

**TUSCOLA COUNTY BOARD OF COMMISSIONERS**  
**MEETING AGENDA**  
**TUESDAY, MAY 26, 2009 – 8:00 A.M.**  
**ANNEX BOARD ROOM**

207 E. Grant Street  
Caro, MI 48723-1660

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

- 8:00 A.M. Call to Order – Chairperson Peterson  
Prayer – Commissioner Bardwell  
Pledge of Allegiance – Commissioner Peterson  
Roll Call – Clerk White-Cormier  
Adoption of Agenda  
Action on Previous Meeting Minutes (See Correspondence #1)  
Brief Public Comment Period  
Consent Agenda Resolution (See Correspondence #2)  
New Business  
    -Resolution of Full Faith and Credit/Nutt Branch of Akron Center  
        Drain  
    -Medical Examiner Annual Report  
    -Concur with Part-Time General Office Clerk Hiring in County Clerk's  
        Office  
    -Concur with Secretary I Hiring in County Clerk's Office – Effective  
        Date June 1<sup>st</sup>  
    -Concur with Part-Time Summer Maintenance Hiring  
    -Concur with Sheriff Hiring of Part-Time Deputy  
Old Business  
Correspondence/Resolutions

**COMMITTEE AND LIAISON REPORTS**

**Committee of the Whole – FINANCE FOCUS** (See Correspondence # 3)  
Commissioner Bardwell/Commissioner Peterson

Other Business/On-Going Matters  
Next Meeting Date Thursday, May 28, 2009 – 8:00 A.M.

**Committee of the Whole – PERSONNEL FOCUS** (See Correspondence # 3)  
Commissioner Bardwell/Commissioner Roggenbuck

Other Business/On-Going Matters  
Next Meeting Date Thursday, May 28, 2009 – 8:00 A.M.

**Committee of the Whole – BUILDING AND GROUNDS FOCUS** (See  
Commissioner Kern/Commissioner Petzold Correspondence # 3)

Other Business/On-Going Matters

Next Meeting Date Thursday, May 28, 2009 – 8:00 A.M.

**COMMISSIONER LIAISON COMMITTEE REPORTS**

**PETERSON**

Enterprise Facilitation

Human Development Commission

MEMS

Michigan Association of Counties – Aging Work Group

Michigan Association of Counties – Environmental

LEPC

NACO

Local Unit of Government Activity Report

Parks & Recreation

Dispatch Authority Board

**PETZOLD**

Recycling Advisory

Resource Conservation and Development District

Mid-Michigan Mosquito Control Technical Advisory Committee

Thumb Area Consortium

Multi-County Solid Waste

TRIAD

Local Unit of Government Activity Report

Road Commission

Health Board

**ROGGENBUCK**

Enterprise Facilitation

Planning Commission

Human Services/Medical Care Facility Liaison

Board of Public Works

Local Unit of Government Activity Report

Human Services Coordinating Council

MAC Judiciary & Public Safety Committee

Great Start Collaborative – Tuscola County

**BARDWELL**

Caro DDA

Brownfield Redevelopment Authority

Economic Development Corporation

Tuscola 2011

MAC Economic Development/Taxation

MAC 7<sup>TH</sup> District

Local Unit of Government Activity Report  
Michigan Association of Counties – Board of Directors  
NACO

KERN

Thumb Area Consortium  
Human Development Commission  
Health Board  
Senior Services Advisory  
Region VII Area Agency on Aging Advisory Council  
Local Unit of Government Activity Report  
Community Corrections Advisory Board  
Behavioral Health Board

Closed Session (If Necessary)

Other Business as Necessary

Extended Public Comment

Adjournment

Note: If you need accommodations to attend this meeting please notify the  
Tuscola County Controller/Administrator's Office (989-672-3700) two  
days in advance of the meeting.

## **CORRESPONDENCE**

- #1 May 12, 2009 Full Board Minutes
- #2 Consent Agenda Resolution
- #3 May 14, 2009 Committee of the Whole and Statutory Finance Committee Minutes
- #4 Correspondence from State Regarding County Jail Reimbursement Program
- #5 Communication Regarding Funding Cuts to County Health Departments
- #6 May 2009 Tuscola County Health Department Monthly Report
- #7 April 2, 2009 Tuscola County Recycling Advisory Committee Minutes
- #8 April 30, 2009 Tuscola County Road Commission Minutes
- #9 Saginaw Bay Coastal Initiative Meeting – June 5, 2009
- #10 May 15, 2009 Human Development Commission Minutes

**DRAFT**

**Tuscola County Board of Commissioners**

**May 12, 2009 Minutes**

**Courthouse Annex**

Chairman Gerald Peterson called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Annex Building in the Village of Caro, Michigan, on the 12th day of May, 2009 to order at 8:01 a.m. local time.

Prayer by Commissioner Bardwell

Pledge by Commissioner Bardwell

**COMMISSIONERS PRESENT:**

District #2 Thomas Bardwell, District #3 Tom Kern, District #4 Roy Petzold, District #5 Gerald Peterson

**COMMISSIONERS ABSENT:**

District #1 Amanda Roggenbuck

09-M-099

Motion by Bardwell seconded by Petzold to adopt the agenda. Motion carried.

09-M-100

Motion by Bardwell seconded by Kern to approve the minutes of the 4/28/09 regular meeting. Motion carried.

Brief Public Comment - none

09-M-101

It was moved by Bardwell and supported by Petzold that the following Consent Agenda Resolution be adopted:

**CONSENT AGENDA**

**Agenda Reference:** A

**Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09

**Description of Matter:** Move that the 2009 Budget amendments as identified for April by the Chief Accountant be authorized for implementation.

- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09
- Description of Matter:** Move that the Sheriff Department be authorized to submit a RAP Grant to the County Insurance Company (MMRMA) to help defray a portion of the cost for Palm Livescan Equipment for the Sheriff's Department.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09
- Description of Matter:** Move that per the request of the Sheriff's Department, that authorization is given to implement a "Smart Card" system through Swanson Services to refund inmates their remaining funds upon release from jail.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09
- Description of Matter:** Move that a new lease with Toshiba for an eSTUDIO 353C copy machine is authorized for the Sheriff's Department with the understanding this new machine is cost neutral compared to the current machine.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09
- Description of Matter:** Move that Don McLane be re-appointed to the Behavioral Health Systems Board.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09
- Description of Matter:** Move that authorization be given to post and advertise to fill the budgeted part-time summer maintenance positions.
- Agenda Reference:** G

**Entity Proposing:** COMMITTEE OF THE WHOLE 4/30/09

**Description of Matter:** Move that as permitted by Section 2.15 of the County Purchasing Policy that all bids related to lease or purchase of a facility to house Adult Probation be rejected.

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

YEAS: all

NAYS: none

ABSTENTIONS: none

RESOLUTION ADOPTED.

EDC director Jim McLoskey appeared regarding the possibility of M-25 becoming an MDOT Heritage Route.

09-M-102

Motion by Petzold seconded by Kern to go into closed session under 8 (h) of the Open Meetings Act. Roll call: Petzold, yes; Bardwell, yes; Peterson, yes; Roggenbuck, absent; Kern, yes. Motion carried.

09-M-103

Motion by Bardwell seconded by Kern to come out of closed session. Motion carried.

Meeting adjourned at 8:54 a.m., until 8 a.m., May 26, 2009

Margie White-Cormier  
Tuscola County Clerk

**'DRAFT'**

**COUNTY OF TUSCOLA**

**STATE OF MICHIGAN**

**RESOLUTION TO ADOPT CONSENT AGENDA**

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Annex Building in the Village of Caro, Michigan, on the 26<sup>th</sup> day of May, 2009 at 8 o'clock a.m. local time.

COMMISSIONERS PRESENT:

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COMMISSIONERS ABSENT:

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

**CONSENT AGENDA**

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move that the low bid for seal coating the parking lot at the Animal Shelter be awarded to Complete Asphalt Paving company who was the low bidder for an amount of \$675.
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move that the low bid for seal coating the DHS parking lot be awarded to Black Jack Sealing Coating company who was the low bidder for an amount of \$1,750.

- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move that the low bid for District Court Office carpeting be awarded to Northeastern Paint Supply Inc. who was the low bidder for an amount of \$3,113.12.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move that the low bid for Information Systems air conditioner be awarded to E&S who was the low bidder for an amount of \$2,984.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move to concur with the May 11, 2009 letter from the Sheriff for the lateral transfer of Sgt. Scott Jones to the Detective Sergeants position (no change in wage) and the promotion of Deputy Sheriff Ryan Pierce to Uniform Division Sergeant at the Step 3 wage rate effective June 27, 2009.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move to concur with the April 30, 2009 letter from the Tuscola County Sheriff hiring Barbara Peters as a full time Corrections Officer at the Step 1 wage rate effective May 30, 2009.
- Agenda Reference:** G
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09
- Description of Matter:** Move to approve the hiring of Karen Mozden as the Secretary I in the Tuscola County Clerk's Office at the Step 1 wage rate effective June 15, 2009
- Agenda Reference:** H

**Entity Proposing:** COMMITTEE OF THE WHOLE 5/14/09

**Description of Matter:** Move that per the May 12, 2009 memorandum from the Mosquito Abatement Director, the Mosquito Abatement Computer System be upgraded as identified in the memo and a budget amendment through the use of \$38,000 in available fund balance be authorized to implement these changes.

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

YEAS:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

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Jerry Peterson, Chairperson  
Tuscola County Board of Commissioners

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Margie White-Cormier  
Tuscola County Clerk

**DRAFT**  
**Tuscola County Board of Commissioners**  
**Committee of the Whole Minutes**  
**Thursday, May 14, 2009 – 8:00 A.M.**  
**Annex Board Room (207 E. Grant Caro, Mi.)**

Commissioners present: Roggenbuck, Bardwell, Kern, Petzold, Peterson. Also present: Mike Hoagland, Margie White-Cormier, Bob Mantey, Mari Young, Mike Miller, Mari Drier, Jennifer Robb, Carrie Krampits, Steven Lark, Kyle Jaskulka, Angela Daniels, Patricia Donovan-Gray

**Finance**

**Akron Village and Akron Township Storm System Project – Drain Commissioner Update** – Nutt branch of the Akron centerline – the current infrastructure is in need of improvement. Mr. Mantey presented three scenarios to remedy the water ponding that occurs after it rains. He is recommending approval of a bond resolution (assuming the local units get on board with the project)

**Federal Stimulus Funds** – a “101” session scheduled for May 18, 2009 at ThumbWorks! In Marlette

**State Executive Order Budget Cuts** – 304 million cut with more cuts looming. Future revenue sharing payments could be in peril as more counties get in line.

**Computer Operations Update** – Steven Lark provided a mini-update related to his department

- **Sheriff Department Computer Support**
- **Mosquito Abatement** – Jennifer Robb is requesting a four-phase upgrade to the computer network (see consent agenda resolution to transfer \$38,000 from fund balance into account (240-620-970-000))
- **Overall Computer Operations Plan**
- **Register of Deeds Software**
- **Imaging Workflow System**
- **Budgeted Equipment installation**

**TNU Grant Application** – for two positions

Secondary/On-Going Finance Items

1. Treasurer Bank Statement Reconciliation (Balanced through April)
2. Dispatch Update – Pager Coverage, Radios – Next Meeting
3. Financial Planning Task Force – Next Meeting May 26, 2009
4. Schedule for Additional 2008 Annual Audit Presentations
5. Juvenile Placement Potential Changes and Cost to County
6. 14A Drain Calculations and Future Year Drain Cost Projections
7. Jail Overcrowding, Sentencing Guidelines and State Reimbursement
8. Associated County Health Department and Health Department Title V Funding
9. Service Base Consolidations
10. Property Tax Values
11. 2010 Road Patrol and Senior Citizen Millage Renewals
12. Behavioral Health Contract for Transporting Patients - \$8,000

13. State Revenue Sharing

14. Procedural Audit Implementation Status

- Sheriff Department
- Drain Commission
- Register of Deeds

## Personnel

**Health Insurance Stop Loss Coverage** – an increase of 15-16% is anticipated. To mitigate this, changing the stop-loss premium to \$25,000 was recommended. BC/BS is preparing historical data to assist with this decision.

**Paperless Agenda and Minutes** – previously, were printing 20 now down to 8. Full board and committee agendas can be viewed on the county webpage. Phase II could involve computers and eliminating mailing agendas.

**Sheriff Department Hirings** – the sheriff is requesting approval of a lateral move and promotion (see consent agenda resolution)

**Clerk Secretary I Hiring** – (see consent agenda resolution)

**Thumb Works Summer Youth Employment Program** – distribute info to department heads

**Expanded Township Official Email List** – to be updated as new emails identified

### Secondary/On-Going Personnel Items

1. Circuit Court Personnel Policies
2. Probate Court Request to Extend Temporary Employee
3. Incorporate County Personnel Policies and Other key Personnel Information on the County Web Site
4. Next Department Head Meeting – **June 25, 2009** – 10:30 A.M.
5. Employee Recognition – a Lapeer Co commissioner is furnishing info about
6. Open Meetings Act Discussion for Boards and Commissions – Corporate Council and County Prosecutor
7. Employee Life Insurance Requested Change – 10 needed in order to move forward
8. Mosquito Abatement Committee – drafting formal policies; also an operations plan. Suggested the committee meet to review
9. Electronic Time Recording System
10. Farmland Preservation Committee – USDA has funds available for easement programs for working lands
11. Workers Compensation Potential Cost Saving Analysis – no potential (because we are self-funded)
12. Update Regarding NACO Caremark Prescription Program – list of 20 locations targeted to distribute info including employee paychecks.

## Building and Grounds

**Discussion of a Potential Land Bank in Tuscola County** – still in a learning mode. Pat Donovan-Gray is attending a land bank 101 conference next week in Traverse City.

- **Gardner Street Building Owned by County** – the auction sale is scheduled for August 6.

**Multi-Year Building and Grounds Maintenance Plan (See G)**

**District Court Carpeting Bids** – Warju’s, \$3532.47; Schneeberger’s, \$4600; Northeastern Paint, \$3113.12; Valley Carpet b.c., \$3199; Happy Feet, \$4098.70; Pinnacle Design, \$3815.52 (see consent agenda resolution for northeastern paint & supply)

**Information Systems Air Conditioner Bids** – 4 bidders; Burkhard plmg & htg, \$3540; Answer plmg & htg, \$4175; E & S Sheet Mill, \$2984; Newton John, \$4362 (see consent agenda resolution pending research on E & S)

**Treasurer’s Office Remodeling** – awaiting a bid from SPACE. Holes in the carpeting need to be dealt with. She is recommending utilizing foreclosure fund to cover part of the cost of improvements.

**Seal-coating bid** – at the animal shelter; 4 bidders: Complete Asphalt Mayville, \$675; Black Jack, \$700; American Sealcoating, \$970; Chippewa, \$1545 (see consent agenda resolution for Complete Asphalt)

Human Services employee lot Chippewa, \$2710; Complete, \$2950; Black Jack, \$1,790; American, \$2172.50. (see consent agenda resolution pending research on Black Jack)

**Secondary/On-Going Building and Grounds Items**

1. Emergency Services Plan for County Operations
2. Energy Efficiency and Grant Update
3. Treasurer Office Remodeling
4. Remodeling of Computer Operations Room
5. Courthouse and Jail Security Equipment
6. Recycling Storage Building
7. DHS Remodeling
8. Adult Probation

**Correspondence/Other Business as Necessary**

1. 2009 Work Program Update
2. Economic Development
  - County EDC Strategic Planning and CAT Integration – Next Steps
  - EDC and Enterprise Facilitation Strategic Planning 2<sup>nd</sup> Meeting
  - Enterprise Facilitation Update – 501c3 Status
  - Revolving Loan Fund
  - Economic Gardening
  - RBEG 3<sup>rd</sup> Year Application
  - Coastal Zone Management Grant
  - ECMPDR Wind Energy Grant

Meeting adjourned at 10:04 a.m.

**Statutory Finance Committee Minutes  
Thursday, May 14, 2009  
Annex Board Room  
207 E. Grant St., Caro, MI**

Called to order: 10:05 a.m.

Commissioners present: Roggenbuck, Kern, Petzold, Peterson

Also present: Michael Hoagland, Margie White-Cormier

Claims and per diems were reviewed and approved

Public Comment - none

Meeting adjourned at 10:08 a.m.

Margie White-Cormier  
County Clerk

# MICHIGAN DEPARTMENT OF CORRECTIONS

*"Expecting Excellence Every Day"*

## MEMORANDUM

Attn:  
Mike Hogeland  
F.I.

**DATE:** May 18, 2009  
**TO:** County Jail Reimbursement Coordinators  
**FROM:** Cheryl Konopaska, County Jail Reimbursement Coordinator  
**SUBJECT:** RE: FY 2009 Appropriation for the County Jail Reimbursement Program

Based on recent projections, it is anticipated that reimbursement requests submitted by the counties could reach \$15,336,000. Per Public Act 245 of 2008, Part 1, Line-Item Appropriations, Section 103, Planning and Community Support, County Jail Reimbursement Program, the funds appropriated for this program is \$12,272,100. Per MCL 257.629e, the jail reimbursement assessment levied by a court shall be used to reimburse counties for housing and custody of convicted felons. We are projecting a revenue shortfall from the civil infraction fees to be estimated at \$1,400,000 less than the appropriation. Secondly, an additional shortage of \$3,064,000 for actual reimbursement requests submitted by the counties. All total then, we currently estimate a \$4,464,000 shortfall.

According to Section 414, paragraph 6: "County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursement are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation."

It is important to realize that the revenue controls the "amount appropriated" and, in this case, that is \$1,400,000 short of the line item.

Per the FY 2008/2009 CJRP Instruction Manual, Section IV, paragraph B, "All forms for Fiscal Year 2009 must be received on or before October 20, 2009." As of June 1, 2009, all billings received by the Office of Community Corrections, will be reviewed and processed for payment in the order of which they are received, as the funding will be exhausted before the deadline date. All offender reimbursement requests that do not meet documentation requirements in OMNI, will be removed from the beginning month, and all subsequent months to be processed.

The county will be faxed a copy of the adjusted billing when the request goes to the MDOC Finance Division for payment. When the funds are exhausted, all counties will be notified in writing of reimbursement requests that will not be processed for reimbursement. If you have any further inquiries, you can contact me at (517) 241-8324, or by email at [konopaca@michigan.gov](mailto:konopaca@michigan.gov).

cc: County Sheriffs and County Jail Administrators  
 Director Caruso  
 Deputy Director Schrantz  
 Administrator Barry Wickman, BFM  
 Administrator Brzozowski, OCC



**FOR IMMEDIATE RELEASE**  
**May 15, 2009**

**CONTACT: MIKE KRECEK**  
**(989) 837-6574**

**EO CUTS DEVASTATE LOCAL PUBLIC HEALTH DEPARTMENT BUDGETS**  
*Fiscal Forecast Puts Critical Health Services in Jeopardy*

LANSING, MI – At a time when Michigan’s local public health departments are struggling to meet an unprecedented demand for services, the Governor and Legislature significantly cut local public health funding putting all Michigan citizens at risk, especially our most vulnerable. This mid-year cut, in conjunction with a historical pattern of underfunding, severely jeopardizes the ability of local public health departments to effectively deliver state-mandated services warned local public health officials from the Michigan Association for Local Public Health (MALPH). Today’s revenue estimating conference did nothing to debunk concerns that public health will be asked to sustain further cuts, making it nearly impossible to deliver critical public health services at the local level.

“Public health is in crisis,” said Mike Krecek, Director and Health Officer of the Midland County Health Department and President of MALPH. “While we understand the state is grappling with how to respond to an ever-increasing budget deficit, any cuts to local public health departments will only further exacerbate the chronic problem of access to care at a time when Michigan residents need it most.”

Local public health departments are the state’s front line of defense against communicable disease, food borne illness, and the threat of pandemics like the recent H1N1 (swine) flu. “We stand ready to act, but state resources necessary to provide these critical services is lacking and severely inhibits our ability to appropriately prepare for and respond to these serious public health concerns,” said Krecek. “These cuts put Michigan citizens at increased risk of contracting preventable diseases, some of which are life-threatening.”

“We call on our elected leaders to resist making any additional cuts to the FY 2008-09 community health Budget, especially cuts that affect public health programs. Furthermore, we implore the Legislature not to annualize these mid-year cuts in the FY 2009-10 Budget,” said Cathy Raevsky, Director of the Kent County Health Department. “The Governor and Legislature simply cannot impose further untenable cuts on our local public health departments and expect the public’s health not to suffer.”

“The full financial extent of these cuts is not yet known. However, some critical programs have been eliminated such as the Michigan Care Improvement Registry (MCIR), others including some state-mandated services will have to be assessed against our ability to deliver them effectively,” said Linda Vail Buzas of the Kalamazoo County’s Health and Community Services Department. “We have stretched our pennies as far as they can go,” concluded Buzas.

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**Tuscola County Health Department**  
**Board of Commissioners Monthly Report for May 2009**  
Prepared by: Gretchen Tenbusch, RN, MSA, Health Officer  
Visit our website at [www.tchd.us](http://www.tchd.us)

**Outcomes for the Month:**

- We implemented components of our Pandemic flu plan in response to the H1N1 flu. We will be critiquing how it worked and will amend our plan as needed. There are presently no probable or confirmed cases of H1N1 flu in our county.
- We received shipments of Relenza and Tamiflu (antivirals) via the Michigan Department of Community Health. These drugs are from Michigan's share of the Strategic National Stockpile. These drugs were shipped to us so that we may have them on hand to treat individuals with H1N1 in accordance with CDC guidelines.
- Jerry White, Sanitarian, worked the Spring Household Hazardous Waste Clean-up in April.

**Issues under consideration by the Local Health Department:**

- Meetings have been held regarding the sharing of Dr. Bush as Medical Director as an independent contractor agreement between Huron, Sanilac, Tuscola, Lapeer and Bay. We have a draft contract that is getting legal review in all 5 counties. We must have a resolution to the issue before our contract with Genesys runs out on June 30, 2009.
- The Health Department is preparing for Accreditation the week of July 20, 2009, however, it may be delayed due to impending budget cuts.
- Public Health has received numerous funding cuts. We are awaiting dollar amounts from Michigan Dept. of Community Health and Children's Trust Fund. Once the total funding amounts are known, we will revise our budgets. We will have to have our final budgets to the Michigan Department of Community Health by June 15, 2009.

**Issues to be brought to Board of Commissioners:**

- None

# Tuscola County Recycling Advisory Committee

#7

Tod Fackler  
Chairperson  
989-823-7831  
[TodFackler@sbcglobal.net](mailto:TodFackler@sbcglobal.net)

Sharon Mika  
Vice Chairman  
989-673-6956  
[mantooth@centurytel.net](mailto:mantooth@centurytel.net)

Kate Neese  
Recycling Coordinator  
989-672-1673  
[recycle@tuscolacounty.org](mailto:recycle@tuscolacounty.org)

## April 2, 2009 Meeting Minutes

MEMBERS PRESENT: Sharon Mika, Patricia Frazer, Tod Fackler, Jane Ryba, Jim McMinn and Norma Wallace

MEMBERS EXCUSED: Don Duggar

OTHERS PRESENT: Commissioner Roy Petzold, Kate Neese; Tuscola County Recycling Coordinator, Mikayla Wallace, Allison Wallace

Tod Fackler called the meeting to order at 4:35pm and Kate Neese took roll.

The minutes from the March 5, 2009 meeting were reviewed. Ms. Mika moved to accept the minutes as written and Ms. Ryba seconded the motion. The motion carried.

No Public Comment at this time.

Ms. Neese reminded the Committee that the Household Hazardous Waste collection is taking place on Saturday April 4<sup>th</sup> and she thanked Mr. McMinn and Ms. Frazer for volunteering their time. Ms. Neese stated that the Board of Commissioners have awarded the Clean Sweep building's concrete slab job to Randy Terbush and this will be up for final approval at the next BOC meeting held on April 14<sup>th</sup>. Discussion was held. Ms. Neese stated she and the Building and Grounds Director, Mike Miller, are both tossing around ideas on how to improve the storage situation at the center. Discussion was held.

Ms. Neese presented a proposed letter to Judge Joslyn requesting the P.A. 511 Crew back to the BOC on March 26<sup>th</sup>. The Commissioners recommended a meeting with the Judge and Commissioner Kern stated he would set that up for Ms. Neese and include Sheriff Teschendorf. Ms. Neese will keep the Committee posted on her progress. Discussion was held.

New Business was discussed at this time. Ms. Neese asked the Committee for their opinion on whether or not she should keep the original recycling truck. It has an estimated value of \$2,750.00. Discussion was held and the Committee agreed Ms. Neese should make this decision. The Budget History, sale of materials report & division figures for 2009 were handed out at the meeting and reviewed. Discussion was held in regards to current recycling markets. Ms. Neese stated that the center has shipped 82 pallets worth of electronics already this year and that half of the ewaste budget has already been used while they are waiting for two more bills. Discussion was held.

The Budget Status Report for March has not been completed at this time and will be handed out at the June 4<sup>th</sup> meeting.

Mr. Fackler adjourned the meeting at 5:15pm. The next meeting is June 4, 2009 at 4:30pm and will be held in the Board of Commissioner's room at the Annex Building. All meetings are open to the public.

April 30, 2009

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, April 30, 2009 at 8:00 A. M.

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

Motion by Parsell seconded by Zwerk that the minutes of the April 16, 2009 regular meeting of the Board be approved. Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$96,920.26 and bills in the amount of \$351,933.73 covered by voucher #09-12 were presented and audited.

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

Brief Public Comment Segment:

None.

Management and the Board further discussed a proposed policy for returning a hard surface road back to gravel. After further review and discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk to adopt the policy for Returning a Local Hard Surface Road Back to Gravel, as presented by Management. Zwerk, Parsell, Laurie --- Carried.

#### **PUBLIC HEARING**

At 8:30 A.M. a public hearing was held for the proposed improvements to Irish Road from Willard Road to Birch Run Road in Sections 29, 30, 31, and 32 of Millington Township. County Highway Engineer Zawerucha presented the plans for the project and reported that this project is part of the American Recovery and Reinvestment Act (ARRA) of 2009. Members of the public were given the opportunity to speak at the hearing, of which a complete transcript of the hearing is available at the Road Commission Office. After hearing no comments from the public, the following motion was introduced:

Motion by Parsell seconded by Zwerk to close the public hearing and proceed with the proposed improvements to Irish Road from Willard Road to Birch Run Road in Sections 29, 30, 31, and 32 of Millington Township, all in accordance with the ARRA of 2009. Zwerk, Parsell, Laurie --- Carried.

Management and the Board reviewed a proposed agenda for the upcoming Township Supervisors and Commissioners meetings.

Motion by Parsell seconded by Zwerk that addendum items #65 and #66 for Ellington Township of the 2009 bituminous resurfacing bids be awarded to the low bidder, Albrecht Sand & Gravel Company. Zwerk, Parsell, Laurie --- Carried.

County Highway Engineer Zawerucha reported to the Board an issue regarding Vassar Road and work conducted by Tietz Contracting on the Southgate Drain Project.

Commissioner Parsell reported to the Board his recent attendance at the 2009 C.R.A.M. Commissioners Conference.

Motion by Zwerk seconded by Parsell that the Board go into closed session at 9:25 A.M. for the purpose of discussing union negotiations. Zwerk, Parsell, Laurie --- Carried.

At 10:20 A.M. the Board returned to open session.

Motion by Parsell seconded by Zwerk that the meeting be adjourned at 10:25 A.M. Zwerk, Parsell, Laurie --- Carried.

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Chairman

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Secretary-Clerk of the Board

**BAY COUNTY DEPARTMENT OF ENVIRONMENTAL AFFAIRS & COMMUNITY DEVELOPMENT**

515 Center Avenue, Suite 501  
Bay City, Michigan 48708

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**LAURA OGAR, DIRECTOR**

[ogarl@baycounty.net](mailto:ogarl@baycounty.net)  
Animal Control  
Geographic Information Systems  
Gypsy Moth Suppression Program  
Housing Rehabilitation  
Mosquito Control  
Transportation Planning

**TOM HICKNER**  
County Executive

May 11, 2009

Dear Neighbor Along Saginaw Bay:

This meeting notice is going out to community leaders at Chambers of Commerce, Townships and Counties along Saginaw Bay. As you may know, there are common problems we all share as Saginaw Bay shoreline communities that affect our waterfront environment, tourism and other local economic issues. There are water quality issues affecting our beaches, low water levels affecting boating access, the tall *Phragmites* weeds invading our shoreline – these are issues we all face and many people have been working hard through the Saginaw Bay Coastal Initiative (SBCI) Workgroups to come up with solutions.

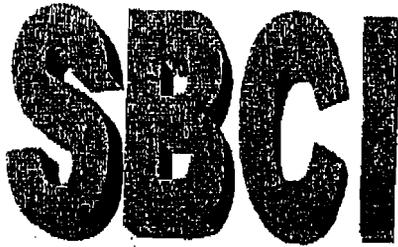
Please mark your calendar and plan to attend the next Saginaw Bay Coastal Initiative (SBCI) meeting scheduled for June 5th (Friday) at the Bay County Community Center in Bay City, 800 J. F. Kennedy Drive, along the west shore of the Saginaw River, map attached.

A number of SBCI workgroups will be providing status reports and findings for work done this past year and information will be presented on other issues and/or activities affecting Saginaw Bay. An agenda showing the different sessions scheduled throughout the day is attached to this notice. Also, you will note on the agenda that there is some time dedicated in the afternoon for local input by a community representative from the different counties to provide information or an update on any other Saginaw Bay related issue or project. The SBCI and its workgroups are only as effective as we – the coastal representatives – make them, so please plan to come. To ensure adequate time allocation purposes, if you plan to speak on a local issue, please email me ([ogarl@baycounty.net](mailto:ogarl@baycounty.net)) and let me know, thanks.

Lastly, for cost saving purposes, we have been using email to get these notices out but have run into some problems with blocked addresses. If you have email and would like to receive SBCI information please email me at [ogarl@baycounty.net](mailto:ogarl@baycounty.net) and I'll do my best to make sure you get whatever info comes along. Feel free to share the meeting notice with anyone who may be interested in the quality of life along our Saginaw Bay coastal communities, thank you.

Laura Ogar, Bay County Director  
Environmental Affairs and Community Development  
515 Center Avenue, Suite 5  
Bay City, Michigan 48708  
989-895-4135 phone  
989-895-4068 fax

cc: Tom Hickner, County Executive



## Saginaw Bay Coastal Initiative

*Partners for Environmental & Economic Solutions*

### REGIONAL UPDATE MEETING

**Friday, June 5, 2009**

**at**

**Bay County Community Center**

**800 J.F. Kennedy Drive**

**Bay City, Michigan**

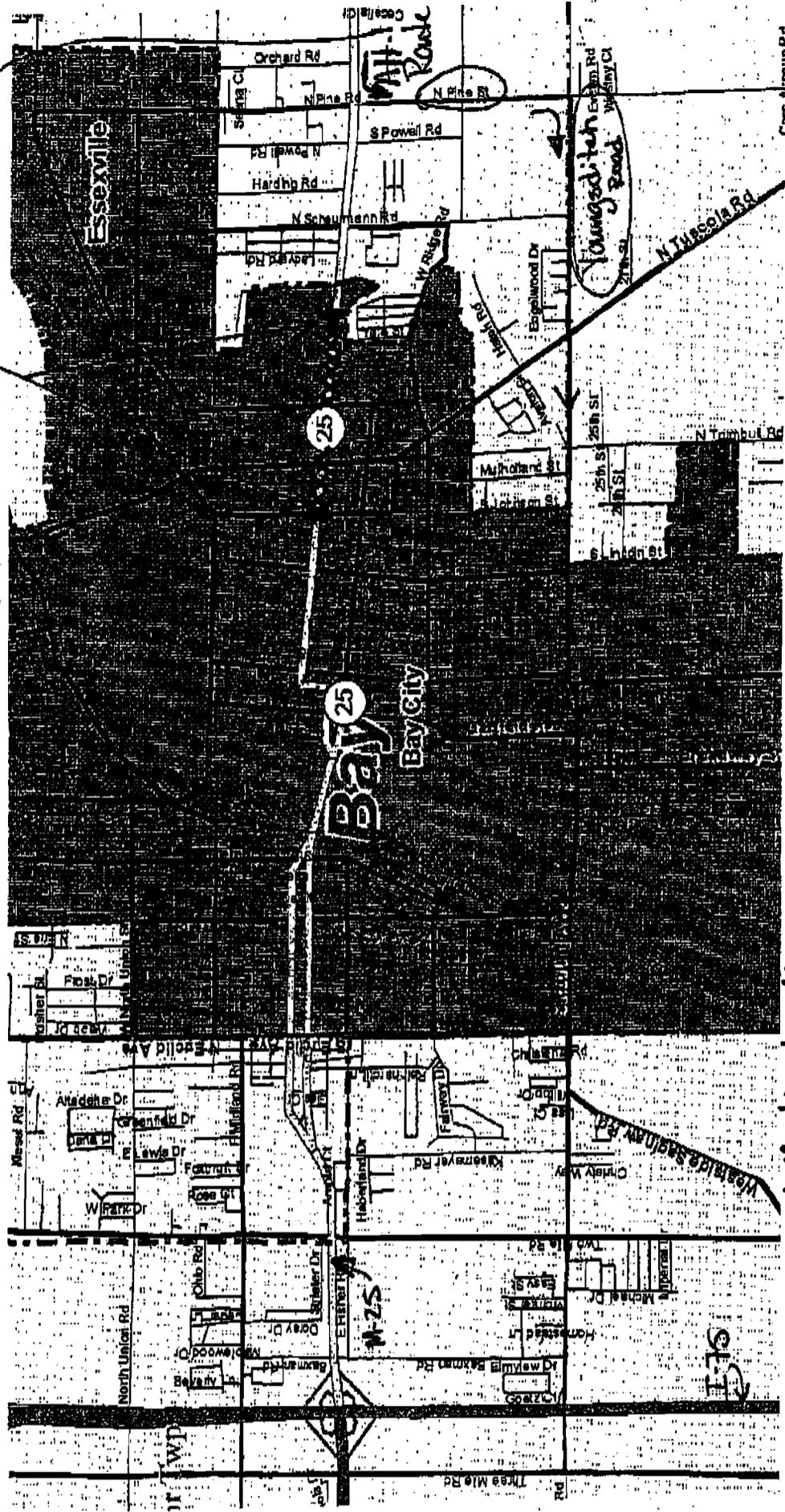
### Proposed Agenda

Coordinating  
with the  
Counties of:  
Arenac  
Bay  
Huron  
Midland  
Saginaw  
Tuscola

Partners with  
the Michigan  
Department of  
Environmental  
Quality and  
the  
Department  
of Agriculture

- |                 |   |
|-----------------|---|
| 8:30 a.m.       | Welcome – Tom Hickner Bay County Executive<br>Steve Chester, Director MDEQ  |
| 8:40 a.m.       | Meeting Format – Laura Ogar and Jim Bredin  |
| 8:45 a.m.       | Workgroup Updates -<br>Tourism – MI Great Bay<br>Phragmites Demonstration Project<br>High Quality Wetlands Identification<br>Access – Small Harbors Coalition |
| 10:00 a.m.      | Break   |
| 10:15 a.m.      | Phosphorus Workgroup Recommendations<br>Commissioners Kim Coonan & Ernie Krygler  |
| 11:00 a.m.      | Introduction to CSO Workgroup   |
| 11:30–1:00 p.m. | <b>BREAK FOR LUNCH</b>  |
| 1:00 p.m.       | Coastal Happenings<br>Arenac County<br>Bay County<br>Huron County<br>Midland County<br>Saginaw County<br>Tuscola County                                       |
| 2:00 p.m.       | Update on Saginaw Bay Remedial Action Plan - MDEQ   |
| 2:30 p.m.       | Wrap Up – Comments, Suggestions, Questions  |

! Please Note: M-25 (Center Ave) is closed between Livingston & Johnson St. If coming from the East, please use alternate route shown.



- SBC-1 Meeting Location:
- ★ Bay Candy Community Center, 800 J.F. Kennedy Drive (J.F.K. Drive is accessed off Henry Street, east to Saginaw River)

HUMAN DEVELOPMENT COMMISSION  
Board of Directors Meeting  
May 15, 2009  
9:30 a.m.

#10

PRESENT: Della Hammond, Leo Dorr, Jerry Peterson, Bob Sugden, John Merriman, Carl Holmes, Bob Wood, Jamie Daws, Norton Schramm, Grace Temple, George Loomis, Elmer Bussema, Al Long, Beth Hunter, Bill Butler, Gary Roy, Linda Jarvis, Tom Kern

ABSENT: Judge Kim Glaspie (excused), Ron Wruble (excused), Chris Taylor (excused), Steve Vaughn

STAFF: Mary Ann Vandemark, Lori Offenbecher, Tim Hardesty, Brian Neuville, Becky Hassler, Lori Ertman

Chairperson Hammond convened the meeting at 9:35 a.m. Roll was called and a quorum established. The Pledge of Allegiance and introduction of staff followed.

Motion by John Merriman, seconded by Norton Schramm, to accept the April 15, 2009 Board of Director minutes as mailed. Motion carried.

TIME FOR PUBLIC - There were no comments from the public.

CHAIRPERSON'S REPORT

The Board Pass-Around Folder was distributed and contained; 1) resignation from Nichole Ontiveros, 2) donation of \$50 from Neil McCabe, Director of WSOS CAA in Ohio, 3) note from Representative Jeff Mayes regarding the MCAAA Legislative Conference, 4) notice from A&D Home Health Care that funding for the Caregiver Respite Program will be reduced based on the Governor's Executive Order, 5) notification that Mary Trucks, Executive Director of FiveCAP, was the recipient of the Terrance Duvernay Award, 6) Spotlight on Poverty publication, 7) unemployment statics projecting the number of people who will lose their benefits in the upcoming months, and 8) notice regarding Congresswoman Miller and the Blue Water Bridge Plaza Project.

Motion by Leo Dorr, seconded by Bob Sugden, to accept resignation of Nichole Ontiveros, Huron County consumer sector Board member, with regret. Motion carried.

Chairperson Hammond advised that the MCAAA Summer Conference would be held at Shanty Creek in Bellaire, July 27-30 and asked that any Board member wishing to attend should let staff know by the June Board meeting.

She also reviewed the Annual Luncheon Program Agenda which included Don Mathis, President/CEO of the Community Action Partnership, as keynote speaker, and a special presentation by Keith Molin, Director of MSHDA.

Motion by Bob Wood, seconded by Beth Hunter, to accept the Chairperson's report as presented. Motion carried.

FINANCE REPORT

Mr. Neuville presented the April, 2009 Finance Report which reflected monthly expenses in the amount of \$882,688 and a total budget of \$15 million.

Motion by John Merriman, seconded by Bill Butler, to accept the Finance Report as presented. Motion carried.

#### COMMUNITY SERVICES ADVISORY COUNCIL

Mr. Sugden highlighted the May 13 Council minutes which included various service updates and an introduction of the newly hired Advocacy staff.

Motion by Jerry Peterson, seconded by Beth Hunter, to accept the Community Services Advisory Council minutes as presented. Motion carried.

#### SENIOR SERVICES ADVISORY COUNCIL

Ms. Offenbecher presented the April 22 minutes noting that Senior Fairs would be held in June in Huron, Sanilac and Tuscola Counties. Election of offices also took place at the meeting at which time Leonard Klisz was re-elected as Chairperson.

Motion by Bob Sugden, seconded by Linda Jarvis, to accept the Senior Services Advisory Council minutes as presented. Motion carried.

#### FOSTER GRANDPARENT PROGRAM ADVISORY COUNCIL

Mr. Schramm highlighted the April 28 Council minutes at which time discussion centered on increasing meal and travel costs and the FGP Banquet which was held April 30.

Motion by John Merriman, seconded by Beth Hunter, to accept the Foster Grandparent Program Advisory Council minutes as presented. Motion carried.

#### EARLY HEAD START POLICY COUNCIL

Ms. Temple advised that the Council had met on April 14 and noted that the program had an enrollment of 67 with 83 on a waiting list.

Motion by Norton Schramm, seconded by George Loomis, to accept the Early Head Start Policy Council minutes as presented. Motion carried.

#### CARO TRANSIT AUTHORITY

Ms. Vandemark advised that the Authority had met on April 29 at which time discussion was held regarding the new busses that had been ordered; two replacements, one for the New Freedom service in Vassar, and the fourth for expansion.

The subcommittee that will pursue expansion efforts will meet the later part of May to research how funds can be obtained for operating an expanded service throughout Tuscola County. It was also noted that the Thumbody Express passenger count had greatly increased over the previous month due to better weather and less school closures.

Motion by Bob Sugden, seconded by Elmer Bussema, to receive the Caro Transit Authority report as presented. Motion carried.

## AGENCY REPORTS

### Executive Director Report

Ms. Vandemark advised that the Davis-Bacon Act would not apply to the agency's regular DOE Weatherization Program. CAAs were initially advised that the Act would affect the ARRA Weatherization dollars, however, CAPLAW and Howard Gesbeck, auditor and trainer at Wipfli, have both stated that agency employees are exempt, however, private contractors do fall under the Act. She also noted that the agency was in receipt of the DOE ARRA contract, however, funds cannot be expended on production until the state's plan is approved by DOE. Mr. Neuville elaborated on the issue as he had participated in a webinar relating to the Davis-Bacon act.

In response to concern that the agency is not hiring private contractors to complete the majority of work under its Weatherization Program, Ms. Vandemark advised that she had reviewed past records and found that the agency paid private contractors approximately \$1 million last year for work on all of housing-related programs.

Members were apprised that Michigan CAA's TANF allocation of \$2.35 million would be reduced to \$1.2 million based on the Governor's Executive Order. They also reviewed a summary of Federal Stimulus money which had been appropriated by Michigan's legislature.

Ms. Vandemark advised that MCAAA held their Legislative Conference last month and agency staff and Board member, Grace Temple, visited the four-county legislators, as well as other lawmakers interested in CAA priorities. Board members were provided with information given to legislators that day, in addition to the national structure of CAAs.

It was also noted that, during the MCAAA Conference, Mary Ann Vandemark and Barb Young were presented with an award for efforts relating to the Poverty Summit and continuing efforts in that area.

Mr. Peterson, Chairman of the Planning/Evaluation Committee, presented proposals which the agency wished to submit for funding.

Motion by Jerry Peterson, seconded by Norton Schramm, to submit a proposal to the Michigan Department of Human Services for additional Fiscal Year 2009 Community Services Block Grant funds. Motion carried.

Motion by Jerry Peterson, seconded by Beth Hunter, to submit a proposal to the Michigan Office of Services to the Aging for continuation of the Foster Grandparent Program. Motion carried.

Motion by Jerry Peterson, seconded by Bill Butler, to submit a proposal to the Michigan Office of Services to the Aging for continuation of the Retired Senior and Volunteer Program. Motion carried.

Mr. Peterson advised that the agency would continue to serve as administrative agent for the Emergency Food and Shelter Program, which is allocating a second round of funds through the American Recovery and Reinvestment Act (ARRA). County-specific allocations are; Huron - \$16,876; Sanilac - \$27,300; Tuscola - \$32,460.

Also, the U.S. Department of Housing and Urban Development provided a continuation grant for the provision of transitional housing and support services for homeless persons with disabilities in Huron, Lapeer, Sanilac, and Tuscola Counties.

Motion by Leo Dorr, seconded by Linda Jarvis, to accept the Planning/Evaluation report as presented. Motion carried.

Ms. Vandemark reported that on July 14, at the Knights of Columbus Hall in Caro, the agency would have Dr. Donna Beegle provide a full day training on poverty for selected staff, Board, Advisory Councils, and other human service providers.

Members reviewed a thank you letter from Denese Tobie, agency auditor, and an evaluation summary of the Board training she provided in March.

Ms. Vandemark advised that, last month, she and Gary Parsell, HDC Property Manger, met with the Bad Axe Planning Commission and received their approval to construct the Generations Building. They were very supportive of the project and approval to construct the facility was received.

Our Region VII Area Agency on Aging assessment was held last month and the results will be share with Planning/Evaluation and the full Board.

Ms Vandemark thanked Norton Schramm for attending the April FGP Banquet.

Motion by John Merriman, seconded by George Loomis, to accept the report as presented. Motion carried.

#### Community Services Director/Deputy Director Report

Ms. Offenbecher advised that, as the agency has a waiting list for the Early Head Program, staff submit an ARRA EHS proposal to serve an additional 200 slots.

In relation to the Foster Grandparent Program and the Retired Senior Volunteer Program, Ms. Offenbecher reported that a 4-6% cut may be realized based on the Governor's Executive Order. She also highlighted events of the Domestic Violence Candlelight vigil held by the agency at Caro's Atwood Park.

It was also noted that the Department of Human Services will stop all emergency service payments as of June 1, hence, the agency is expecting a greater need for services.

Motion by Grace Temple, seconded by Beth Hunter, to accept the report as presented. Motion carried.

#### Community Development Director/Deputy Director Report

Mr. Hardesty provided updated information on the National Rural Network which the agency played in instrumental part in developing. This Network will be very beneficial to the Thumb area and Michigan, as a whole.

In relation to South Saginaw Homes, he advised that 30 people are on the waiting list for the rent to own homes and the agency, in conjunction with their partner Miller Valentine, submitted an application for a second round of funding to construct an additional 42 homes.

He also noted that the agency is continuing to work with Eastside Manor and Sunrise Village in Sandusky and are also looking at repossessed properties as ARRA funds may be available for their purchase.

Mr. Hardesty reported that, based on the unresolved issues between HUD and MSHDA, and the agency's increasing risk, the Croswell Development Project had been postponed and MSHDA has agreed to remove the agency's incurred risk. In addition, a meeting had been held with the Croswell Senior Citizen Housing Corporation Board and, ultimately, they will release the Croswell Country Manor property to HUD. In the future, the agency will reassess the situation for further potential.

It was also noted that the Housing & Community Development Fund, which had a balance of \$2.3 million, had been cut by the Governor's Executive Order, the current funds would not be available for projects.

Motion by George Loomis, seconded by Beth Hunter, to accept the report as presented.  
Motion carried.

#### OTHER

Chairperson Hammond advised that the Huron County Commissioners would like to enter into a partnership as it relates to the construction of the agency's Senior Services Building in Bad Axe. Staff will be meeting with the Commissioners to discuss this issue further, however, it is imperative that the project be completed by October 1 as the facility currently rented by the agency will not be available after that time.

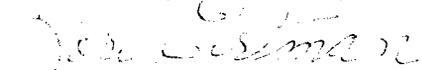
Ms. Vandemark and Mr. Neuville provided the Board with additional information relating to the issue, including the sequence of events which led to Commissioner Ron Wruble's offer to have the County construct the Senior Services Building for the agency. It was also noted that Ms. Vandemark had met with the Board Chair and Vice-Chair earlier in the week regarding this matter.

Members discussed the pros and cons of the issue. Mr. Long stated that he would like HDC to continue with its plan to construct the building as the property had already been purchased and he had the utmost confidence in the agency's ability to be successful with the project.

Motion by Grace Temple, seconded by Beth Hunter, that the agency proceed with its plans for the construction of a Senior Services facility on Cook Drive in Bad Axe while simultaneously investigating a partnership with the Huron County Board of Commissioners. Motion carried.

Meeting adjourned at 11:36 a.m.

Respectfully submitted,



Lori Ertman  
Executive Director's Assistant

RESOLUTION APPROVING PROJECT FOR IMPROVEMENTS TO THE  
AKRON MAIN STREET TILE DRAIN UNDER ACT 185

At a regular meeting of the Board of Commissioners of the County of Tuscola held in the  
Village of Caro, Michigan, on May 26, 2009.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and seconded by  
\_\_\_\_\_:

WHEREAS, proceedings have been taken by the Tuscola County Drain Commissioner,  
acting on behalf of the Akron Main Street Tile Drain Drainage District (the "Drainage District"),  
for constructing improvements to the Akron Main Street Tile Drain (the "Project") under the  
provisions of Chapter 8 of the Drain Code of 1956, as amended (the "Drain Code"), pursuant to a  
petition filed with the Drain Commissioner; and

WHEREAS, if the Project were to be financed under the Drain Code, the Drain  
Commissioner would assess the cost of the Project to benefiting property owners in the Village

of Akron (the "Village") and the Township of Akron (the "Township") in the Drainage District, and to the Village, the Township and the County of Tuscola (the "County") at large; and

WHEREAS, the Drain Commissioner has determined that in order to provide the most cost effective financing to the property owners and public corporations in the Drainage District, the financing must be spread over a term of at least thirty years through a loan from Rural Development of the United States Department of Agriculture; and

WHEREAS, the maximum term for financing the Project under the Drain Code is twenty years, and the Drain Commissioner has been advised by bond counsel that the Project may be financed for a term of at least 30 years under the provisions of Act 185, Public Acts of Michigan, 1957, as amended ("Act 185"); and

WHEREAS, the County has established a Department of Public Works under Act 185, under the general control of the Board of Commissioners and under the immediate control of the Board of Public Works, with authority to acquire, construct and finance sewage disposal system improvements, including storm sewer improvements such as the Project, for public corporations within the County; and

WHEREAS, the Drain Commissioner, on behalf of the Drainage District, is willing to contract with the County, the Village and the Township under Section 431 of the Drain Code to enable the County to finance the Project under Act 185; and

WHEREAS, the Village Council of the Village, by resolution adopted on May 20, 2009, and the Township Board of the Township, by resolution adopted on February 2, 2009, have each requested the County to assist the Village and the Township under Act 185 in financing the acquisition and construction of the Project; and

WHEREAS, the establishment of a County project as requested in the foregoing resolutions will protect the public health and welfare of the citizens of the Village and the Township to be served by the Project; and

WHEREAS, in order to finance the costs of the Project, the County expects to issue its bonds (the "Bonds") in an amount not to exceed \$400,000 in anticipation of payments to be

made by the County, the Village and the Township pursuant to a contract among the County, the Village, the Township and the Drainage District, which Bonds shall be a full faith and credit limited tax general obligation of the County; and

WHEREAS, it is anticipated that the County, the Village, the Township or the Drainage District will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advances to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of the proceeds of tax-exempt obligations, and the County intends by this resolution to qualify amounts advanced by the County, the Village, the Township or the Drainage District to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA, as follows:

1. The Board of Commissioners of the County of Tuscola hereby authorizes and directs the Board of Public Works to undertake the Project under Act 185 as requested by the Village and the Township.

2. There is hereby established under Act 185 a sewage disposal system, which under Act 185 includes storm sewer facilities, that shall be known and designated as the "Akron Main Street Tile Drain." The Project shall be known and designated as the "Akron Main Street Tile Drain 2009 Improvements."

3. The Board of Public Works is hereby directed to obtain and to submit to this Board, for approval, plans and specifications and estimates of cost for the Project requested by the Village and the Township in their respective resolutions addressed to the County, and to negotiate and to submit to this Board, for approval, a contract among the County, the Village, the Township and the Drainage District in respect to the acquisition, construction and financing of the Project. The contract shall provide for the apportionment of the costs of the Project among

the County, the Village and the Township and benefiting property owners in the Village and the Township in the Drainage District in the same manner as the Drain Commissioner had intended if the Project were to be financed under the Drain Code. The Board of Public Works and/or the Drain Commissioner is authorized to act on behalf of the County in applying for any state and/or federal grants and/or loans that may be available with respect to the Project

4. The Project shall be as described in the preamble hereto and the maximum principal amount of Bonds expected to be issued for the Project is \$400,000.

5. The County hereby declares its official intent to issue the Bonds to finance all or a part of the costs of the Project, and hereby declares that it reasonably expects to reimburse the County's, the Village's, the Township's or the Drainage District's advances to the Project as anticipated by this resolution.

6. The issuance and sale of the Bonds shall be authorized by a subsequent resolution to be adopted by the Board of Commissioners of the County.

7. All resolutions and parts of resolutions insofar as the same may be in conflict herewith are hereby rescinded.

ADOPTED: Yeas: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nays: \_\_\_\_\_  
\_\_\_\_\_

STATE OF MICHIGAN            )  
  ) SS  
COUNTY OF TUSCOLA    )

I, the undersigned, the duly qualified and acting County Clerk of the County of Tuscola, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by a majority of the members elect of the Board of Commissioners of the County at a regular meeting of the Board of Commissioners held on May 26, 2009, the original of which is on file in my office.

I further certify that notice of the meeting was given in accordance with the Open Meetings Act.

\_\_\_\_\_  
County Clerk

Sec. 430. (1) Whenever any county or intercounty drain is used for the transportation of sanitary sewage, the county or counties within whose boundaries the drainage district lies may contract under the provisions of Act No. 129 of the Public Acts of 1943, as amended, being sections 123.231 to 123.235 of the Compiled Laws of 1948, or any other applicable act, for the disposal of sewage therefrom, including any storm water necessarily mixed therewith. In such case the drain commissioner or the drainage board may fix and collect charges to cover the cost of the treatment and disposal of sanitary sewage. Such charges shall be approved by the majority vote of the members-elect of the board of supervisors. The charges may be made to each user of the services or may be made to public corporations. Contracts for periods not exceeding 50 years may be made between the county and public corporations to be so served, in respect to sewage disposal services, when approved by the governing bodies of the several parties thereto.

(2) Charges for sewage disposal services furnished to any premises shall be a lien thereon from the date such charges are due and any charges delinquent for 6 months or more shall be certified annually to the proper tax assessing officer or agency who shall enter the same upon the next tax roll against the premises to which such services shall have been rendered, and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon such roll and the enforcement of the lien therefor. The time and manner of certification and the other details in respect to the collection of such charges and the enforcement of such lien shall be prescribed by the governing body of the public corporation in which the lands are located. The payment of charges for sewage disposal services to any premises may be enforced by discontinuing either the water service or the sewage disposal service to such premises, or both.

(3) The charges for sewage disposal services may also include the cost of the operation and maintenance of any physical structures and any administrative expenses in connection with the transportation, treatment and disposal of sanitary sewage.

History: Add. 1959, Act 47, Imd. Eff. June 5, 1959.

Popular name: Act 40

**280.431 Contracts for drain projects; federal government; public corporations; relief from assessments; flood control projects; conservation and utilization of soil and water; "public corporation" defined.**

Sec. 431. The drain commissioner or drainage board may contract or make agreements with the federal government, including any agency thereof, whereby the federal government will pay the whole or any part of the cost of the project or will perform the whole or any part of the work connected therewith, which contract or agreement may include any specific terms required by act of congress or federal regulation, not in conflict with state law, as a condition for participation on the part of the federal government. The drain commissioner or drainage board may contract or make agreements with any private corporation or with any public corporation, including any agency thereof, in respect to any matter connected with the construction, operation or maintenance of any flood control or drainage project or combination thereof. The contract or agreement may provide that any payments made or work done by the public corporation shall relieve it in whole or in part from assessment for the cost of the project. No construction work shall be undertaken by the drain commissioner or drainage board until bids have been advertised for and received for the performance of such work, but this provision shall not apply to work to be performed solely by the federal government or a public corporation at its expense.

The drain commissioner or drainage board may contract or make agreements with private and public corporations and with the federal government including any agency thereof for the purpose of expanding any flood control or drainage project or combination thereof to include the conservation and utilization of soil and water for recreation and other beneficial purposes. The contracts or agreements shall provide for an equitable sharing of the costs of the expanded flood control or drainage project or combination thereof and the cost borne by a drainage district shall not be in excess of the amount which can be attributed solely to drainage and flood control. The drain commissioner or drainage board, may acquire by gift or purchase the necessary lands, and rights of way for the purposes of any expanded flood control or drainage project or combination thereof. The drain commissioner or drainage board may acquire by condemnation proceedings similar to those provided in chapter 4 and chapter 6 of this act, the necessary lands and rights of way for any expanded flood control or drainage project or combination thereof which shall be undertaken jointly with a public corporation or the federal government. The drain commissioner or drainage board may pay for the costs of lands taken by condemnation for an expanded flood control or drainage project or combination thereof, undertaken jointly with a public corporation or the federal government, but the public corporation or federal government shall promptly reimburse the drainage district for all costs of acquisition in excess of those costs directly attributable to drainage and flood control.

The term "public corporation" includes the state, counties, cities, villages, townships, metropolitan districts  
Rendered Tuesday, December 02, 2008 Page 59 Michigan Compiled Laws Complete Through PA 302 of 2008