



TUSCOLA COUNTY

Board of Commissioners

BOARD MEETING AGENDA

Thursday, October 12, 2023 – 8:00 AM

H.H. Purdy Building Board Room, 125 W. Lincoln Street, Caro, MI 48723

Public may participate in the meeting electronically:

(US) +1 929-276-1248 PIN:112 203 398#

Join by Hangouts Meet: meet.google.com/mih-jntr-jya

8:00 AM Call to Order - Chairperson Vaughan
Prayer - Commissioner Lutz
Pledge of Allegiance - Commissioner Koch
Roll Call - Clerk Fetting

Page

Adoption of Agenda

Action on Previous Meeting Minutes

1. Action on Previous Meeting Minutes 5 - 10
[Board of Commissioners - 28 Sep 2023 - Minutes - Pdf](#)

Brief Public Comment Period for Agenda Items Only

Consent Agenda

- [Committee of the Whole - 09 Oct 2023 - Minutes - Pdf](#) 11 - 13
1. Blue Cross Blue Shield (BCBS) 2024 Renewal
 2. Amendment to Fiscal Year (FY) 2021 Emergency Management Performance Grants American Rescue Plan Act (EMPG ARPA)
 3. Fiscal Year 2023 Emergency Management Performance Grant (FY 23 EMPG)
 4. Varipro 2024 Agreement

New Business

1. Register of Deeds Closure for Training - Marianne Brandt, Register of Deeds
2. Circuit Court/Family Court Legal Services Contract for 2024
[Attorney Contracts](#)
[2024 Circuit-Family Court Legal Services Contract](#) 14 - 19
3. Probate Court Contract for Representation for Alleged Developmentally Disabled Individuals
[2024 DD Contract for Probate Court](#) 20 - 22

Old Business

None

Correspondence/Resolutions

1. [Legislative Update 9-29-23 - The Michigan Association of Counties](#) 23 - 28
2. [Legislative Update 10-6-23 - The Michigan Association of Counties](#) 29 - 32
3. [September 26, 2023 Letter from Huron County Board of Commissioners](#) 33
4. [September 26, 2023 Letter from Dan Lauwers, State Senator, 25th District](#) 34
5. [Alcona County Resolution 2023-16 Opposing Any Legislation Preempting Local Control for Solar and Wind Developments](#) 35
6. [Alpena County Resolution 23-20 Opposing Preempting Local Control for Solar and Wind Developments](#) 36 - 37
7. [Clinton County Resolution 2023-17 Opposing Preemption of Local Control for Solar and Wind Developments](#) 38
8. [Kalkaska County Resolution 2023-41 Opposing Preempting Local Control for Solar and Wind Developments](#) 39 - 40
9. [Osceola County Resolution 2023-0016 Opposing Updating Sanitary Code Previsions](#) 41 - 42

Commissioner Liaison Committee Reports

Bardwell

Behavioral Health Systems Board

Caro DDA/TIFA

Economic Development Corp/Brownfield Redevelopment

MAC 7th District

MAC Workers Comp Board
MAC Finance Committee
NACo Rural Action Caucus (RAC)

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)
MAC Agricultural/Tourism Committee
Region VII 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

Lutz

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

Koch

Behavioral Health Systems Board
Recycling Advisory
Jail Planning Committee
MI Renewable Energy Coalition (MREC)
Local Units of Government

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 (2) days in advance of the meeting.



MINUTES

Board of Commissioners

Meeting

8:00 AM - Thursday, September 28, 2023

H.H. Purdy Building Board Room, 125 W. Lincoln Street, Caro, MI 48723

Commissioner Vaughan called the regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building Board Room, 125 W. Lincoln Street, Caro, MI 48723, on Thursday, September 28, 2023, to order at 8:00 AM local time.

Prayer - Commissioner Koch

Pledge of Allegiance - Commissioner Lutz

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Young, Thomas Bardwell, Bill Lutz, Matt Koch

Commissioners Absent: Kim Vaughan

Others Present In-Person: Clerk Jodi Fetting, Tracy Violet, Clayette Zechmeister, Mike Miller, Malisa Pyles, Rita Papp, Colleen Russell

Also Present Virtual: Eean Lee, Mary Drier, Mark Haney, Don Derryberry, Greg Rynearson, Matt Brown, Shawn Robinson, Pennie Rienas, Treasurer Ashley Bennett, Steve Root, Pam Shook, Stacey Wilcox, Dara Hood, Curtis Elenbaum, Katie Robinson, Tanya Pisha, Karlee Romain, Tim Green, Cindy Hughes, Register Marianne Brandt, Shannon Beach, Barry Lapp, Judy Cockerill, Jon Ramirez, Ryan Smith, Bob Baxter, Kim Brinkman, Renee Francisco, Sheriff Glen Skrent

At 8:02 a.m., there were a total of 19 participants attending the meeting virtually.

Adoption of Agenda

1. Adoption of Agenda -

2023-M-219

Motion by Thomas Young, seconded by Bill Lutz to adopt the agenda as presented.
Motion Carried.

Action on Previous Meeting Minutes

1. Action on Previous Meeting Minutes -

2023-M-220

Motion by Bill Lutz, seconded by Matt Koch to adopt the meeting minutes from the September 14, 2023 Regular meeting. Motion Carried.

Brief Public Comment Period for Agenda Items Only

None

Consent Agenda

2023-M-221

Motion by Thomas Young, seconded by Bill Lutz that the Consent Agenda Minutes and Consent Agenda Items from the September 25, 2023 Committee of the Whole meeting be adopted. Motion Carried.

CONSENT AGENDA

1. Road Commission Request to Transfer Millage Funds -
Move that per the request of the Road Commission to approve the Local Bridge Millage transfer to the Road Commission General Fund of \$261,201.86 as identified by Voucher # Bridge 2023-1 dated September 19, 2023.
2. Refill Vacant Full-Time Help Desk Position -
Move that per the recommendation of Eean Lee, Chief Information Officer (CIO), that David Draper be hired to fill the full-time vacant Help Desk position in the IT Department with a tentative start date of October 9, 2023 or sooner pending favorable background check, drug screen and physical. David will be starting at Step 1 on the rate table which is \$19.10 per hour.
3. Sheriff's Department Officer Position Change -
Move that per the recommendation from Undersheriff Baxter, effective September 19, 2023, Mallory Fini will move from Step 1 Road Patrol Deputy back to Step 1 Corrections Deputy, at the pay rate of \$19.73 per hour.
4. Sheriff's Department Corrections Deputy from Part-Time to Full-Time -
Move that per the recommendation from Undersheriff Baxter, effective October 14, 2023, Hannah Dooley will move from part-time Corrections Deputy to full-time Corrections Deputy Step 1 at the pay rate of \$19.73 per hour.
5. Sheriff's Department Refill Vacant Full-Time Road Patrol Deputy Position -
Move that per the recommendation from Undersheriff Baxter, that Eric Warchuck be re-hired to fill a vacant full-time Road Patrol Deputy position, pending satisfactory background, drug test and physical. Mr. Warchuck will start at Step 1 at the pay rate of \$24.08 per hour. Anticipated start date is October 8, 2023.

New Business

1. Potential Multi-County Recycling Plan -
Mike Miller, Director of Buildings and Grounds, spoke in reference to the call for a letter of intent to be submitted.

2023-M-222

Motion by Bill Lutz, seconded by Matt Koch to approve the Letter of Intent from Mike Miller dated September 27, 2023 that Tuscola County is interested in working with Huron, Sanilac and Lapeer Counties to develop a possible agreement for a Multi-County Materials Management Plan.

Motion Carried.

2. Implementation of 2022-2 Effects on the Election Budget -
Jodi Fetting, County Clerk, CCO, presented to the Board regarding the impacts of the implementation of Proposal 2022-2 for Tuscola County and the City and Townships within the county. She explained the dedication of time and funding that is required by all entities. Clerk Fetting explained that Tuscola County will go from administering a minimum of 3 Election Days to a minimum of 30 Election Days with the implementation of Early Voting in 2024.
3. Tuscola County General Development Plan -
Clayette Zechmeister presented the proposed resolution.

2023-M-223

Motion by Thomas Young, seconded by Bill Lutz to adopt Resolution 2023-21 - Resolution to Amend and Adopt Development Plan.

Yes: Thomas Young, Thomas Bardwell, Bill Lutz, and Matt Koch

Absent: Kim Vaughan

Motion Carried.

4. Livestock Claim -
Clayette Zechmeister, Controller/Administrator, updated the Board regarding the Livestock Claim.

2023-M-224

Motion by Thomas Young, seconded by Matt Koch that the livestock claim by Heath Kunse, submitted by Russell Speirs, Ellington Township Supervisor, be approved in the amount of \$1,755.00. This is the fair market value for the three pigs that were killed by stray dogs. All budget amendments are authorized. Motion Carried.

5. Refill Vacant Part-Time Animal Control Assistant/Kennel Attendant -
Clayette Zechmeister explained the request received.

2023-M-225

Motion by Bill Lutz, seconded by Thomas Young that per the recommendation of Tyler Ray, Animal Control Director, to hire Jaime Keeler to fill the vacant part-time Animal Control Assistant/Kennel Attendant position at Step 1 rate of pay which is \$16.11 per hour. Tentative start date is October 16, 2023 or sooner, pending satisfactory background check, physical and drug test. Motion Carried.

Old Business

None

Correspondence/Resolutions

1. Legislative Update 9-15-23 - The Michigan Association of Counties
2. Legislative Update 9-22-23 - The Michigan Association of Counties
3. Cass City - Business Builders
4. Department of Environment, Great Lakes and Energy (EGLE) Air Quality Pending Permits
5. Ontonagon Resolution Opposing Legislation Preempting Local Control for Solar and Wind Developments
6. Sanilac Resolution Opposing Legislation Preempting Local Control for Solar and Wind Developments
7. St. Clair Resolution 23-21 Opposing Any Legislation Preempting Local Control for Solar and Wind Developments
8. Osceola Resolution Opposing Legislation Preempting Local Control for Solar and Wind Development
9. Huron Resolution Opposing Legislation Preempting Local Control for Solar and Wind Development

Commissioner Liaison Committee Reports

Koch

No Update

- Behavioral Health Systems Board
- Recycling Advisory
- Jail Planning Committee
- MI Renewable Energy Coalition (MREC)
- Local Units of Government

Bardwell

- Behavioral Health Systems Board

Caro DDA/TIFA

Economic Development Corp/Brownfield Redevelopment -
Jim McLoskey has retired.

MAC 7th District

MAC Workers Comp Board -
Meets in November

MAC Finance Committee

NACo Rural Action Caucus (RAC)

Local Units of Government Activity Report

Young

No Update

Board of Public Works

County Road Commission Liaison

Dispatch Authority Board

Genesee Shiawassee Thumb Works

Great Start Collaborative

Human Services Collaborative Council (HSCC)

MAC Agricultural/Tourism Committee

Region VII Economic Development Planning

Saginaw Bay Coastal Initiative

Senior Services Advisory Council

Tuscola 2020

Local Units of Government Activity Report

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

Lutz

Board of Health -
Recommended Flu shots and COVID shots will be available soon.
Community Corrections Advisory Board
Department of Human Services/Medical Care Facility Liaison
Genesee Shiawassee Thumb Works
Jail Planning Committee
Local Emergency Planning Committee (LEPC)
MAC Judiciary Committee
MEMS All Hazard
Local Units of Government Activity Report
Human Development Commission Board of Directors Liaison

Other Business as Necessary

None

At 9:34 a.m., there were a total of 25 participants attending the meeting virtually.

Extended Public Comment

None

Adjournment

2023-M-226

Motion by Thomas Young, seconded by Bill Lutz to adjourn the meeting at 9:34 a.m.
Motion Carried.

Jodi Fetting
Tuscola County Clerk, CCO



MINUTES

Committee of the Whole Meeting

8:00 AM - Monday, October 9, 2023

H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723

Commissioner Vaughan called the regular meeting of the Committee of the Whole of the County of Tuscola, Michigan, held at the H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723, on Monday, October 9, 2023, to order at 8:00 AM local time.

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Young, Thomas Bardwell, Kim Vaughan, Bill Lutz, Matt Koch

Commissioners Absent: None

Others Present In-Person: Clerk Jodi Fetting, Eean Lee, Clayette Zechmeister, Steve Anderson, Mike Miller, Dan Skiver, Dr. William Morrone, Seth Geister, Julie Majeske, Sheila Canady, Dan Grimshaw, Brian Harris, Shelly Lutz, Debbie Babich, Kelly Quirogo

Also Present Virtual: Tracy Violet, Mary Drier, Mark Haney, Jon Ramirez, Cody Horton, Mike Slade, Amanda Ertman, Don Derryberry, Brandon Bertram, Cindy Hughes, Greg Rynearson, Debbie Babich, Treasurer Ashley Bennett, Carrie Tabar, Register Marianne Brandt, Mark Ransford, Renee Francisco, Matt Brown, Estee Bitzer, Sheriff Glen Skrent, Bob Baxter, Shannon Beach

At 8:58 a.m., there were a total of 23 participants attending the meeting virtually.

New Business

1. Tuscola Behavioral Health Systems (TBHS) Mental Health Crisis Presentation - Seth Geister, TBHS Emergency Services Supervisor - Julie Majeske, TBHS Chief Executive Officer and Sheila Canady, TBHS Chief Operating Officer
Seth Geister presented to the Board regarding services that are offered by TBHS.
2. Tuscola County Death Rates -
Dr. William Morrone, MD reported to the Board his findings regarding types of deaths in Tuscola County as the County's Medical Examiner.
3. Review Blue Cross/Blue Shield (BC/BS) 2024 Renewal -
Dan Skiver, Vice President, Brown & Brown, provided an overview of the changes that will be implemented for the 2024 budget. Open enrollment meetings have been scheduled. Matter to be placed on the Consent Agenda.

4. Amendment to Fiscal Year (FY) 2021 Emergency Management Performance Grants American Rescue Plan Act (EMPG ARPA) - Deputy Steve Anderson, Emergency Manager
Deputy Steve Anderson, Emergency Manager, explained there will be some additional funding to supplement the grant. Matter to be placed on the Consent Agenda.
5. Fiscal Year 2023 Emergency Management Performance Grant (FY 23 EMPG) -
Deputy Steve Anderson, Emergency Manager, explained there will be some additional funding to supplement the grant. Matter to be placed on the Consent Agenda.
6. Varipro 2024 Agreement -
Shelly Lutz, Human Resource Director, explained the need to renew the contract and that administrative costs have remained the same. Matter to be placed on the Consent Agenda.

Old Business

None

Finance/Technology

Primary Finance/Technology

1. 2024 Budget Review -
Clayette Zechmeister, Controller/Administrator and Debbie Babich, Fiscal Analyst reviewed the first review of the proposed 2024 budget. It is projected that expenses will exceed revenues. Board will need to continue to review and prioritize. Elected Officials and Department Heads will be asked to come in on October 23, 2023 to present any requests for 2024.

On-Going and Other Finance

None

On-Going and Other Technology

New employee has started and is doing well.

Building and Grounds

Primary Building and Grounds

None

On-Going and Other Building and Grounds

None

Personnel

Primary Personnel

None

On-Going and Other Personnel

None

Other Business as Necessary

-Commissioner Young attended the MAC Conference and there was good information provided.

-MAC 7th will hold a virtual meeting on October 16, 2023 beginning at 9:00 a.m.

Public Comment Period

-Dan Grimshaw serves on the Mid State Health Network Board and his understanding of how the funding works.

-Clerk Jodi Fetting stated the filing deadline for the County to place a proposal on the August 2024 ballot is May 14, 2024 and on the November 2024 ballot is August 15, 2024.

Adjournment

Motion by Bill Lutz, seconded by Matt Koch to adjourn the meeting at 10:33 a.m.
Motion Carried.

Jodi Fetting
Tuscola County Clerk, CCO



Tuscola County

Clayette Zechmeister <zclay@tuscolacounty.org>

Attorney Contracts

Sheila Long <slong@tuscolacounty.org>
To: Clayette Zechmeister <zclay@tuscolacounty.org>

Mon, Oct 9, 2023 at 1:55 PM

Clayette,

I am sending over in the interoffice mail the two attorney contracts for 2024 for the BOC to review. Upon approval, Mr. Vaughan will need to sign both contracts. Please return both contracts to me once completed.

Thank you.

--

Sincerely,

Sheila Long
Court Administrator
Tuscola County Courts
440 N. State Street
Caro, MI 48723
989-672-3807
slong@tuscolacounty.org

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the originator of the message.

STATE OF MICHIGAN



54TH JUDICIAL CIRCUIT COURT

HON. AMY GRACE GIERHART
CIRCUIT COURT JUDGE

440 NORTH STATE STREET
CARO, MICHIGAN 48723

(989) 672-3720

CIRCUIT COURT/FAMILY COURT
LEGAL SERVICES CONTRACT

THIS AGREEMENT is made this 26th day of September, 2023, by and between THE ATTORNEY GROUP and the 54th Judicial Circuit Court/Family Court, hereinafter referred to as “the Court”.

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

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

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

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

I. TERM OF THE CONTRACT

This Contract shall take effect January 1, 2024, and shall continue until December 31, 2024. This Contract may automatically be renewed with the same terms after December 31, 2024, for one (1) calendar year by the Attorney Group notifying the Court in writing no later than November 1, 2024, of its intention to do so and with the Court’s agreement.

II. SERVICES TO BE PERFORMED

ATTORNEYS agree to provide legal representation in all newly commenced proceedings in the following area under the jurisdiction of the Court: Protective Proceedings, Child Neglect and Juvenile Delinquency. Attorney services will include representation for all hearings and trials for which legal counsel have, as a matter of practice, been appointed in the past.

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

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

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

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

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

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

III. FEES AND COSTS

In addition to the compensation noted below the Court shall pay all subpoena fees, deposition fees, witness fees and other similar costs, and mileage for out of Tuscola County travel, at the IRS business mileage rate. Provided, however, Attorneys shall seek prior approval from the Court before incurring deposition fees or expert witness fees. Any extraordinary expenses may be reimbursed based upon the actual amount incurred and upon prior written approval of the assigned judge. The ATTORNEY shall file a monthly request with the 54th circuit Court upon a Statement of Service and Order for Payment for any such charges.

IV. STATISTICS

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

The COURT shall provide an annual report of case appointments reflecting numbers of cases, neglect and delinquency.

V. ASSIGNMENT OF CASES

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

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

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

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

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

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

VI. COMPENSATION

The contract price for the calendar year 2024 shall be \$257,500. Contract payments shall be divided into four (4) groups and made in twelve (12) equal installments per group beginning with the first vendor pay cycle following February 1, 2024. Attorneys appointed on Appeals under this contract shall be paid at the rate of \$87.50 per hour

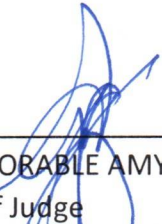
One-fourth of the contract price shall be equally divided between Elizabeth V. Weisenbach (1/8) and Lisa Blanton (1/8). The contract payments shall be made by the Court in twelve equal installments to each firm.

VII. TERMINATION OF THE CONTRACT

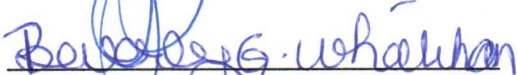
This Agreement may be terminated by either party at any time, with or without cause, upon not less than thirty (30) days written notice delivered by mail or in person to the other party. Notice to the Court shall be delivered to the Chief Judge of the 54th Circuit Court, located at 440 N. State Street,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

In the event of termination by either party or at the end of the terms of this contract, the Attorney's responsibility for any and all services required by this contract shall end, with the exception of transferring files and preparing substitutions of new court appointed attorneys. It is the parties' intention that the new attorneys will substitute and replace all the current attorneys and take

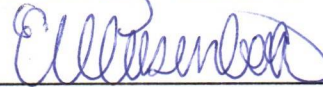
over their cases, subject to the Michigan Rules of Professional Conduct. If the Chief Judge determines a substitution is not appropriate, the Attorneys under this contract shall continue to represent their clients, and shall be paid at an hourly rate of \$75.00 per hour.


09.26.23

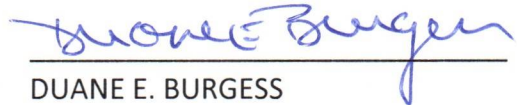
HONORABLE AMY GRACE GIERHART
Chief Judge



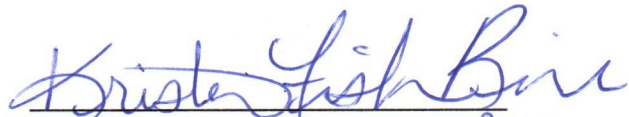
BEVERLY G. WHEELIHAN



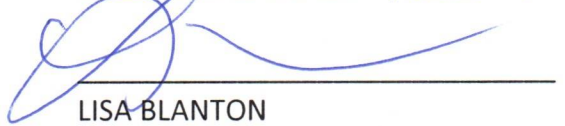
ELIZABETH V. WEISENBACH



DUANE E. BURGESS



KRISTEN RUIZ-FISHER Fisher-Ruiz



LISA BLANTON

APPROVED FOR FUNDING: _____
DATE

Kim Vaughan, Chairman
Tuscola County Board of Commissioners

STATE OF MICHIGAN



54TH JUDICIAL CIRCUIT COURT

HON. AMY GRACE GIERHART
CIRCUIT COURT JUDGE

440 NORTH STATE STREET
CARO, MICHIGAN 48723

(989) 672-3720

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

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

1. The term of the agreement shall be from the first day of January, 2024 (1-1-2024) until the thirty-first day of December, 2024 (12-31-2024).
2. Court-appointed counsel shall be appointed to, and shall accept, all appointments of counsel on behalf of individuals and respondents in developmentally disabled actions. Further, court-appointed counsel shall continue representation of the individuals and respondents in all pending cases as of 1-1-2024, however counsel's responsibilities end at the end of the contract.
3. Court-appointed counsel shall represent solely and exclusively the interest of the individual or respondent throughout all court proceedings until their conclusion in the Court, or until otherwise relieved of said responsibility. The scope of this representation shall include appeals. The term "conclusion" is understood to mean the Court no longer retains jurisdiction over the case as a result of the matter being dismissed, discharged, or other resolution with the Court discharging counsel.
4. The Court will make accommodations, when possible, to schedule proceedings in order to minimize court-appointed counsel's required attendance at court. When a scheduling conflict occurs, court-appointed counsel shall be responsible for providing a substitute counsel to represent the legal interests of the individuals and respondents for a particular hearing or proceeding.
5. If the Court determines that there exists a conflict of interest which prevents court appointed counsel from representing the individual or respondent, the Court shall appoint a substitute attorney, the cost of which shall be paid by the Court.

6. The court-appointed counsel represents that he is an attorney in good standing with the State Bar of Michigan and knows of no pending disciplinary proceedings by appropriate grievance authorities directed against him. Any suspension or disbarment of said attorney shall be cause for immediate rescission of this agreement, without further compensation.
7. The Court, in consideration of this agreement, shall pay the court-appointed counsel the sum of \$6,500.00, to be paid in equal monthly installments. Payment shall begin on the 1st day of February, 2024 and continue on the first day of each month thereafter until paid in full. The Court will also pay mileage at the IRS business rate, to be billed monthly.
8. This agreement, including the proceeds thereof, is not transferrable or assignable to any third person, corporation or entity.
9. When it shall become necessary for witnesses to be called, subpoenas shall be prepared by the court appointed counsel and served on the witnesses as directed by the Court. Court appointed counsel is responsible for all drafting, service and filing of petitions, orders, subpoenas, etc. Prior approval for any expert witness or extraordinary fees, if necessary, shall be obtained from the Court by the court-appointed attorney.
10. The court-appointed counsel is an independent legal service provider and at no time shall be considered an employee of the court or Tuscola County. The court-appointed counsel shall provide his own professional liability insurance with limits no less than the standard limits of the legal community and agrees to provide to the court proof of said insurance. The court-appointed counsel agrees to hold the court harmless of any and all liability arising out of the court-appointed counsel's acts or omissions in carrying out the terms, conditions and requirements of the agreement.
11. If a conflict of interest as defined by the Rules of Professional Conduct arises between counsel and an individual or respondent, the court-appointed counsel shall prepare and file an appropriate motion and order to withdraw. Upon the granting of such motion, the Court may appoint alternate counsel for the alleged developmentally disabled person. The court shall be responsible for the payment of all fees and costs attributable to the appointment of alternate counsel. Any fees or costs paid to alternate counsel shall be paid by the Court.
12. The Court may terminate the contract upon 30 days' written notice to counsel. The Court shall appoint another counsel on all petitions filed with the Court from and after the date of such notice. If the Court terminates the contract under this provision, court-appointed counsel shall be compensated at the contract rate between the date of notice and the date upon which such termination becomes effective.

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

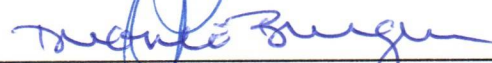
This document incorporates the complete understanding and agreement of the parties.



Hon. Amy Grace Gierhart, Chief Judge

09.26.23

Date



Duane E. Burgess, Attorney at Law

10/2/23

Date

APPROVED FOR FUNDING

Kim Vaughan, Chair
Tuscola County Board of Commissioners

Date



- Members-only materials ▾
- MACPAC
- Advocacy ▾
- Education ▾
- Magazines
- Documents
- Membership Directory

Legislative Update 9-29-23

WRITTEN BY [DEREK MELOT](#) ON SEPTEMBER 29, 2023. POSTED IN [BLOG](#), [EVENTS](#), [LEGISLATIVE](#), [MAC NEWS](#), [MACSC](#), [MARKETING](#), [NACO](#)

Juvenile justice reform package clears House, Senate committees

A 20-bill package to reform juvenile justice work in Michigan cleared House and Senate committees this week. Senate Bills [418–437](#) and House Bills [4624–4643](#) are a result of the Michigan Task Force on Juvenile Justice Reform’s [recommendations](#) provided last July.



The Task Force on Juvenile Justice Reform was established in 2021 to assess Michigan’s juvenile justice data and identify ways to improve the system. The bipartisan group was led by Lt. Gov. Garlin Gilchrist and included members from all three branches of government, as well as state and local level juvenile justice leaders and advocates. Two county commissioners served on the [task force](#), each nominated by MAC. Alisha Bell of Wayne represented a county with a population over 100,000, while Marlene Webster of Shiawassee represented a county under 100,000 in population. Rep. Sarah Lightner, a former county commissioner, also served on the group.

The task force discovered several challenges to strengthening public safety and improving outcomes for youth. Those challenges, however, led to the set of thirty-two recommendations provided to the legislature last year. The recommendations are set to improve community safety,

reduce disparities, and improve youth outcomes. Six priority areas have been identified and translated into the 20-bill package.

Senate Bill 418, by Sen. Sylvia Santana (D-Wayne) and House Bill 4624, by Rep. Christine Morse (D-Kalamazoo), enhance the County Child Care Fund (CCF) by establishing a minimum framework of juvenile justice best practices statewide, including the use of risk screening and assessment tools. The best practices will be supported by an increase in the reimbursement rate for community-based services from 50 percent to 75 percent, including 17-year-olds. These changes are essential for ensuring counties have the resources to implement and utilize these approaches. The reimbursement rate for residential services will be 50 percent, including the 17-year-old population.

~~SBs 419–423~~ require the consistent use of validated screening and assessment tools to enable more objective decision-making and allow agencies to better match youth to appropriate supervision and services, reducing their likelihood to recidivate. The bills also expand the Diversion Act so that all offenses, with an exception for youth committing a specified juvenile violation, are eligible for pre-court diversion, based on the use of a risk-screening tool and other factors and limit the time that a youth can be placed on pre-court diversion, unless the court determines that a longer period is needed. While diversion eligibility would be expanded, judicial discretion remains.

SB 424 and HB 4630, by Sen. Sue Shink (D-Washtenaw) and Rep. Sarah Lightner (R-Jackson), would expand the Michigan Indigent Defense Commission to include development, oversight and compliance with youth defense standards in local county defense systems. MAC has worked to ensure there would be no increase in the local share for MIDC services, that 40 percent of the total grant amount would be received upfront and that partially indigent reimbursements will remain.

MAC supports this package and has worked alongside legislators, state departments and other stakeholders to ensure our concerns were met.

For more information on this issue, contact Samantha Gibson at gibson@micounties.org.

Changes to disabled veterans tax exemption sent to governor

Three policy bills aimed at alleviating some of the administrative problems for disabled veterans and their spouses passed the Legislature and are now headed to the governor for her signature.

Senate Bill 176, by Sen. Sylvia Santana (D-Wayne), will allow 100 percent disabled veterans to file for the property tax exemption one time and eliminate the need to apply for the exemption each year. The bill also will allow the surviving spouse of a qualifying



veteran to continue to receive the exemption after the veteran passes, so long as the surviving spouse continues to use the home as a homestead and is the sole person remaining on the deed. The exemption would remain in perpetuity until rescinded by the veteran or their spouse.

SB 330, by Sen. Mary Cavanaugh (D-Wayne), establishes the procedure for the rescission of the exemption within 45 days of either a change in the status of eligibility or if the property was no longer being used as a homestead. The bill also requires a local assessing unit to establish a procedure for auditing exemptions through guidance provided by the State Tax Commission. The bill also prohibits an audit more than once every three years, unless there is reason to believe that circumstances have changed.

SB 364, by Sen. John Damoose (R-Emmet), allows for the local board of review to consider the denial of an eligible surviving spouse a qualified error and allows for the exemption to be granted in such circumstances.

MAC was neutral on these policy changes but remains diligent in expressing the need for reimbursement of the property tax losses from the State for such losses.

There are six bills in the House and Senate that set up a process to reimburse local governments, but those bills have not seen any movement due to opposition from the Department of Treasury. MAC will continue to work to resolve the financial losses for counties as the session continues.

For more information on this issue, contact Deena Bosworth at bosworth@micounties.org.

Bill to allow opioid fatality review teams advances

A bill to allow a county or group of counties to establish an Opioid Fatality Review Team, by creating the Overdose Fatality Review Act, was approved by the Senate Committee on Health Policy this week.

Senate Bill 133, by Sen. Sean McCann (D-Kalamazoo), says, if a county chooses, an opioid fatality review team would consist of county officials, individuals from law enforcement and those from public health agencies. The main goal of a team would be to identify potential causes of drug overdose in their community and recommend law or policy changes for the prevention of those causes and overdoses.



MAC supports this legislation.

For more information on this issue, contact Samantha Gibson at gibson@micounties.org.

MAC has concerns on new court reporter fee legislation

A bill to boost wages for court reporters and recorders has been filed in the Michigan House.

House Bill 5046, by Rep. Nate Shannon (D-Macomb), would increase the amount a court reporter or recorder would receive from \$1.75 to \$3.75 per page on an original transcript, and 90 cents per page for each copy.



MAC has not yet taken a position on this legislation; however, we do have concerns and will work alongside the bill sponsor to address issues this bill may pose for county budgets.

For more information on this issue, contact Samantha Gibson at gibson@micounties.org.

Annual Conference starts on Sunday, Oct. 1

MAC's 125th Anniversary celebration continues on Oct. 1 with the opening of the 2023 Annual Conference in Kalamazoo County.

More than 300 county elected officials, staffers and others are expected to attend the event at the Radisson Hotel in downtown Kalamazoo.

Among the association activities at the conference:

- MAC members will re-elect four members to the Board of Directors, including 2023-24 President Jim Storey of Allegan County. (Incumbents in Regions 1, 2 and 3 and for an at-large seat are all running unopposed.)
- Storey will be sworn in as MAC's 115th president and give his inaugural remarks at the President's Banquet on the night of Oct. 2.
- MAC members will review and approve policy platforms to guide the association's work in 2023-24 during the Annual Business Meeting on Oct. 3.



Digital registration has closed, but MAC members may register at the conference site, with the on-site Registration Desk opening on Sunday at 11 a.m.

Following the conference, MAC will post presentations from plenary and workshop sessions, along with some video content.

Podcast 83: What policy trend ‘fascinates and terrifies’?

In their last episode prior to MAC's 2023 Annual Conference, the Podcast 83 team reviews the unsettled legislative situation in Lansing and previews the conference offerings in Kalamazoo Oct. 1 -3.

Host Stephan Currie and MAC staffers Deena Bosworth, Madeline Fata and Samantha Gibson detail the State Capitol news, including:

- The ongoing march of binding arbitration expansion, despite MAC’s opposition; and
- Continuing work on juvenile justice reform.

Also discussed is the rapidly shrinking legislative calendar for the rest of 2023, with Bosworth expressing concern that the lack of session days could prevent passage of key MAC priorities until calendar 2024.

Currie turned the conversation to next week’s MAC Annual Conference, which will feature policy presentations on road funding, the affordable housing crisis and a topic that “fascinates and terrifies” Currie: AI developments.

View the full video of the episode, recorded on Sept. 26, [by clicking here](#).

Previous episodes can be seen at [MAC’s YouTube Channel](#).

And you always can find details about Podcast 83 [on the MAC website](#).



Treasury sets Oct. 5 webinar for local leaders

The Michigan Department of Treasury is pleased to announce its next Chart Chat webinar at 2 p.m. on Oct. 5.

The *Chart Chat* webinar series provides local governments with critical information related to accounting and auditing topics, measuring local government fiscal health, and other important updates from Treasury.



Topics covered will include:

- Fiscally Ready Communities
- ELITE System Updates
- Treasury Resources for Local Governments
- Uniform Reporting Format
- Statutory Revenue Sharing Updates

Participants can register and submit questions prior to the webinar at:

https://us06web.zoom.us/webinar/register/WN_wKYuUiLtRyKtyP1hxbn3QQ#/registration

Presentations and recordings from this webinar, along with previous webinars, can be found at [TREASURY – BLGSS Learning Center](#). Utilize [TREASURY – Contact Information](#) for support related to Treasury’s local government services.

Staff picks

- [What does it mean when the homeless workforce can't afford housing?](#) (RouteFifty)
- [Bills to eliminating majority of court fees for Michigan juveniles get Senate hearing](#) (Michigan Advance)
- [Traverse City confronts housing shortage: Housing North reveals 0.7% vacancy rate and high home prices](#) (UpNorthLive.com)
- [Mecosta County to launch indigent defense pilot program](#) (Huron Daily Tribune)



Recent Posts

[Legislative Update 9-29-23](#)

[Legislative Update 9-22-23](#)

[Legislative Update 9-15-23](#)

[Field set for Board elections at 2023 Annual Conference](#)

[Legislative Update 9-8-23](#)

Categories

[Blog](#)

[Blog Dynamic](#)

[Events](#)

[Legislative](#)



- Members-only materials ▾
- MACPAC
- Advocacy ▾
- Education ▾
- Magazines
- Documents
- Membership Directory

Legislative Update 10-6-23

WRITTEN BY [DEREK MELOT](#) ON OCTOBER 6, 2023. POSTED IN [NACO](#), [BLOG](#), [EVENTS](#), [LEGISLATIVE](#), [MAC NEWS](#), [MACSC](#), [MARKETING](#)

Storey urges county leaders to ‘prepare for four’; MAC members fill board slots, approve policy platforms

The coming year will be an historic one in Michigan county government, MAC Board President Jim Storey a 2023 Annual Conference audience this week after being sworn in as the association’s 115th Board president.

Speaking on the theme of “Together, preparing for four,” Storey spoke extensively on next year’s elections, which will provide for four-year terms for directly elected county commissioners for the first time:

“In a citizenry more divided than perhaps not since the Civil War, it is impossible for one person to create the pathway for achieving the legislative goals you will



Allegan County Commissioner Jim Storey salutes the audience following his inaugural remarks as MAC’s 115th Board president on Oct. 2 at the 2023 MAC Annual Conference in Kalamazoo. (Brooke Peters Photography)

consider tomorrow at our plenary session.

“It is, however, possible for the talented, experienced and dedicated team here in this room to achieve lasting and remarkable success,” he said to the President’s Banquet audience on Oct. 2. “It is possible because I believe these county commissioners and our colleagues at home, working with our able and effective association staff, can create the best year yet in the 125-year history of the Michigan Association of Counties.”

The banquet and Storey’s remarks capped a busy conference agenda during MAC’s 125th Anniversary year.

During regional caucuses held earlier on Oct. 2, members re-elected Storey and three other members of the 16-member MAC Board of Directors:

- Stan Ponstein of Kent County
- Richard Schmidt of Manistee County
- Joe Bonovetz of Gogebic County

In turn, Board members voted to create a 2023-24 Executive Committee led by Storey and including:

- Melissa Daub of Wayne County (first vice president)
- Antoinette Wallace of Macomb County (second vice president)
- Stan Ponstein (immediate past president)

On Oct. 3, during their Annual Business Meeting, MAC members approved policy platforms developed by MAC’s policy committees overseeing issue areas ranging from finance to agriculture and tourism.

“The conference was a great opportunity to celebrate MAC’s 125 years of serving Michigan counties,” said Stephan W. Currie, MAC’s executive director. “Kalamazoo County was an excellent host and attendance was up from our 2022 event.”

For those unable to attend the event, MAC has assembled a variety of conference materials that can be accessed 24/7 [at our website](#).

MAC’s 2024 conference schedule includes:

- Legislative Conference, April 29-May 1, Doubletree Hotel and Lansing Center in Ingham County
- Annual Conference, Sept. 24-26, Grand Traverse Resort in Grand Traverse County



Officers for the Michigan Association of Counties’ Board of Directors in 2023-24 will be (l-r): Antoinette Wallace of Macomb County (2nd vice president), Jim Storey of Allegan County (president), Melissa Daub of Wayne County (1st vice president) and Stan Ponstein of Kent County (immediate past president).

House and Senate advance PPT reimbursement bills

Legislation to create a reimbursement process for local governments who will lose money due to Personal Property Tax exemptions this year advanced in both legislative chambers this week.



The Michigan House approved House Bills [4553](#) and [4554](#), by Rep. John Fitzgerald (D-Kent) and Rep. Denise Mentzer (D-Macomb) respectively, while the Senate approved [Senate Bill 331](#), by Sen. Kevin Hertel (D-Wayne). All three bills reflect a key MAC priority for 2023.

The House bills now move to the Senate, while the Senate bill heads to the House for review.

MAC began pursuit of legislation after the Legislature, in December 2021, expanded the PPT exemption for businesses from \$80,000 in true cash value exemption to \$180,000. This move created an estimated \$75 million annual loss for local governments.

Because this exemption is not based on the value of property initially exempted in 2014 with the large PPT overhaul legislation, calculating the loss for each county and community needs to be based on a different formula. It took more than a year to determine the best mechanism and methodology for calculating the reimbursements, as reflected in the current bills.

The bills also carve out \$75 million from the state's use tax to fund the reimbursement.

The expansion of the PPT exemption is effective this year and without enactment of these bills, locals would be left with a shortfall. MAC will continue to work to ensure these bills are enacted before the Legislature's anticipated adjournment in early November.

For more information on this issue, contact Deena Bosworth at bosworth@micounties.org.

Download list of contact numbers for rail emergencies

The Michigan Railroads Association (MRA) has updated their emergency contact numbers for freight railroads operating in Michigan. The MRA Railroad Emergency Contact [brochure](#) contains a map and key for rail lines within Michigan, along with the emergency contact numbers for these railroads.



At each crossing there should be a blue and white Emergency Notification Signs with the railroad name, emergency contact number, and USDOT National Crossing Inventory Number.

The MRA is working to ensure all Michigan first responders have access to this brochure, as well as any others that may find the document useful.

NACo partner offers training deal on cybersecurity

This October marks 20 years of National Cybersecurity Awareness Month!

As security education expands across organizations, so do the cyberthreats they face. In response, local governments across the country are joining the NACo Cybersecurity Leadership Academy: a 12-week virtual course with the latest insights from industry experts and current CIOs/CISOs in the field, as well as the opportunity to network with cybersecurity professionals across the nation.



It coaches participants on what it means to think and act as a cybersecurity leader. Throughout the month of October, every municipality can enroll one employee in the program (\$1,995), and a second can join the Leadership Academy for free.

The next session kicks off Jan. 8, 2024. You can find out more [here](#) or reach out to our Academy contact, Matt Barnard (mattb@pdaleadership.com) to claim your BOGO.

Staff picks

- [Help amid punishment: Michigan to reform treatment of kids in justice system](#) (MLive)
- [Understanding Gen Z in the public sector](#) (RouteFifty)
- [Opinion: It's time to reform Michigan's juvenile justice system](#) (Bridge Michigan)
- [What happens to spelling bee champions when they grow old?](#) (MEL Magazine)



HURON COUNTY BOARD OF COMMISSIONERS

250 East Huron Avenue, Room 305, Bad Axe, Michigan 48413-1398
Phone: (989) 269-8242 • Fax: (989) 269-6152 • Email: boc@co.huron.mi.us
Website: www.co.huron.mi.us



September 26, 2023

Tuscola County Board of Commissioners
125 W. Lincoln Street, Ste. 500
Caro, MI 48723

Dear Board of Commissioners,

The Huron County Board of Commissioners would like to extend our expression of interest in developing a multi-county Materials Management Plan with your county. This is a defining moment for the region and will require a great deal of cooperation and coordination to provide a plan that is supportive of our residents and meets the requirements of the State of Michigan.

As you know, the State of Michigan recently changed the solid waste planning laws so that it significantly expanded the scope of these services. The state is now requiring communities to identify material flows, local and regional recycling efforts, and to establish various metrics as to how we can increase the rate of recycling in our county and across the state of Michigan.

Part of the initial work that needs to be done is the conversation about whether it makes sense to pursue these new requirements as an individual county or to undertake the planning as a region. It is the hope of the Huron County Board of Commissioners that our neighbors in Sanilac and Tuscola Counties would support a regional planning and implementation effort that would meet the rigorous demands of the new state law, while providing benefits to our local communities and residents.

After discussions with our county staff, we feel that a regional approach will help extend resources and funding opportunities and allow for a more active and dynamic approach to materials management and recycling efforts.

We would welcome the chance to formally enter a partnership with you to begin this planning effort. The requirements point to a fairly aggressive time frame in which we have to accomplish the plans.

If you would please indicate your agreement with a regional planning effort we can both inform the staff at the Michigan Department of Environment, Great Lakes and Energy of this effort and begin to identify our local staff who will be coordinating Huron County's efforts.

Thank you for your consideration of our request. If there are any questions, please contact us at your earliest convenience.

Sincerely,

Sami Khoury
Chairman

Chairman
Sami Khoury

Vice Chairman
Todd Talaski

Commissioners
Michael H. Meissner
Steve Vaughan
Donald Musser, Jr.
Joe Murphy
Mary E. Babcock

Executive Assistant
Jodi M. Essenmacher



MICHIGAN STATE SENATE
DAN LAUWERS
REPUBLICAN FLOOR LEADER

September 26, 2023

Tuscola County Board of Commissioners
ATTN: Clayette Zechmeister
125 W. Lincoln Street
Suite 500
Caro, MI 48723

Dear Commissioners:

Thank you for providing me with a copy of Resolution No. 2023-20, regarding the Board's opposition to upcoming legislation that would preempt local control for solar and wind development.

As a member of the committee where the bill, once introduced, will likely be referred to, you can be well assured that I will voice your concerns once the legislation is taken up for debate. The committee has already met twice to discuss a related clean energy plan being promoted by the Democratic majority and Gov. Whitmer. These drastic initiatives directly contrast the true needs of Michigan's energy structure and Michigan's ratepayers in the name of extreme, agenda-driven reforms that will do little to actually address the issues facing paying customers across the state.

Again, thank you for sharing your resolution with me. Please feel free to contact my office with future concerns or questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Lauwers".

Dan Lauwers
State Senator, 25th District





Alcona County Board of Commissioners

Alcona County Building
P.O. Box 308
Harrisville, MI 48740

Voice: (989) 724-9410
Facsimile: (989) 724-9419

ALCONA COUNTY RESOLUTION #2023-16

OPPOSING ANY LEGISLATION PREEMPTING LOCAL CONTROL FOR SOLAR AND WIND DEVELOPMENTS

Whereas Executive Directive 2020-10 aims to achieve 100 percent carbon neutrality in Michigan by 2050; and

Whereas industry leaders have pledged to reduce carbon emissions to help achieve this goal; and

Whereas efforts to expand renewable energy projects will continue to increase in this state; and

Whereas the governor has proposed the Michigan Public Service Commission be the sole regulating authority for solar and wind projects to expedite these efforts; and

Whereas by granting the Michigan Public Service Commission this authority, local control will be preempted; and

Whereas should local control be preempted, a county, township, city or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and

Whereas should local control be preempted, a county, township, city, or village would be unable to determine requirements for construction, operation, use, or maintenance of a solar or wind facility; and

Whereas if a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and

Whereas all other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and

Whereas this proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and

Whereas the Michigan Association of Counties opposes any legislative action that may grant the Michigan Public Service Commission this power.

THEREFORE, BE IT RESOLVED that Alcona County opposes the pre-emption of local control in solar and wind siting and zoning.

STATE OF MICHIGAN)
COUNTY OF ALCONA)

I certify that the foregoing is a true and accurate copy of the Resolution adopted by the Alcona County Board of Commissioners at the Regular Meeting held on the 20th day of September, 2023.

S e a l

Stephany Eller
Stephany Eller
Alcona County Clerk



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

District #4
Chairman of the Board
Bill Peterson

ALPENA COUNTY BOARD OF COMMISSIONERS

RESOLUTION #23-20

District #6
Vice-Chairman
Burt Francisco

OPPOSING ANY LEGISLATION PREEMPTING LOCAL CONTROL FOR SOLAR AND WIND DEVELOPMENTS

District #1
Commissioner
Bill LaHaie

Whereas Executive Directive 2020-10 aims to achieve 100 percent carbon neutrality in Michigan by 2050; and

District #2
Commissioner
Jesse Osmer

Whereas industry leaders have pledged to reduce carbon emissions to help achieve this goal; and

District #3
Commissioner
Robin Lalonde

Whereas efforts to expand renewable energy projects will continue to increase in this state; and

District #5
Commissioner
Brenda Fournier

Whereas the governor has proposed the Michigan Public Service Commission be the sole regulating authority for solar and wind projects to expedite these efforts; and

District #7
Commissioner
Travis Konarzewski

Whereas by granting the Michigan Public Service Commission this authority, local control will be preempted; and

District #8
Commissioner
John Kozlowski

Whereas should local control be preempted, a county, township, city or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and

County Administrator
Mary Catherine Hannah

Whereas should local control be preempted, a county, township, city, or village would be unable to determine requirements for construction, operation, use, or maintenance of a solar or wind facility; and

Board Assistant
Lynn Bunting

Whereas if a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and

Board Assistant
Kimberly MacArthur

Whereas all other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and


HR Specialist
Jennifer Mathis

Whereas this proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and

Whereas the Michigan Association of Counties opposes any legislative action that may grant the Michigan Public Service Commission this power.

THEREFORE, BE IT RESOLVED that ALPENA COUNTY opposes the pre-emption of local control in solar and wind siting and zoning.

Motion was made by Commissioner Kozlowski and supported by Commissioner Osmer to approve Resolution #23-20 as presented. Roll call vote was taken: AYES: Commissioners Lalonde, Fournier, Francisco, Konarzewski, Kozlowski, LaHaie, Osmer and Peterson. NAYS: None. Motion carried.



Bill Peterson, Chairman
Alpena County Board of Commissioners

STATE OF MICHIGAN)
County of Alpena)

I, the undersigned, being duly qualified and County of Alpena) acting Clerk of Alpena County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alpena County Board of Commissioners at a regular meeting held on the 26th day of September 2023, and that notice of said meeting was given in accordance with the Open Meetings Act.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed the seal of said Court, at Alpena this 26th day of September 2023.



Keri Bertrand, Alpena County Clerk

CLINTON COUNTY BOARD OF COMMISSIONERS

Chairperson
Robert Showers
Vice-Chairperson
Kenneth B. Mitchell
Members
Valerie Vail-Shirey
David W. Pohl
Bruce DeLong
John Andrews
Dwight Washington

COURTHOUSE
100 E. STATE STREET
ST. JOHNS, MICHIGAN 48879-1571
989-224-5120



Administrator/Controller
John F. Fuentes
Clerk of the Board
Debra A. Sutherland

RESOLUTION 2023 – 17 **RESOLUTION OPPOSING ANY LEGISLATION PREEMPTING LOCAL CONTROL FOR SOLAR AND WIND DEVELOPMENTS**

WHEREAS Executive Directive 2020-10 aims to achieve 100% carbon neutrality in Michigan by 2050; and

WHEREAS industry leaders have pledged to reduce carbon emissions to help achieve this goal; and

WHEREAS efforts to expand renewable energy projects will continue to increase in this state; and

WHEREAS the governor has proposed the Michigan Public Service Commission be the sole regulating authority for solar and wind projects to expedite these efforts; and

WHEREAS by granting the Michigan Public Service Commission this authority, local control will be preempted; and

WHEREAS should local control be preempted, a county, township, city or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and

WHEREAS should local control be preempted, a county, township, city, or village would be unable to determine requirements for construction, operation, use, or maintenance of a solar or wind facility; and

WHEREAS if a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and

WHEREAS all other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and

WHEREAS this proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and

WHEREAS the Michigan Association of Counties opposes any legislative action that may grant the Michigan Public Service Commission this power.

THEREFORE, BE IT RESOLVED that Clinton County opposes the pre-emption of local control in solar and wind siting and zoning.

STATE OF MICHIGAN
COUNTY OF CLINTON

I, DEBRA A. SUTHERLAND, Clerk of the County of Clinton do hereby certify that the foregoing resolution was duly adopted by the Clinton County Board of Commissioners at the regular meeting held September 26, 2023 and is on file in the records of this office.

Debra A. Sutherland

KALKASKA COUNTY BOARD OF COMMISSIONERS

RESOLUTION # 2023-41
OPPOSING ANY LEGISLATION PREEMPTING LOCAL CONTROL FOR SOLAR AND
WIND DEVELOPMENTS

Whereas at a Regular Meeting, September 20, 2023, the Kalkaska County Board of Commissioners, reviewing the approval and request by the Kalkaska County Planning Commission from a Planning Commission meeting held on August 13, 2023 at the Governmental Building located at 605 N Birch Street, the following Resolution was offered for adoption:

Whereas Executive Directive 2020-10 aims to achieve 100 percent carbon neutrality in Michigan by 2050; and

Whereas industry leaders have pledged to reduce carbon emissions to help achieve this goal; and

Whereas efforts to expand renewable energy projects will continue to increase in this state; and

Whereas the governor has proposed the Michigan Public Service Commission be the sole regulating authority for solar and wind projects to expedite these efforts; and

Whereas by granting the Michigan Public Service Commission this authority, local control will be preempted; and

Whereas should local control be preempted, a county, township, city or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and

Whereas should local control be preempted, a county, township, city, or village would be unable to determine requirements for construction, operation, use, or maintenance of a solar or wind facility; and

Whereas if a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and

Whereas all other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and

Whereas this proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and

Whereas the Kalkaska County Planning Commission opposes any legislative action that may grant the Michigan Public Service Commission this power.

THEREFORE, BE IT RESOLVED that the Kalkaska County Board of Commissioners opposes the pre-emption of local control in solar and wind siting and zoning.

Motion to adopt Resolution 2023-41 by Commissioner Baldwin. Supported by Commissioner Comai.

Roll call vote:

Yeas: Baldwin, Comai, Bicum, Crambell, Sieting. Sweet, Fisher.

Nays: None

Abstentions: None

Absent: None


RESOLUTION DECLARED ADOPTED.



Kohn Fisher
Chairman of Kalkaska Co Board of
Commissioners

CERTIFICATION

I, the undersigned, the Clerk of the County of Kalkaska, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a Regular Meeting of the Board of Commissioners of said County held on September 20, 2023, the original of which resolution is on file in my office. I further certify that notice of said meeting was given more than 18 hours in advance in accordance with Act 267, Public Acts of Michigan, 1976, as amended.



Dated: September 20, 2023

Deborah Hill
Clerk, County of Kalkaska



COUNTY CLERK'S OFFICE

Tracey Cochran, County Clerk

301 West Upton

Reed City, MI 49677

(231) 832-3261, (231) 832-6149 FAX; oscclerk1@osceolacountymi.com

OSCEOLA COUNTY

RESOLUTION 2023-0016

MICHIGAN LEGISLATURE BILLS SB299, SB300, HB 4479 & HB 4480

WHEREAS, there are currently pending in the Michigan Legislature certain bills. SB299, SB300, HB 4479 & HB 4480, which would impose statewide regulations for the implementation of and maintenance of septic systems; and

WHEREAS, these bills as presently drafted, would require inspection of all systems every five years and would impose much greater expenses and work hours on local public health departments; and

WHEREAS, the bills would dramatically increase the requirements for septic inspectors and make it much more difficult to find, hire and retain qualified personnel; and

WHEREAS, the current legislation does not provide a permanent, secure funding mechanism to cover these increased costs, which will invariably be shifted to our local health departments, and

WHEREAS, the Osceola County Board of Commissioners recognizes the critical importance of protecting the Michigan's water resources, including groundwater, lakes and streams, and other surface waters, but concludes that the bills do not provide a sustainable or financially feasible solution in areas that do not have the benefit of municipal sanitary systems; and

WHEREAS, soil types vary considerably throughout Michigan making it difficult to establish generalized "one size fits all" rules for septic systems.

THEREFORE BE IT RESOLVED, that the Osceola County Board of Commissioners opposes SB299, SB300, HB 4479 and HB4480 as introduced and urges the Michigan Legislature to consider the costs to local health departments before adopting changes to the septic provisions of the Michigan Public Health Code.

THEREFORE BE IT FURTHER RESOLVED, that this resolution shall be forwarded to all Michigan counties, Michigan Association of Counties, members of the Michigan Legislature and to other stakeholders.

STATE OF MICHIGAN)

COUNTY OF OSCEOLA)

I, the undersigned, the duly qualified and acting Clerk of the County of Osceola, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners at a regular meeting on the 4th day of October, 2023, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed by official signature on this 4th day of October 2023.



Tracey Cochran, Osceola County Clerk