

DRAFT – Agenda
Tuscola County Board of Commissioners
Committee of the Whole – Monday, January 11, 2016 – 8:00 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

Finance
Committee Leaders-Commissioners Kirkpatrick and Bierlein

Primary Finance

1. **Approval of Resolution Adopting MERS Defined Contribution Plan for New Hires (See A)**
2. **Approval of Revised Comprehensive Plan for County Retirement System (See B)**
3. **Consideration of Joining MIDEAL Program (See C)**
4. **Update Regarding New Commissioner Appointment**
5. **Update Regarding Johnson Control Energy Efficiency Review**
6. **Airport Zoning Administrator Annual Report (See D)**
7. **Update Regarding MSU-e/4-H Millage Ballot Question – Friends of Extension**
8. **EDC Software Request (See E)**
9. **County IT Services to Local Government (See F)**
10. **GIS Open House (See G)**
11. **IT Director Cellular Telephone Request**
12. **SB 571 Campaign Law (See H)**
13. **Michigan Attorney General Services Available to County – Carter Bundy (10:00 A.M.)**
14. **Alternatives Regarding Board of Public Works Number of Members – Drain Comm.**
15. **Discussion of Potential Combining Offices of County Clerk and County Register**
 - **County Clerk Comments**
 - **County Register of Deeds Comments**

On-Going Finance

1. **Whitehall Group LLC**
2. **Road Commission Legacy Cost (Schedule)**
3. **Phragmites Grant Application Update**
4. **MAC 7th District Meeting in Tuscola County**
5. **Draft Social Media and Email Policies**
6. **Complete bonding for pension system**
7. **Dispute concerning wind turbine assessing/taxation**

Personnel
Committee Leader-Commissioner Trisch

Primary Personnel

1. **ACA Compliance Update and Cadillac Tax (See I)**
2. **Unfilled Vacancies**
 - **Board of Health**
 - **County Commissioner**
 - **Senior Advisory council**
 - **Region VII Area Agency on Aging**

On-Going Personnel

1. DOL Proposes Rule Changes to Exempt Employees

Building and Grounds
Committee Leader-Commissioner Allen

Primary Building and Grounds

1. **Vanderbilt Park Signage and Parking Enforcement**

On-Going Building and Grounds

Other Business as Necessary

1. **Public notice Regarding Detroit River Bridge Expansion (See J)**
2. **City of Caro Rezoning public notice (See K)**

Public Comment Period

Resolution Adopting the MERS Defined Contribution Plan



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mersofmich.com

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Restated Plan Document of 2012 (the "MERS Plan Document"), as each may be amended.

WHEREAS, the participating entity desires to adopt the MERS Defined Contribution Plan for its designated employees;

WHEREAS, the participating entity has furnished MERS with required data regarding each eligible employee and retiree;

WHEREAS, as a condition of MERS membership, and pursuant to the MERS Retirement Board's power as plan administrator and trustee under Plan Document Section 36 and MCL 38.1536, as each may be amended, it is appropriate and necessary to enter into a binding agreement providing for the administration of the Defined Contribution Plan, the reporting of wages, and the payment of the required contributions of a participating entity and withholding of employee contributions; now, therefore,

IT IS HEREBY RESOLVED:

1. On behalf of the participating entity, the governing body of Tuscola County adopts the MERS Defined Contribution Plan in accordance with Plan Section 41 for its eligible employees as described in the MERS Defined Contribution Adoption Agreement, subject to the MERS Plan Document and as authorized by 1996 PA 220, as both may be amended;
2. The governing body agrees to the terms of and authorizes (title) Chairman of the Tuscola County Board of Commissioners to execute the initial MERS Defined Contribution Adoption Agreement, a copy of which is attached hereto and which is hereby incorporated by reference; and

I hereby certify that the above is a true copy of the Defined Contribution Resolution adopted at the official meeting held by the governing body of this municipality:

Dated: _____, 20____. _____
(Signature of Authorized Official)

This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution is filed with MERS, MERS determines that all necessary requirements under the Plan Document, the Adoption Agreement, and this Resolution have been met, and MERS certifies the Resolution below.

Received and Approved by the Municipal Employees' Retirement System of Michigan:

Dated: _____, 20____. _____
(Authorized MERS Signatory)

MERS Defined Contribution Plan Adoption Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mersofmich.com

The Employer, a participating municipality or court within the state of Michigan that has adopted MERS coverage, hereby establishes the following Defined Contribution Plan provided by the Municipal Employees' Retirement System of Michigan, as authorized by 1996 PA 220 in accordance with the MERS Plan Document.

I. **Employer Name** Tuscola County **Municipality #:** 7902

If new to MERS, please provide your municipality's fiscal year: January through December.
(Month) (Month)

II. Effective Date

Check one:

A. If this is the **initial** Adoption Agreement for this group, the effective date shall be the first day of January, 2016.

This municipality or division is new to MERS, so vesting credit prior to the **initial** MERS effective date by each eligible participant shall be credited as follows (choose one):

- Vesting credit from date of hire
- No vesting credit

This division is currently in the MERS Defined Benefit Plan or Hybrid Plan and meets the applicable funding level requirements to adopt MERS Defined Contribution, as set forth in Plan Document Section 43C. Unless otherwise specified, the standard transfer/rehire rules will apply.

*** Closing this division will change future invoices to a flat dollar amount instead of a percentage of payroll, as provided in your most recent annual actuarial valuation.** (The amount may be adjusted for any benefit modifications that may have taken place since then.)

This division is for new hires, rehires, and transfers of current Defined Benefit division # 16,17,20,24,25,26 and/or current Hybrid division # _____

We elect to offer a one-time conversion from the existing plan into the new MERS Defined Contribution Plan (see attached MERS Defined Contribution Conversion Addendum incorporated herein by reference).

Review the projection study results

MERS recommends that your MERS representative presents the projection study results to your municipality before adopting MERS Defined Contribution.

Our MERS representative presented and explained the projection study results to the _____ on _____.
(ex. Board, Finance Committee, etc.) (MM/DD/YYYY)

As an authorized representative of this municipality, I Michael R. Hoagland
(Name)
Controller/Administrator waive the right for a presentation of the
(Title)
 projection study results.

Amortization option election

After review of the *Amended Amortization Policy for Closed Divisions Within Open Municipalities*, which offers two options for amortization of Unfunded Accrued Liability, effective with the adoption of Defined Contribution for the divisions listed above, our municipality selects:

- Option A amortization
- Option B amortization (irrevocable once selected)

MERS Defined Contribution Plan Adoption Agreement

- B. If this is an **amendment** of an existing Adoption Agreement (Defined Contribution division number _____), the effective date shall be the first day of _____, 20____.
Please note: You only need to mark **changes** to your plan throughout the remainder of this Agreement.
- C. If this is to **separate employees from an existing Defined Contribution division** (existing division number(s) _____) into a new division, the effective date shall be the first day of _____, 20____.
- D. If this is to **merge division(s)** _____ into division(s) _____, the effective date shall be the first of _____, 20____.

III. Eligible Employees

Only those Employees eligible for MERS membership may participate in the MERS Defined Contribution Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following groups of employees are eligible to participate:

Full Time Employees

(Name of Defined Contribution division – e.g. All Full Time Employees, or General After 7/01/13)

These employees are (check one or both):

- In a collective bargaining unit (attach cover page, retirement section, and signature page)
 Subject to the same personnel policy

To further define eligibility, (check all that apply):

- Probationary periods** are allowed in one-month increments, no longer than 12 months. During this introductory period the Employer will not report or make contributions for this period, including retroactively. Service will begin after the probationary period has been satisfied.
The probationary period will be _____ month(s).
- Temporary employees** in a position normally requiring less than a total of 12 whole months of work in the position may be *excluded* from membership. These employees must be notified in writing by the participating municipality that they are excluded from membership within 10 business days of date of hire or execution of this Agreement.
The temporary exclusion period will be _____ month(s).

IV. Provisions

1. Vesting (Check one):

- Immediate
- Cliff Vesting (fully vested after below number years of service)
 1 year 2 years 3 years 4 years 5 years
- Graded Vesting
 0 % after 1 year of service
 0 % after 2 years of service
 25 % after 3 years of service (min 25%)
 50 % after 4 years of service (min 50%)
 75 % after 5 years of service (min 75%)
 100 % after 6 years of service (min 100%)

MERS Defined Contribution Plan Adoption Agreement

In the event of disability or death, a participant's (or his/her beneficiary's) entire employer contribution account shall be 100% vested, to the extent that the balance of such account has not previously been forfeited.

Normal Retirement Age (presumed to be age 60 unless otherwise specified) 60

If an employee is still employed with the municipality at the age specified here, their entire employer contribution will become 100% vested regardless of years of service.

2. Contributions

a. Will be remitted (check one):

Weekly Bi-Weekly Monthly

b. Employee/Employer contribution structure (subject to limitations of Section 415(c) of the Internal Revenue Code)

	Enter % or \$ for contribution amounts					
Employee Contribution	0-4%	5%	6%			
Employer Contribution	4%	4.5%	5%			

Direct mandatory employee contributions as pre-tax

c. Voluntary employee contributions may be made after-tax, subject to the Section 415(c) limitations of the Internal Revenue Code

3. Compensation:

Employee compensation includes, generally, wages, elected deferrals, and other payments of compensation (i.e., overtime, bonuses, vacation pay, sick pay) reported on an employee's Form W-2. Employee compensation is defined pursuant to section 19A(4)(c)(ii) of the MERS Plan Document. An employee's compensation shall not exceed the annual limit under section 401(a)(17) of the Internal Revenue Code.

NOTE: Employer plans with effective dates prior to July 11, 2012 may elect to maintain the former definition of compensation which defines compensation as, "Medicare taxable wages reported on the employee's Form W-2" by checking this box

4. **Loans:** shall be permitted shall not be permitted

If Loans are elected, please complete and attach the *MERS Defined Contribution Loan Addendum*.

5. Rollovers from qualified plans are permitted and the plan will account separately for pre-tax and post-tax contributions and earnings thereon.

V. Appointing MERS as the Plan Administrator

The Employer hereby agrees to the provisions of this *MERS Defined Contribution Plan Adoption Agreement* and appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan. The Employer also agrees that in the event any conflict between MERS Plan Document and the MERS Defined Contribution Plan, the provisions of the Plan Document control.

VI. Modification of the terms of the Adoption Agreement

If the Employer desires to amend any of its elections contained in this Adoption Agreement, including attachments, the Governing Body or Chief Judge, by resolution or official action accepted by MERS, must adopt a new Adoption Agreement. The amendment of the new Agreement is not effective until approved by MERS.

MERS Defined Contribution Plan Adoption Agreement

VII. Enforcement

1. The Employer acknowledges that the Michigan Constitution of 1963, Article 9, Section 24, provides that accrued financial benefits arising under a public Employer's retirement plan are a contractual obligation of the Employer that may not be diminished or impaired.
2. The Employer agrees that, pursuant to the Michigan Constitution, its obligations to pay required contributions are contractual obligations to its employees and to MERS and may be enforced in a court of competent jurisdiction;
3. The Employer acknowledges that employee contributions (if any) and employer contributions must be submitted in accordance with the MERS Enforcement Procedure for Prompt Reporting and Payment, the terms of which are incorporated herein by reference;
4. The Employer acknowledges that late or missed contributions will be required to be made up, including any applicable gains, pursuant to the Internal Revenue Code;
5. Should the Employer fail to make its required contribution(s) when due, MERS may implement any applicable interest charges and penalties pursuant to the MERS Enforcement Procedure for Prompt Reporting and Payment and Plan Document Section 45A(3), and take any appropriate legal action, including but not limited to filing a lawsuit and reporting the entity to the Treasurer of the State of Michigan in accordance with MCL 141.1544(d), Section 44 of PA 436 of 2012, as may be amended.
6. It is expressly agreed and understood as an integral and non-severable part of this Agreement that Section 43B of the Plan Document shall not apply to this Agreement and its administration or interpretation. In the event any alteration of the terms or conditions of this Agreement is made or occurs, under Section 43B or other plan provision or law, MERS and the Retirement Board, as sole trustee and fiduciary of the MERS plan and its trust reserves, and whose authority is non-delegable, shall have no obligation or duty to administer (or to have administered) the MERS Defined Contribution Plan, to authorize the transfer of any defined benefit assets to the MERS Defined Contribution Plan, or to continue administration by MERS or any third-party administrator of the MERS Defined Contribution Plan.

VIII. Execution

Authorized Designee of Governing Body of Municipality or Chief Judge of Court

The foregoing Adoption Agreement is hereby approved by Tuscola County on
the 1st day of January, 2016.
(Name of Approving Employer)

Authorized signature: _____

Title: Chairman of the Tuscola County Board of Commissioners

Witness signature: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____ Signature: _____
(Authorized MERS Signatory)

COUNTY OF TUSCOLA

At a _____ meeting of the Board of Commissioners of the County of Tuscola, Michigan, held on the ____ day of _____, 2016, at __:__ .m., Eastern Standard Time, at the _____ Building in Caro, Michigan there were:

PRESENT: _____

ABSENT: _____

The following preambles and resolution were offered by _____ and _____ seconded by _____:

RESOLUTION APPROVING THE REVISED COMPREHENSIVE PLAN FOR THE COUNTY OF TUSCOLA RETIREMENT SYSTEM

WHEREAS the County of Tuscola, Michigan (the "County") currently provides pension benefits to qualified retirees and/or their spouses and dependents, as provided by the County and its policies; and

WHEREAS, an amendment to Public Act No. 34 of the Public Acts of 2001, as amended ("Act 34") enacted in October of 2012 permits the County to issue Bonds for the purpose of providing funds to fund the unfunded portion of the County's pension obligations; and

WHEREAS, pursuant to Act 34 the County has adopted a bond resolution (the "Resolution") authorizing the issuance of Pension Obligation Bonds and in connection therewith authorized the Controller/Administrator to submit a Comprehensive Financial Plan for the County of Tuscola Retirement System (the "Plan"); and

WHEREAS, in connection with the borrowing, the County has been advised by the Michigan Department of Treasury that they need to utilize actuarial value of the assets in the pension fund instead of market value of such assets; and

WHEREAS, the Controller/Administrator has already prepared and posted the Plan on the County website; and

WHEREAS, the change in asset valuation required the preparation of a Revised Comprehensive Financial Plan for the County of Tuscola Retirement System (the "Revised Plan"), a copy of which is attached hereto as Appendix A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA, MICHIGAN, AS FOLLOWS:

1. Revised Comprehensive Pension Plan. The Revised Comprehensive Financial Plan for the County of Tuscola Retirement System attached hereto as Appendix A is hereby approved and shall be posted on the County website and filed in the office of the County Clerk.

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

3. Effective Date. This Resolution shall become effective upon its adoption by the County of Tuscola Board of Commissioners.

A roll call vote on the foregoing resolution was then taken, and was as follows:

YES: _____

NO: _____

ABSTAIN: _____

The resolution was declared adopted.

Las.r3-tus42

STATE OF MICHIGAN)
COUNTY OF TUSCOLA) ss.

CERTIFICATION

The undersigned, being the Clerk of the County of Tuscola, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the County of Tuscola Board of Commissioners at its _____ meeting held on the _____ day of _____, 2016, 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 the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

COUNTY CLERK

DATED: _____, 2016

las.r3-tus42

APPENDIX A

[SEE ATTACHED REVISED COMPREHENSIVE FINANCIAL PLAN
FOR THE COUNTY OF TUSCOLA RETIREMENT SYSTEM]

From: Glen Skrent <ggs@tuscolacounty.org>
Sent: Tuesday, December 29, 2015 8:14 AM
To: Mike Hoagland
Attachments: MiDeal_Member_List_440480_440497_7.xls

<http://www.michigan.gov/localgov>

I think the county should look at getting into MIDEAL with the state of Michigan. I believe its \$270 a year to join. We have already ordered our 2016 Ford explorer patrol vehicle but looking at MIDEAL we could have saved \$1309.00 if we went thru Gorno Ford and used MIDEAL. Also a radar we need to purchase is about \$150 cheaper. The road commission and soil conservation district already are members. Renee said she looked a couple of years ago at the vendors and didn't think there were many we used so if the county doesn't want to buy into it, we might here. however, according to MIDEAL no one else in the county can use it. If the county purchases it, everyone in the county can. Just a thought to save a few bucks.

I talked to the Undersheriff in Huron County. Even if the vendor isn't on the vendor list he said he has had success telling the vendor that if they wont match the mideal price he will buy it from a different vendor and it usually works. Maybe try it for one year and if we don't get our \$270 back don't renew next year.? but there must be something to it if all these government agencies use them? Maybe Renee can check around with her equivalent county employee in other counties to see if they think its worth it?

**Undersheriff Glen Skrent
Tuscola County Sheriff's Office**

FORTITUDINE VINCIMUS

 Find us on
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VYSE ADMINISTRATIVE SERVICES LLC.

3741 Wilder Rd. Vassar MI, 48768
989-245-3481 e-mail ikvyse@gmail.com

December, 2015

Tuscola Area Airport Zoning Administrator's Annual Report

During the past year,

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

This year there were two applications for met tower permits. The permits were granted and the towers will both be located in Fairgrove Township.

The Companies working on the permits etc. for the wind farms continue to be cooperative with me and are complying with the Airport Zoning Ordinance.

It should be noted that the State of Michigan issued their permits for these towers without waiting for the permits from Tuscola County or Fairgrove Township to be issued as required by law. I did send a strongly worded response to them but received no reply.

Thank you for giving us the opportunity to serve Tuscola County.

Best Wishes for the upcoming New Year.

Sincerely,

Ione K. Vyse

mhoagland@tuscolacounty.org

From: Eean Lee <eean.lee@tuscolacounty.org>
Sent: Monday, January 04, 2016 2:33 PM
To: Mike Hoagland
Subject: EDC/B&G Vectorworks-Landmark Software

Mike,

I've been investigating the price points you asked me about for the EDC software that they are requesting. After speaking with them, determining their needs, I was able to call the software vendor and get accurate pricing.

Because they (EDC) would like a 3D rendering option, the original fund amount they had asked for would be inaccurate. The original amount didn't include the 3D rendering options. I've explained that:

1. We're interested in a re-occurring business relationship
2. We're a government entity
3. I had stressed to them that we couldn't afford to pay premium upgrade price the vendor has agreed to special pricing.

They will accept a one time purchase price of \$3,602 for the software. From then on, annual licensing will be deeply discounted to \$714/year. This will give us all updates and support I feel anyone would need that uses this program.

I'm still waiting to meet with Mike Miller tomorrow to verify that his department can find a need for this software, thus rendering it mutually beneficial between the entire county. We can then justify purchasing the software and providing EDC with a license to use it.

I'll follow up with your more tomorrow, after I speak with Mike Miller.

Thanks Mike.

Eean Lee | Tuscola County | elee@tuscolacounty.org | www.tuscolacounty.org

From: Eean Lee <eean.lee@tuscolacounty.org>
Sent: Monday, December 28, 2015 11:11 AM
To: Vicky Sherry; Steve Erickson
Cc: Craig Kirkpatrick; Mike Hoagland
Subject: Vectorworks Landmark CAD software solution

Steve/Sherry,

Thank you for taking the time to discuss your project with me. Purchasing software, or any technology, isn't as simple as just entering a credit card number and "off to the races". There are a lot of considerations to be had and I bring you the experience of going through those first hand. My goal is to cross hurdles with/for you before they unexpectedly show up. It's better to do this now, then to have a huge headache later.

I just hung up with Vectorworks to discuss pre-sales questions about their software. There is some interesting information I'd like to point you at before we sign off on purchasing this:

- There is 2 different versions of the Landmark product. The price you received is for Landmark without Renderworks. Renderworks allows you to design and present your projects in 3D. The price for Landmark with Renderworks is \$3,245.00. Consider your needs there.
- There is no annual support/maintenance contract. This has good and bad implications. While it initially will save money every year on licensing, it comes at the cost of only supporting the latest 2 releases. Landmark is currently on v11 and will release their next update in Sept 2016 and release yearly after that. Once they hit v13 in 2017, the Landmark v11 you are purchasing will **NO LONGER** be supported. This means that in 2 years, your software will still work, but should the program crash, you have problems, or need to reinstall on a newer operating system, they're going to make you pay for the latest upgrade before they'll help. If you're going to make this software a production/critical component, there needs to be an bi-annual budget to upgrade the software to ensure support, should something go wrong.
- Licensing is done by workstation. Each license allows you to install it twice. So you should be able to handle both computers, with one license. (that's a good thing)
- Backup your data. In our phone discussion, I wasn't very confident in your answers for how you're backing up your data. You weren't very clear in your understanding how you perform backups. Storing info on an external hard drive is a good temporary solution, but destined for failure as their life expectancy is so unpredictable. You have a great project and opportunity and I would hate to see anything happen to your hard work. We can't predict system failure, only anticipate it. If you're going to proceed, I encourage you to explore an offsite/cloud storage solution to hold your information. Your free to make your own decision on providers. I have found that Crash Plan Pro is a solid product and backs up a lot of information for me. It's relatively inexpensive and automated. (<http://www.code42.com/business/>). Other competitors that you might want to explore are Carbonite, SOS, BackBlaze, etc. A list of vendors can be seen here (<http://www.pcmag.com/article2/0,2817,2288745,00.asp>). Keep in mind there is a residential and business version of each of these. Research what you purchase before you do so. I like CrashPlan because its unlimited storage and roughly \$100/year. It's simple, easy and there for me when I need it.

I'm excited for your new project. If you need to discuss any of this with me further, I'd be happy to do so. Good luck and keep me informed on how things go.

F

mhoagland@tuscolacounty.org

From: Eean Lee <eean.lee@tuscolacounty.org>
Sent: Wednesday, December 30, 2015 9:42 AM
To: Mike Hoagland
Subject: Website Customer

Mike,

I'm pleased to announce Tuscola Township's new webpage is officially live and they're officially our first web services customer. Their new webpage can be found at:

www.tuscolatownship.org.

Tuscola Township also agree'd to pay a one time charge of \$500 design fee. Next, they will be emailing our help desk for requested changes when the need and we will be provide those changes as a maintenance service. This service is billed at an annual rate of \$500.

I feel this service is a value to Tuscola Township. Tuscola County Information Systems is providing high level, responsive support for a low cost. This comes with a minimal commitment for both parties and can be terminated within 30 days on either end, per the agreement that was approved by our board and the Township's board.

Also, this project is a demonstration of how Tuscola County Information Systems can share its service with the local CVTs (Cities, Villages, and Townships) and generate revenue. While \$500 isn't a lot, it is a great start. We have had interest from the City of Caro in doing their page as well. That project will be much bigger, but I feel we can take that on. I will fill you in with those details as they become available.

Very excited for this beginning customer base and the future.

Happy New Year.

Eean Lee | Tuscola County | elee@tuscolacounty.org | www.tuscolacounty.org



**Tuscola County
Geographic Information System (GIS)**

OPEN HOUSE

Don't miss this opportunity to learn what a GIS system is and how it can assist you!

**January 6, 2016
Commissioner's Board Room**

Townships/Assessors	9:00 a.m.
Tuscola County Departments	1:30 p.m.
Townships/Assessors	6:00 p.m.

There will be a brief presentation followed by an opportunity to try out the new GIS system.

- Zoning and Planning

- FEMA Flood Zones

- School & Library Districts

- Land, ECF & Tax Maps

- Cemetery Mapping

- Asset Management

OPEN HOUSE WILL TAKE PLACE AT THE
TUSCOLA COUNTY ADMINISTRATIVE BUILDING
 125 W. Lincoln St.
 Caro, MI 48723
www.tuscolacounty.org/gis

mhoagland@tuscolacounty.org

From: mhoagland@tuscolacounty.org
Sent: Wednesday, December 30, 2015 1:57 PM
To: Senator Mike Green; Representative Canfield
Cc: Dana Gill; jfetting@tuscolacounty.org; ctrisch@tuscolacounty.org; 'Bardwell Thom'; 'Bierlein Matthew'; 'Kirkpatrick Craig'; 'Roger Allen'
Subject: Request for Removal of millage Language in SB 571

Senator Green and Representative Canfield

The Tuscola County Board of Commissioners requested that I contact you to explain their serious concerns regarding SB 571. Passage of this bill would eliminate the ability to explain millage ballot questions. I have included below an excerpt from a recent Michigan Association of Counties legislative report explaining the problems that will be created by passage of SB 571.

This bill eliminates the ability to educate the voters about important local ballot issues. The public deserves to know what they are voting on. Laws already exist that do not allow public officials to state a vote yes or no position on a ballot question. We respectfully request you to eliminate the millage language section of SB 571. The public deserves to understand what they are being asked to vote on.

Thank you for reviewing this matter of importance to the public and local officials.

Mike

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

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

Campaign bill approved on Legislature's last night would cause huge headaches in millage votes

Campaign bill approved in middle of night would cause huge headaches in local votes
The Legislature wrapped up its 2015 schedule this week and adjourned until the second week in January. Before they left, however, the House and Senate both approved Senate Bill 571, which makes significant changes to campaign finance law that would harm counties, local governments and schools.

In summary, the bill states no public funds or resources can be used 60 days before an election to

communicate with the public about a local ballot initiative. MAC attorneys have verified that this would affect counties and other local entities that wish to educate their voters about local ballot measures. For example, a commissioner who is asked to speak on a radio show or local TV within 60 days of an election would be in violation, if the commissioner was asked to discuss a local millage question. Even seemingly innocuous communications, such as airing a board of commissioners meeting on public television in which an upcoming millage is mentioned, could be a violation under this measure. Even a county medical care facility could be in violation if it sends a newsletter that mentions an upcoming election issue.

MAC has contacted the Governor's Office and legislative leadership to convey our opposition, based on the harm to local units just trying to share information with citizens.

NOTE: Campaign finance law already stipulates that public funds cannot be spent on campaign advocacy (i.e., no "vote yes on millage" efforts). This new language, by contrast, would take away our ability to provide basic information about local votes. MAC has urged the governor to reject the measure if it reaches him.

However, under legislative procedure, the bill still resides with the Michigan Senate, and the Legislature can amend the bill before it is sent to the governor's desk. Therefore, we urge you to contact your legislators and the Governor's Office to request removal of the millage language in SB 571.

For more information on this issue, contact Director of Governmental Affairs Dana Gill, gill@micounties.org or 517-372-5374.

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

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

mhoagland@tuscolacounty.org

From: Travis Howell <THowell@senate.michigan.gov>
Sent: Friday, January 08, 2016 9:58 AM
To: mhoagland@tuscolacounty.org
Subject: RE: Request for Removal of millage Language in SB 571

Michael with the Governor having signed this here is some additional information on SB 571:

Senate Bill 571 (now PA 269 of 2015) was highly controversial and was the final piece of legislation from 2015 to be considered by Governor Snyder. It provided a strict limitation on the ability of local governments and school districts to communicate about ballot proposals and makes several other changes to campaign finance law. The ban on communication about ballot proposals, even if non-partisan, by public entities is for within 60 days of an election.

There is nothing in the new law which would prevent an elected or appointed local public official from offering their personal views on a ballot proposal. However, they could not use public resources to do so. When signing the bill, the Governor sent a letter to the legislature which in part stated, "This legislation includes many important campaign finance reforms that protect the integrity of our election process. I understand there is confusion about how the bill impacts the use of public resources to disseminate factual information prior to an election. This provision needs to be clarified and I am working with my partners in the Legislature on a follow-up bill to address these concerns." Both the Senate and House of Representatives have publically agreed to working with the Governor. It is important to note that changes, if passed and signed into law, appear designed to address concerns from local officials that they could be punished simply for mentioning an upcoming election at an official meeting. **But the changes would not alter the new law's prohibition on mass communications by a government body about a ballot proposal, even if only factual in nature.**

Prohibition of using public resources to advocate for or against ballot measures is current law. However local units around the state have been skirting that prohibition by using tax dollar supported issue advertising which did not expressly state "vote yes" or "vote no". This new provision closes that loophole.

Our office anticipates that legislation seeking to make those clarifications will be swiftly considered this winter. Let me know if you need additional information.

Travis Howell
Constituent Relations Director
Sen. Mike Green
866-305-2131

From: mhoagland@tuscolacounty.org [mailto:mhoagland@tuscolacounty.org]
Sent: Wednesday, December 30, 2015 1:57 PM
To: The Office of Senator Green <SenMGreen@senate.michigan.gov>; Representative Canfield <edwardcanfield@house.mi.gov>
Cc: Dana Gill <gill@micounties.org>; jfetting@tuscolacounty.org; ctrisch@tuscolacounty.org; 'Bardwell Thom' <bardwellthomas1@gmail.com>; 'Bierlein Matthew' <mbierlein@tuscolacounty.org>; 'Kirkpatrick Craig' <ckirkpatrick@tuscolacounty.org>; 'Roger Allen' <beetman95@yahoo.com>
Subject: Request for Removal of millage Language in SB 571

Senator Green and Representative Canfield

The Tuscola County Board of Commissioners requested that I contact you to explain their serious concerns regarding SB 571. Passage of this bill would eliminate the ability to explain millage ballot questions. I have included below an excerpt from a recent Michigan Association of Counties legislative report explaining the problems that will be created by passage of SB 571.

This bill eliminates the ability to educate the voters about important local ballot issues. The public deserves to know what they are voting on. Laws already exist that do not allow public officials to state a vote yes or no position on a ballot question. We respectfully request you to eliminate the millage language section of SB 571. The public deserves to understand what they are being asked to vote on.

Thank you for reviewing this matter of importance to the public and local officials.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
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mhoagland@tuscolacounty.org

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

Campaign bill approved on Legislature's last night would cause huge headaches in millage votes

Campaign bill approved in middle of night would cause huge headaches in local votes
The Legislature wrapped up its 2015 schedule this week and adjourned until the second week in January. Before they left, however, the House and Senate both approved Senate Bill 571, which makes significant changes to campaign finance law that would harm counties, local governments and schools.

In summary, the bill states no public funds or resources can be used 60 days before an election to communicate with the public about a local ballot initiative. MAC attorneys have verified that this would affect counties and other local entities that wish to educate their voters about local ballot measures. For example, a commissioner who is asked to speak on a radio show or local TV within 60 days of an election would be in violation, if the commissioner was asked to discuss a local millage question. Even seemingly innocuous communications, such as airing a board of commissioners meeting on public television in which an upcoming millage is mentioned, could be a violation under this measure. Even a county medical care facility could be in violation if it sends a newsletter that mentions an upcoming election issue.

MAC has contacted the Governor's Office and legislative leadership to convey our opposition, based on the harm to local units just trying to share information with citizens.

NOTE: Campaign finance law already stipulates that public funds cannot be spent on campaign

advocacy (i.e., no "vote yes on millage" efforts). This new language, by contrast, would take away our ability to provide basic information about local votes. MAC has urged the governor to reject the measure if it reaches him.

However, under legislative procedure, the bill still resides with the Michigan Senate, and the Legislature can amend the bill before it is sent to the governor's desk. Therefore, we urge you to contact your legislators and the Governor's Office to request removal of the millage language in SB 571.

For more information on this issue, contact Director of Governmental Affairs Dana Gill, gill@micounties.org or 517-372-5374.

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From: Daniel Skiver <dskiver@bbcmich.com>
Sent: Monday, December 28, 2015 8:19 AM
To: Daniel Skiver
Subject: Cadillac Tax and other ACA Updates

On December 18, 2015 President Obama signed legislation that will delay the Cadillac/excise tax for two years. The delay of the Cadillac/excise tax is effective for 2018 and 2019, meaning that without further legislative adjustment or repeal, the tax will now be scheduled to take effect beginning in January 2020.

The Cadillac tax, initially set to go into effect in 2018, calls for a 40% excise tax on health plans that exceed certain cost thresholds. Specifically, the law calls for a 40% excise tax on the amount the aggregate monthly premium of each primary insured individual that exceeds the year's applicable dollar limit, which will be adjusted annually to the Consumer Price Index plus 1%. Many employers found their current premiums would exceed the 2018 thresholds (\$10,200 for individuals and \$27,500 for families) when HSA, FSA, HRA, and other cost-containment measures required by the provision are included in the annual cost calculation. Although the tax was designed to incent employers from offering the most benefit rich plans, in reality the tax would impact a majority of plans, including those that aren't benefit rich and were not intended targets of this provision. The delay of the Cadillac/excise tax will likely bring short term relief to many employer groups, especially those with retiree coverage.

In other Health Care Reform news.....

On December 16, 2015 the IRS released Notice 2015-87. **For a copy of Notice 2015-87, please click on the link: <https://www.irs.gov/pub/irs-drop/n-15-87.pdf>**

The notice addresses various issues that have arisen under the Affordable Care Act (ACA) with respect to employer-sponsored coverage, focusing particularly on account-based employee benefits such as section 125 cafeteria plans health reimbursement arrangements, reporting, and defining hours of service. In addition, IRS provided guidance regarding COBRA coverage and Health FSA carryovers. The following is a summary of the important provisions.

Health Reimbursement Arrangements (HRA)

Individuals are not allowed to integrate employee-only coverage with an HRA available to cover medical expenses of an employee's spouse or children. An HRA must be integrated with coverage in which dependents are enrolled to meet the requirements of the Affordable Care Act. The IRS is allowing plans a grace period through the end of the year beginning before January 1, 2017 to comply with this requirement.

Employer Flex Contributions

The affordability of an employer's health coverage is required to consider the employer contribution into a flex plan if the contributions can only be used for health spending. If the employee does not have the option to receive the flex contributions as a taxable benefit, the employee may use the flex contributions to pay for minimum essential coverage, and the employee may use the flex contributions exclusively to pay for medical care, then the employer flex contributions will be considered as being used for health spending.

For purposes of determining affordability based on the criteria of the employer mandate, employers that do not offer affordable minimum value coverage, and their employees receive premium tax credits, contributions to flex accounts that can be used for non-health as well as health purposes will be considered to reduce employee contributions until the end of the plan year beginning before January 1, 2015 for policies approved on or before December 16, 2015. Flex contributions will not be considered for determining affordability of

employer coverage for an employee either for determining liability under the individual responsibility provision or premium tax credit eligibility. If contributions can be used for dependent care, group term life insurance premiums, or distributed to employees in cash, they will be considered non-health purposes.

Treatment of Opt-Out Payments

If an employer offers an employee cash payments in lieu of electing health insurance coverage (an opt-out payment) through the group health plan, the IRS will consider the opt-out payment as an additional charge for the coverage for determining its affordability for application of the employer mandate penalty. The employee has the option of receiving additional salary for foregoing coverage, and thus is being charged the amount of the additional salary if he or she accepts coverage.

It is suggested that the IRS will issue guidance on this issue and might treat opt-out payments differently if they are subject to additional requirements, such as proof of coverage under a spouse's plan. The IRS will offer a transitional period until the end of the plan year beginning before January 1, 2017, based on arrangements established on or before December 16, 2015, for purposes of the employer mandate penalty and employer reporting, but individual taxpayers may consider opt-out payments as increasing the cost of coverage for application of the individual mandate or premium tax credit eligibility requirements.

Employer payments under McNamara-O'Hara Service Contract Act (SCA), the Davis-Bacon Act or the Davis Bacon Related Acts (DBRA)

The SCA and DBRA require that workers employed on certain federal contracts be paid prevailing wages and fringe benefits. The employer can also satisfy its fringe benefit obligations by providing the cash equivalent of benefits, or a combination of cash and benefits. Until the IRS issues guidance how to treat these cash payments, employers may consider cash payments in lieu of fringe benefits as increasing the affordability of coverage for purposes of the employer mandate and reporting through the end of the plan year before January 1, 2017. Employees are not required to consider these cash payments as making coverage more affordable for purposes of the individual mandate affordability exemption or premium tax credit eligibility.

Affordability Under The Employer Mandate

In regards to the employer mandate affordability requirement and related regulatory requirements, including affordability safe harbors, affordability of coverage is defined as costing no more than 9.5 percent of household income (or for safe harbors, 9.5 percent of W-2 or hourly wages or the poverty level). The 9.5 percent standard is adjusted annually and is set at 9.56 percent for 2015 and 9.66 percent for 2016. The notice explains that this adjustment applies to all provisions that use the 9.5 percent standard.

Adjusted Penalty Amounts under the Employer Mandate

The IRS notice provides inflation updates for the statutory penalties under the employer mandate. The full-time employee penalty that applies when an employer fails to offer minimum essential coverage and an employee receives premium tax credit will increase to \$2,080 for 2015 (up from \$2,000) and \$2,160 for 2016. The \$3,000 penalty that applies on a per-employee basis for employees who receive premium tax credits when coverage does not meet affordability or minimum value standards will increase to \$3,120 for 2015 and \$3,240 for 2016.

Hours of Service Determination

The term "hour of service" means each hour for which an employee is paid, or entitled to payment, for the performance of duties for the employer, and each hour for which the employee is paid, or entitled to payment by the employer, for a period of time during which no duties are performed due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty, or leave of absence. The term "hour of service" also includes periods which an individual is not performing services but is receiving payments due to short-term disability or long-term disability if the individual retains the status as an employee of the

employer. However, if the employer did not contribute directly or indirectly to the arrangement of the employee payments, the payment would not be considered in the "hour of service" calculation.

The term does not include any hours after the individual terminates employment with the employer. It also does not include time while an individual is on workmen's compensation or unemployment or disability laws and an hour of services for payment which solely reimburses an employee for medical or medically related expenses incurred by the employee. Arrangements under which the individual is paid with after-tax contributions would be treated as an arrangement to which the employer did not contribute, and payments from the arrangement would not be included in hours of service.

Service Breaks

Special rules apply for employees of educational institutions who have long breaks in service between school years. Under IRS regulations, employees of educational institutions cannot be treated as having terminated employment and then been rehired unless they have a break in service of at least 26 consecutive weeks.

Some educational institutions avoid this rule by claiming that their employees are actually employed by staffing agencies with which they contract, by terminating at the end of the school year and rehired in the fall. Because the staffing agency is not an educational organization subject to the special rule, the staffing agency could apply the lookback measurement method or the rules on new hires to treat some or all of these individuals as failing to be full-time employees or as new employees after a break in service of less than 26 weeks. To avoid this situation, the IRS is considering a rule that would provide that the educational institution exception would also apply to employees who provide services primarily to educational institutions and are not offered a meaningful opportunity to provide service during the entire year. An individual who worked in a school cafeteria nominally employed by a staffing agency rather than the school, for example, would be protected by the break in service exception unless the staffing agency offered employment in another position throughout the summer.

Governmental Entity and Reporting

Each separate employer entity (not applying for any aggregation rules) that is an applicable large employer (ALE) or ALE member, that provides self-insured health coverage to its employees, must use its own EIN for purposes of the applicable reporting requirements. Separate forms 1094-C must be filed by each employer that is an ALE member of an applicable large employer group.

COBRA Coverage and Health FSA Carryovers

Unused health Flexible Spending Account amounts carried over from prior years should not be included in the maximum amount permitted to require to be paid to COBRA coverage. The applicable premium is based only on the amount of the employee's salary reduction election of the plan year and any nonelective employer contribution. Qualified beneficiaries and non-COBRA beneficiaries must be allowed to carryover based on the same terms. Individuals will not be allowed to elect additional salary reduction contributions and the carryover period is determined by the applicable COBRA continuation period.

A health FSA may limit the availability of the carryover of unused amounts to the individuals who have elected to participate in the health FSA the next year. An employer does have the ability to limit the length of the carryover period.

Please feel free to contact your Account Manager if you have questions or concerns on this issue. Thank you

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U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

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December 30, 2015

AVAILABILITY OF PUBLIC NOTICE

All interested parties are notified that the U.S. Coast Guard has reinitiated the review of the permit application for the Ambassador Bridge Enhancement Project (ABEP). The applicant and owner of the existing Ambassador Bridge, the Detroit International Bridge Company (DIBC), has entered into an agreement with the City of Detroit allowing DIBC to construct the project as originally proposed and evaluated in the 2009 Coast Guard *Final Environmental Assessment (EA)* using portions of Riverside Park located in Detroit, Michigan.

WATERWAY AND LOCATION: Ambassador Bridge, Mile 19.5, Detroit River, City of Detroit, in Wayne County, Michigan.

CHARACTER OF WORK: Replacement of a fixed highway bridge over the Detroit River with a new 6-lane cable stayed bridge, just west of the existing Ambassador Bridge across the Detroit River between Detroit, Wayne County, Michigan, United States and Windsor, Ontario, Canada.

PROPOSED MINIMUM NAVIGATIONAL CLEARANCES: All proposed bridge piers will be placed on the shore of the river. The minimum navigation clearances for the proposed second span are greater than the existing bridge and are not expected to impact navigation. 162.57 feet of vertical clearance, referred to Low Water Datum, Detroit River, Elevation 571.10, IGLD85 for passing vessels.

ENVIRONMENTAL CONSIDERATIONS: The Coast Guard, as lead federal agency under the National Environmental Policy Act (NEPA) for the proposed project, announces the availability of the Final EA Reevaluation and Draft Finding of No Significant Impact (FONSI) for a 30-day review period starting on January 8, 2016. There have been no substantial changes or significant circumstances related to environmental impacts of the proposed action since the Final EA was published in 2009. Therefore, the Coast Guard has determined through the reevaluation that a supplemental environmental assessment and an environmental impact statement are not required.

FOR MORE INFORMATION INCLUDING INSTRUCTIONS ON PROVIDING COMMENTS: The complete public notice including a brief summary of project impacts, directions on how to access the reevaluation, and a map of the location and plans for the proposed bridge will be available for viewing and download from the U.S. Coast Guard Navigation Center's web site: <http://www.navcen.uscg.gov/?pageName=pnBridges&Active=1®ion=9>, or by contacting Mr. Allen Garneau via the above contact information. Comments received will be made part of the case record.

All federal, state and local agencies and public representatives are requested to submit an email address(s) to the project manager to obtain this public notice and announcements of future public notices from this office.

Interested parties are requested to express their views, in writing, on the proposed project giving sufficient detail to establish a clear understanding of their reasons for support or opposition to the proposed work. Comments will be received for the record by email at allen.m.garneau@uscg.mil or in writing at the office of: Commandant (CG-BRG-2), U.S. Coast Guard Headquarters, Stop 7418, 2703 Martin Luther King Jr. Avenue, SE, Washington, DC 20593-7418, for a 30 day period starting on January 8, 2016.

Mariners are requested to comment on the proposed vertical and horizontal navigational clearances and any other navigational safety issues including the extent of nighttime navigation past the proposed project's site.

(K)

CITY OF CARO
317 S. STATE STREET
CARO, MI 48723
PHONE: (989) 673-2226
FAX: (989) 673-7310

CITY OF CARO
PUBLIC HEARING NOTICE
REZONING APPLICATION

NOTICE is hereby given that the City of Caro Planning Commission will hold a Public Hearing on Tuesday, January 26, 2016 at 7:00 p.m. at the Caro Municipal Building, 317 South State Street, Caro, Michigan, to consider a Rezoning Application from Marcia Weilbach and Jacques Weilbach from B-2 General Business to Conditional I-1 Light Industrial on the following described property:

Parcel I.D. # 050-500-126-1000-00 Parcel Address: 603 E. Frank St, Caro, MI.

A parcel of land in part of Section 3, T.12 N.-R.09E., City of Caro, Tuscola County, Michigan, described as follows:

SEC 03 T12N R9E ALL LAND IN BLK 26 ORIG PLAT LYING ELY OF NYC RR R/W & EXT TO BUSH ST ON N & E EX COM AT E COR OF LOT 10 BLK 26, TH S 45 DEG E 43.75 FT, TH S 45 DEG W 38.25 FT, TH S 52 FT, TH W 60.5 FT, TH N TO NW BDY LN OF LOT 10, TH NE ALG SD BDY LN TO N COR OF LOT 10, TH S 45 DEG E 66 FT TO POB BLK 26. ORIG PLAT VILL OF CARO.

Those persons wishing to comment on the Rezoning Application may appear at the Public Hearing, or if unable to attend may make written comments prior to the Public Hearing to the office of the City Clerk, Karen J. Snider, 317 South State Street, Caro, MI 48723. Written comments received prior to the meeting will be read and entered into the minutes of the Public Hearing.

Karen J. Snider
City Clerk