconded by Parsell that the Tuscola County Road Commission cast a ballot for Joanna Johnson of Kalamazoo County to serve as a Board of Director of the County Road Association of Michigan. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

The Board received and reviewed the 2020 Year in Review submitted by the Cass River Greenway Committee. After review, the following motion was introduced:

Motion by Weber seconded by Parsell to accept and place on file the 2020 Year in Review submitted by the Cass River Greenway Committee. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

At 8:15 A.M. the following bids were opened for 2021 Hired Equipment:

<u>Pavement Recycling Inc.</u>		<u>Hourly Rate</u>
<u>Phone: 810-245-5700</u>		
Roto-Mill/Pavement Profiler Wirtgen W200i	7.2ft	550.00
Roto-Mill/Pavement Profiler Roadtec RX700e	6.5ft	600.00
Roto-Mill/Pavement Profiler Roadtec RX700	6.5ft	600.00
Pulverizer/Stabilizer CMI RS 500; 500B	8ft	500.00
Pulverizer/Stabilizer CMI RS 600; 650; 650B	8ft	595.00
Pulverizer/Stabilizer CMI RS 800	8ft	595.00
Asphalt/Cement Stabilizer P&H 107	12ft	750.00
Asphalt/Cement Stabilizer P&H 88	8ft	750.00
Asphalt/Cement Stabilizer P&H 58	5ft	550.00
Cement/Lime Spreader Oshkosh 6WD	8ft	500.00
Cement/Lime Spreader International	9ft	500.00
Auto Grader CAT 160H	12ft	145.00
Auto Grader CAT 14M	14ft	175.00
Roller-Vibratory Single Drum HAMM HI3i	22Ton	105.00
Roller-Rubber Tired w/Spray System Sakai T2; T200	20Ton	75.00
Roller-Vibratory Double Drum Hypac 766	10Ton	75.00
Roller-Vibratory Double Drum Hypac 778	12Ton	95.00
Roller-Vibratory Steel/Pad Foot CAT CP 563	7ft	95.00
Water Truck Peterbuilt, 4,000 Gal		125.00
Lowboy & Tractor	8 Axle	125.00
Lowboy & Tractor TrailKing/Western Star	6 Axle	85.00
Truck Tractor Freightliner	Tri Axle	75.00
Dump Trailer Thru-Way	30 Yard	65.00
Tag Trailer CMI	15 Ton	25.00
Asphalt Heater Patcher Thermal Power	1 1/2 Ton	150.00
Skid Steer Gehl V 400	82" Bucket	90.00
	96" Broom	95.00
	24" Mill	125.00
Loader & Forks CAT 928G	3 Yard	125.00
Service Truck IHC; 99 Ford		65.00
Service Truck w/Crane, 2014 Dodge; 2016 Ford	5500	85.00
Supervisor		65.00
Laborer		40.00

Kappen Excavating, LLC
Phone: 989-550-2377

Hourly Rate

Komatsu Exc PC-400LC	175.00
Komatsu Exc PC-300LC	135.00
Komatsu Exc PC-200LC	120.00
Case Mini Exc CX55B	90.00
Komatsu Dozer D-58P 6Way	125.00
Komatsu Dozer D-31P 6Way	90.00
New Holland Dozer DC95 6Way	110.00
New Holland Utility Tractor w/attachment	70.00
Komatsu Loader WA350	100.00
Case Vibratory Compactor 72'	75.00
Semi-Tractor 50 Ton Lowboy	120.00
Tri-Axle Dump Truck	75.00
Labor	35.00

Rooney Crane Service, LLC.
Phone: 989-269-7132

Hourly Rate

Grove 40 Ton All Terrain Crane Operator Only 140'+49'	210.00
Grove 40 Ton All Terrain Crane Operator & Oiler 140'+49'	280.00
Grove 60 Ton All Terrain Crane Operator & Oiler 140'+49'	335.00
Grove 80 Ton All Terrain Crane Operator & Oiler 197'	380.00
Grove 120 Ton All Terrain Crane Operator & Oiler 197'+59'	430.00
Grove 165 Ton All Terrain Crane Operator & Oiler 197'+59'	485.00
Grove 165 Ton All Terrain Crane 197'+105'	Upon Request
Man Manbasket 2 man or 4 man	150.00/day

State and County highway permits will be billed at cost (if required).

Crane rates include operator, fuel, insurance and maintenance.

Minimum Charge of 4 hrs will be charged for all cranes. Total time charged includes travel to and from site.

Labor Charges: Straight Time: Mon-Fri 7:00a.m.-3:30p.m. or 8:00a.m.-4:30p.m.(8 hrs total)

Time and one half: Over 8th hr and up to the 10th hr Mon-Fri, up to 8 hrs Sat.

Double Time: Mon-Sat 11th hr plus on that day & all day Sun/Holidays

	<u>Straight Time</u>	<u>Time and One Half</u>	<u>Double Time</u>
Operator	\$90.00/hour	\$50.00/hour additional	\$80.00/hour additional
Oiler	\$70.00/hour	\$40.00/hour additional	\$70.00/hour additional

Monchilov Excavating, Inc
Phone: 989-693-6690

Hourly Rate

330 DL Excavator, Hyd Thumb	145.00
323 Excavator Grade Control, Hyd Thumb	140.00
315 CL Cat Hyd. Thumb Excavator Tooth Bucket	125.00
315 CL Cat Hyd. Thumb Excavator Tooth Bucket w/Rubber Tracks	130.00
322 CL Cat Excavator, Hyd Thumb, Tooth Bucket	130.00
308 Cat Excavator	115.00
Volvo Mini Excavator	100.00
259 Cat Track Skidsteer	85.00
938 Cat Loader 3.5 yds.	150.00
D4 Cat Dozer	130.00
D6K Cat Dozer	140.00

315 CL Cat Excavator with Forestry Mulching Head up to 8"	180.00
322 CL Cat Excavator with Forestry Mulching Head up to 8"	195.00
308 Cat Excavator with Forestry Mulching Head	150.00
Volvo Mini Excavator	100.00
Semi-3 Axle Lead(Hard Box & Aluminum)	120.00
Semi-Train (Hard Box & Aluminum)	130.00
Semi-3 Axle Lowboy	130.00
Quad Axle Dump Truck	115.00
Quad Axle Dump Truck with Pup	135.00
Single Axle Dump Truck	85.00
Sterling Slinger Truck	150.00
Water Truck	120.00
Vac Truck & 2 Men	225.00
Underground Video/Camera Inspection	250.00
Deep Trekker Portable Camera 8" and up Pipe	200.00
Jetter Basement Machine	110.00
Pickup & Equipment Trailer	75.00
Labor	65.00
Road Mats-Per Day	100.00
Laser Dual Slope-Per Day	60.00
Additional Buckets-Per Day	100.00
Concrete Wrecking Ball-Per Day	100.00

Marlette Excavating Company
Phone:989-635-2998

Hourly Rate

D8H Cat Dozer	145.00
D8K Cat Dozer with ripper	155.00
D7 Cat Dozer	140.00
D7 Cat Dozer with Rome Disk	170.00
320 Cat Excavator	115.00
225 Cat Excavator	110.00
235 Cat Excavator	145.00
235 D Cat Excavator	150.00
235 D Cat Excavator w/ Extension	165.00
Northwest 41 Dragline-50' or 65' boom	100.00
2766B Terex Off Road Truck	100.00
140 Cat Grader	90.00
970 John Deere Tractor	50.00
970 John Deere Tractor with Broom	55.00
416 B Cat Backhoe	75.00
Kenworth Gravel Train	130.00
Kenworth Lead	95.00
400 Komatsu Loader	92.00
PF500 Blow Knox Paver	130.00
C747B Hypac Compactor 3-5 Ton	52.00
Rosco Compactor 1 Ton	35.00
Cat 534	85.00
Labor	45.00
Vac Truck	125.00
Elgin Sweeper	100.00
Concrete Saw (3" Asphalt)	3.00/ft
Hyster Lowboy	110.00
Interstate Trailer with Kenworth	50.00

Manitowoc 2900 Series II Crane 70 Ton, 120' boom 450.00

Raymond's Tree Service Inc. Hourly Rate
Phone:810-537-1757

Aerial Lift Bucket Truck with Chipper and Skidster and
3 man crew for removal with all hand tools & signs. 150.00

Aerial Lift Bucket Truck with Chipper and 2 man crew
For trimming and pruning with all hand tools & signs. 120.00

Aerial Lift Bucket Truck with Operator and Tools. 1 man. 75.00

Stump grinding with 1 man crew and all hand tools & signs. 175.00

R&R Excavating & Trucking, Inc Hourly Rate
Phone:989-550-1200

950 Cat Loader (4yd Bucket)	100.00
950 Cat Loader (5yd Bucket)	110.00
721 Case Loader (3.5yd Bucket) with scales	90.00
JD Dozer Wide Track (11'6" Blade)	115.00
650 JD Wide Track Dozer (9' Blade)	80.00
Link Belt Exc. (29' each) 44" or 72" Ditching Bucket	103.00
Komatsu Excavator PC 400 (40' Reach) Choice of Buckets 2 yd or 4 yd	130.00
Komatsu Exc with Off Set Boom and 8' Blade with Rubber Tracks	
Bucket Choice 13", 24", 36" toothed or 60" Ditching Bucket	85.00
Bobcat with Tracks; choice Bucket, Forks, or augers 6", 12", 18", 24" 30"	75.00
Bobcat with Tracks and Heavy Duty 6' Brush Mower	75.00
Compactor 172 Bomag, Vibratory Roller; smooth single drum or pad foot	65.00
Quad Axle Dump Truck	105.00
Quad Axle Dump Truck with 6-Axle Pup	125.00
2 Tri-Axle Dump Trucks	70.00 each
Tri-Axle Dump Truck w/5 Axle Dump Pup	90.00
Tri-Axle Dump Truck w/25 Ton Tag Trailer (Trucking)	60.00
Pick-up Truck 4x4 w/30' Hyd.Beaver Tail Trailer (12 Ton) (Trucking)	45.00
Sky-Track 4x4 w/Forks or Man Basket	65.00
Volvo-25 Ton Off Road Truck	105.00
TN 85-4x4 Tractor w/Loader or Front Power Broom	65.00
TN 85-4x4 Tractor w/Loader & 15' Bat Wing Mower (HD)	95.00
T4.75 Tractor w/Loader & (HD) 10' Batwing Mower	70.00
115 HP 4x4 Tractor; w/15' Reach, 60" Head Boom Mower	75.00
Hand Labor Each Man	30.00

Kappen Tree Service, LLC Hourly Rate
Phone: 989-673-5313

Sennebogen Mobile Tree Harvester	250.00
Albach Diamont 2000 Mobile Whole Tree Chipper	350.00
New Holland Boom Mower	95.00
Semi with 120 yard chip trailer	110.00
John Deere Feller Buncher	185.00
2 Man Crew, Bucket & Chipper	125.00
3 Man Crew, Bucket & Chipper	160.00

Tree Mek Crane w/ Grapplesaw	250.00
30 Yard Chip Truck	40.00
Log Truck w/ Grapple Loader	45.00
Winch Chipper	25.00
Stump Grinder	90.00
Loader w/ Grapple	40.00
Forestry Mower	125.00

Dependable Sewer Cleaners

Hourly Rate

Phone:989-892-3011

Industrial combination jet/vacuum truck with 2 operators	250.00
Industrial vacuum tanker with 2 operators	235.00
Hydro Excavation Vac Truck with 2 Operators	250.00
Trailer mounted high pressure water jet with operators and service truck	195.00
Trailer mounted pumper unit with operator and service truck	195.00
Main line pipe inspection camera truck w/ 2 operators and lateral Launcher for leads from main	250.00
Push camera pipe inspection unit with locator and operator	185.00
Service trucks with sewer cleaning technician	125.00
Disposal of industrial waste/by product (catch basin debris)	125.00
Advanced Robotic Cutter for sewer mains and pipe relining(CIPP) Installation	345.00
Pipe Relining (CIPP)	Priced as Needed

Kivisto Tree Service, LLC

Hourly Rate

Phone:810-923-7139

CAT 289D or John Deere 333G Skidsteer w/ dirt bucket, Grapple bucket, forks	110.00
Skidsteers w/ forestry mulcher or tree shear Mobe: \$250	175.00
Morbark rubber track stump grinder Mobe: \$200	135.00
Morbark M20R wood chipper Mobe: \$250	195.00
Hitachi Z-85 Excavator w/thumb 19,000# Mobe: \$600	125.00
50 CYD Chip Truck Mobe: \$250	75.00
Laborer w/ truck, chainsaw, any hand tools Mobe: \$75	75.00
Pickup Truck w/ dump trailer Mobe: \$100	75.00
Tandem Axle Grapple Truck Mobe: \$250	95.00

M & W Crane Rental LLC

Hourly Rate

Phone: 989-460-4002

210 Ton All Terrain Crane	510.00
165 Ton All Terrain Crane	450.00
130 Ton All Terrain Crane	400.00
80 Ton All Terrain Crane	365.00
60 Ton Truck Crane	305.00
40 Ton Boom Truck	190.00
8,000 lb Tele-Scope Forklift	135.00
(Sky-Trac) Delivery Fee	135.00 ea way
8 Axle Flat Bed Truck and Trailer	135.00
55 Ton Lowboy	135.00
Certified Rigger & Signal Person	95.00

Esch Landscaping, LLC
Phone: 989-453-2211

Hourly Rate

Excavator 308 Cat	125.00
Excavator 304 Cat	115.00
Deere Loader 3 yd	150.00
Cat Loader 2 ½ yd	140.00
Rubber Track Skid Steer Cat 289	125.00

R.B. Satkowiak's City Sewer Cleaners
Phone: 989-753-9971

Hourly Rate

Vac/Jetter Truck w/2 Techs	205.00 Port to Port
Hydro Excavator w/2 Techs	220.00 Port to Port
Camera Truck w/2 Techs	205.00 Port to Port
Foreman	75.00
Operator	57.00
Mini Excavator	40.00
10 yd Dump Truck	45.00
Skid Steer	35.00
Tool Truck	45.00

Motion by Parsell seconded by Matuszak that the bids for 2021 Hired Equipment be accepted and awarded on an "as needed" basis in the best interest of the Tuscola County Road Commission. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Parsell seconded by Weber granting Jason Raymond an Intermittent Medical Leave of Absence for a six (6) month period, all in accordance with the Family Medical Leave Act. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Matuszak seconded by Kennard to approve that the Road Commission advertise to fill up to four (4) vacant Light Equipment Operator positions, as recommended by the Superintendent/Manager. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Parsell seconded by Matuszak that the Tuscola County Board of Road Commissioners acknowledges its support for, and joins in, the amicus brief to be written and filed in the Michigan Supreme Court advocating for the Michigan County Road Commission Self-Insurance Pool. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

At 8:30 A.M. the following proposals were opened for 2021 Crushed Gravel:

<u>Bidder</u>	<u>Pit Name</u>	<u>Twp. & Sec.</u>	<u>Material</u>	<u>Price</u>
Thumb Aggregates	T. Aggregates	Elkland, 27	22A	6.75 p/ton
	T. Aggregates	Elkland, 27	23A	6.75 p/ton
	T. Aggregates	Elkland, 27	21AA	11.75 p/ton
	T. Aggregates	Elkland, 27	6A	10.80 p/ton
Albrecht Sand & Gravel	Cat Lake	Wells, 31	23A	6.20 p/ton
	Wood Rd.	Lamotte (Sanilac)	23A	7.45 p/ton
MI Gravel	Millington	Millington, 35	23A	7.00 p/ton
	Millington	Millington, 35	22A	11.00 p/ton
	Millington	Millington, 35	6A	14.35 p/ton

	Millington	Millington, 35	34R	14.25 p/ton
	Millington	Millington, 35	Class II Sand	3.90 p/ton
	Millington	Millington, 35	Fill Sand	3.45 p/ton
	Millington	Millington, 35	Rip Rap 3-8"	26.00 p/ton
	Millington	Millington, 35	Rip Rap 4-12"	30.00 p/ton
A3 Crushing/Aggregate	Crawford Rd.	Elkland, 36	23A	7.00 p/ton
Weber Sand & Gravel	Silverwood	Dayton, 24	23A	7.50 p/ton
Ace-Saginaw Paving	Castle Pit	Watertown, 33	23A	6.75 p/ton

Motion by Weber seconded by Matuszak that the proposals for 2021 Crushed Gravel be accepted and awarded in the best interest of the Tuscola County Road Commission. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

The Board further discussed the Road Commission's position of County Highway Engineer. Commissioner Parsell provided a report from a meeting held with Brent Dankert regarding the position, but Mr. Dankert has reluctantly declined the offer for the full time position. After further discussion, the following motion was introduced:

Motion by Parsell seconded by Matuszak to accept the report regarding the County Highway Engineer position, and that the Board continue to review the options for the position. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Parsell seconded by Kennard to authorize the Acting County Highway Engineer to sign Service Agreements with various engineering firms for their engineering services for the 2021 season. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Management and the Board further discussed the Covid-19 Pandemic, and the current Road Commission operating procedures. Director of Finance Michael Tuckey presented to the Board an amended Covid-19 Preparedness and Response Plan for the Road Commission, in accordance with MIOSHA and the Michigan Department of Health and Human Services Emergency Order under MCL 333-2253, as well as recommended revisions from the Road Commission's Labor Attorney. After review and discussion of the amended plan, the following motion was introduced:

Motion by Weber seconded by Matuszak to adopt the amended Tuscola County Road Commission's Covid-19 Preparedness and Response Plan as presented effective January 11, 2021. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Parsell seconded by Kennard that the Board go into closed session at 8:50 A.M. for the purpose of legal discussions regarding the Terry Houthoofd lawsuit. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

At 8:55 A.M. the Board returned to open session.

Motion by Parsell seconded by Matuszak that the meeting be adjourned at 9:00 A.M. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Chairman

Alpena County Board of Commissioners
720 W. Chisholm Street, Suite #7
Alpena, MI 49707
Telephone: 989-354-9500
Fax: 989-354-9648
Web Address: www.alpenacounty.org
commissionersoffice@alpenacounty.org



Resolution #21-03

Pandemic Resolution

District #2
Chairman of the Board
Robert Adrian

District #7
Vice-Chairman
Marty Thomson

District #1
Commissioner
Don Gilmet

District #3
Commissioner
Dave Karschnick

District #4
Commissioner
Bill Peterson

District #5
Commissioner
Brenda Fournier

District #6
Commissioner
Kevin Osbourne

District #8
Commissioner
John Kozlowski

Executive Manager
Tammy Sumerix-Bates

Board Assistant
Lynn Bunting

Board Admin Assistant
Kim Elkie

The Alpena County Board of Commissioners, at a regular meeting, January 26, 2021, reviewed and approved the following:

WHEREAS, we live in a time of pandemic; and

WHEREAS, we are now entering into the second year of the global pandemic which has impacted every Alpena County citizen in a myriad of ways; and

WHEREAS, the threat from the virus, though serious, has resulted in a thwarting of constitutional liberties and personal freedoms without sufficient regard for ongoing and potentially irreparable economic, emotional, educational, and other societal abuses; and

WHEREAS, Governor Whitmer working with the Attorney General, Secretary of State, the Directors of the Michigan Health Department and revoking the licenses of businesses for failure to obey and enforce the unconstitutional Executive Orders; and

WHEREAS, the orders by the MDHHS lack legislative support of the democratically elected representatives, having been initiated unilaterally and unconstitutionally by the Governor of Michigan; and

WHEREAS, the orders by the MDHHS have disallowed any degree of personal accountability, eroded constitutional rights of citizens and have placed undue burden and restrictions on local businesses, local employees and the citizens of Alpena County; and

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) has issued orders without providing funding or sufficient guidance for the enforcement of such orders; and

WHEREAS, the 1st Amendment to the constitution states: "*Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the*

press, or of the people to peaceably assemble, and to petition the government for a redress of grievances”; and

WHEREAS, Title 18, U.S.C. Section 241 says *“If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same...”*

Title 18, U.S.C. 242 says *“Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year or both”;* and

WHEREAS, the right and responsibility of individuals to self-determine what is best for their own health, liberty and pursuit of happiness is necessary and ensured by our Constitution, which we have taken an oath to defend and uphold:

NOW THEREFORE BE IT RESOLVED, the Alpena County Commission calls upon the Michigan Legislature to exercise their co-equal authority by adopting constitutionally sound measures which limit the unchecked exercise and abuse of executive power, which restore individual responsibility and accountability, and which return Michigan to the ranks of freedom-loving governments everywhere.

FURTHER, The Alpena County Commission does not support the expenditure of any county funds for the purpose of arrest and prosecution of any person accused of violating MDHHS emergency orders regarding COVID-19 and encourages the Alpena County Sheriff’s Department and the Alpena County Prosecutor’s Office to uphold their oaths of office to support the Constitution which is the Supreme Law of the land, and make this the lowest priority;

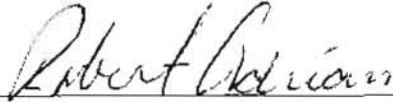
FURTHER, we call upon the citizens of Alpena County to act responsibly with regards to others while determining for themselves what is best for themselves, for their own families and loved ones and how to contend with the ongoing risks associated with the COVID-19 virus;

FURTHER, we call upon local businesses to use their own good judgement to operate in a manner which minimizes risk to patrons while protecting the health and welfare of their businesses, care for their employees, and the community;

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to Governor Whitmer, both United States Senators, all Michigan Members of Congress, both

Speakers of the House of Representatives and the Senate, along with the Michigan Association of Counties and all Counties within Michigan, along with the Michigan Township Association and all Townships, Cities and Villages within Alpena County, Michigan.

Moved by Commissioner Thomson and supported by Commissioner Kozlowski to recommend to approve a pandemic resolution for Alpena County as presented and authorize the Chairman of the Board and County Clerk to sign it. Roll call vote was taken: AYES: Commissioners Gilmet, Karschnick, Peterson, Fournier, Osbourne, Thomson, and Kozlowski. NAYS: Commissioner Adrian. Motion carried.



Robert Adrian, Board Chairman

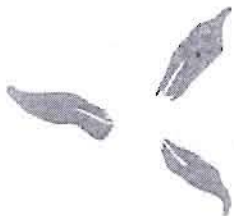
STATE OF MICHIGAN)
County of Alpena)



I, Bonnie Friedrichs, Clerk of the Circuit Court for the County of Alpena, the same of Court of Record and having a seal do hereby certify that January 26, 2021 session and that it is a true and correct transcript therefrom and of the whole thereof.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed the seal of said Court, at Alpena this 26th day of January 2021.


Bonnie Friedrichs, County Clerk



ANTRIM COUNTY
BOARD OF COMMISSIONERS
P.O. Box 520
Bellaire, Michigan 49615
Phone (231) 533-6353
Fax (231) 533-6935
Chairman: **TERRY VANALSTINE**

January 28, 2021

At the January 21, 2021 meeting of the Antrim County Board of Commissioners, the following Resolution was offered.

RESOLUTION #09-2021, by Ed Boettcher, seconded by Christian Marcus

**RESOLUTION IN SUPPORT
OF LOCAL BUSINESSES**

WHEREAS, the novel coronavirus (COVID-19). Is a respiratory disease that can result in serious illness or death; and

WHEREAS, the Antrim County Board of Commissioners recognizes that COVID-19 is having direct impact on all County residents which includes, but is not limited to, physical and mental health care difficulties, education constraints, and financial strain; and

WHEREAS, The Antrim County Board of Commissioners understands that many local businesses have suffered and continue to suffer economic harm due to COVID-19, and

WHEREAS, The Antrim County Board of Commissioners furthermore recognizes that the local hospitality industry is being hit particularly hard with financial losses due to restrictions associated with COVID-19, and

WHEREAS, The Antrim County Board of Commissioners believes that the ability of County residents and visitors to patronize local restaurants, hotels, recreational venues, etc., contributes substantially to the overall well-being of the County; and

WHEREAS, The Antrim County Board of Commissioners is aware of many options to support the small businesses such as ordering takeout, using gift cards, and making advanced reservations, and

WHEREAS, The Antrim County Board of Commissioners believe small businesses engaged in food service can operate safely by practicing ServSafe health and safety practices specific to operating during a COVID-19 pandemic and limiting occupancy, while meeting the needs of the customer.

NOW THEREFORE, BE IT RESOLVED, The Antrim County Board of Commissioners encourages County residents to support their local businesses, particularly during the course of the pandemic, without fear.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to Governor Whitmer, both the Speaker of the State House of Representatives and the Majority Leader of the State Senate along with the Michigan Association of Counties (MAC) and all counties within the State of Michigan.

Yes – Jarris Rubingh, Joshua Watrous, Ed Boettcher, Terry VanAlstine, Brenda Ricksgers,
Dawn LaVanway, Jason Helwig, Christian Marcus;

No – Karen Bargo;

Absent – None.

RESOLUTION #09-2021 DECLARED ADOPTED.

ANTRIM COUNTY CLERK, BELLAIRE, MI
STATE OF MICHIGAN, COUNTY OF ANTRIM, ss

I, Sheryl A. Guy, Clerk of the Clerk of the County of Antrim,
certify the above is a true and exact copy of the original
record now remaining in this office.

IN TESTIMONY WHEREOF, I have set my hand
and official seal of the County of Antrim

this 29th day of January, 2021

 County Clerk



Jackson County Board of Commissioners
Resolution No. 06-20.19
Resolution in Support of the Request to Reopen Jackson County of Jackson

The Board of Commissioners of the County of Jackson, State of Michigan, states:

WHEREAS, since March 24, 2020, the people of the State of Michigan have been under a stay-at-home order and unable to go to work, gather in public or even visit family or friends in an effort to “flatten the curve” and attempt to stop the novel coronavirus that was infecting so many people and overwhelming our health care system in some urban areas; and

WHEREAS, Governor Whitmer has issued a series of Executive Orders addressing the Coronavirus pandemic, most recently known as the “Stay Home, Stay Safe” directives, and said directives are “one size fits all”; and

WHEREAS, it is undisputed that the novel coronavirus is highly communicable and dangerous primarily to those with comorbidity factors, but that “the curve” has been flattened and our health care system is capable of receiving and treating patients. What is also undisputed is that the current level of lockdown is unnatural and is itself the source of numerous other community problems, including rising rates of domestic violence, depression and suicides, and that this unreasonable extended prohibition on normal human interaction is having negative impact and making us less neighborly, less human and more isolated. Also, it is undisputed that many individuals and businesses are suffering significant economic harm from the ongoing indiscriminate lockdown. Finally, the response to the coronavirus is causing residents in our area to fear going to the hospital for their actual, real medical emergencies; and

WHEREAS, a harsh and protracted quarantine of the presumptively healthy for the sake of the few medically vulnerable is not sustainable in a society, and inasmuch as Jackson County meets the conditions of the MI Safe Start Plan to Reopen Michigan, it should be permitted to return to our natural freedoms; and

WHEREAS, a May 18, 2020 communication from the Michigan Department of Health and Human Services directs that under Executive Orders 2020-69, 2020-71, 2020-91 and 2020-92, local Health Departments and law enforcement *shall* report to an appropriate licensing agency any violations of the above noted Executive orders; and

WHEREAS, in said communication from MDHHS, law enforcement is encouraged to “...*bar access to businesses and operations that fail to comply...*” with the above noted Executive Orders; and

THEREFORE BE IT RESOLVED, that the Jackson County Board of Commissioners refuses to participate in such license reporting requirements or barring access to businesses and operations that fail to comply with the continuing Executive Orders; and

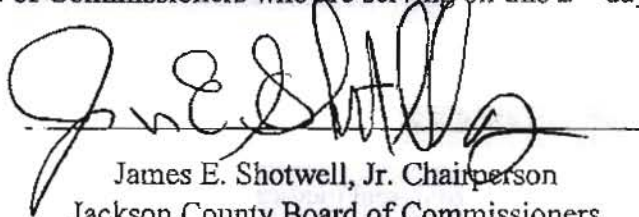
BE IT FURTHER RESOLVED, that the Jackson County Board of Commissioners directs the Administrator/Controller to notify department heads that no funds or resources under the control of the Board of Commissioners are to be expended for such enforcement action; and

BE IT FURTHER RESOLVED, that in order to protect the safety, welfare and rights of our County residents and businesses, and to state clearly our desire to reopen our community as soon as possible, the Jackson County Board of Commissioners, believing that it is inappropriate to indiscriminately lock areas whose demographics and cases are so dissimilar to the areas that were so badly affected, hereby requests the reopening Region 7 in the Governor's MI Safe Start Plan.

BE IT FURTHER RESOLVED that the Jackson County Clerk is hereby directed to transmit copies of this resolution to Governor Whitmer, State Representative Alexander and Lightner and Senate Majority Leader Mike Shirkey.

BE IT IS FURTHER RESOLVED, which this Board affirms its support for the Jackson County Sheriff and the Jackson County Prosecuting Attorney's use of sound legal discretion and supports the continued measured, thoughtful and humane approach in the enforcement of the prohibitions issued by the Governor.


This resolution was adopted by the Jackson County Board of Commissioners at a regular meeting held at the American 1 Event Center located at 128 West Ganson St., Jackson Michigan, Jackson County Michigan, by an affirmative vote of no less than FIVE of the members of the Jackson County Board of Commissioners who are serving on this 2nd day of June, 2020.


 James E. Shotwell, Jr. Chairperson
 Jackson County Board of Commissioners
 June 2, 2020

STATE OF MICHIGAN)
) ss.
 COUNTY OF JACKSON)

I, Amanda Kirkpatrick, the duly qualified and acting Clerk of the County of Jackson, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the County Board of Commissioners of the County of

Resolution No. 06-20.19 Jackson, State of Michigan, at a regular meeting held on June 2, 2020 at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.


 Amanda Kirkpatrick, County Clerk