

TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA
TUESDAY, SEPTEMBER 8, 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 Petzold
Pledge of Allegiance – Commissioner Roggenbuck
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
 -H1N1 Flu Update – County Health Officer
 -Phase I Environmental Assessment of Almer Building
 -Concur with Data Entry Clerk/P.A. 511 Hiring
 -Change Order Related to Blue Wing Services at Dispatch
 (See Correspondence #3)
 -Michigan State Housing Development Authority House Grant
 Amendment (See Correspondence #4)
 -BCBSM Claim
 -Road Commission Primary Road Transfer Request
 -Correction to Motions Regarding Health Care Savings Plan Policy
 -Acceptance of Community Corrections Grant for 2010
 (See Correspondence #5)
Old Business
Correspondence/Resolutions

COMMITTEE AND LIAISON REPORTS

Committee of the Whole – FINANCE FOCUS (See Correspondence # 10)
Commissioner Bardwell/Commissioner Peterson

Other Business/On-Going Matters
Next Meeting Date Thursday, September 10, 2009 – 8:00 A.M.

Committee of the Whole – PERSONNEL FOCUS (See Correspondence # 10)
Commissioner Bardwell/Commissioner Roggenbuck

Other Business/On-Going Matters
Next Meeting Date Thursday, September 10, 2009 – 8:00 A.M.

Committee of the Whole – BUILDING AND GROUNDS FOCUS (See
Commissioner Kern/Commissioner Petzold Correspondence # 10)

Other Business/On-Going Matters

Next Meeting Date Thursday, September 10, 2009 – 8:00 A.M.

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

Caro DDA

Brownfield Redevelopment Authority

Economic Development Corporation

Tuscola 2011

MAC Economic Development/Taxation

MAC 7TH 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

Local Unit of Government Activity Report

Community Corrections Advisory Board

Behavioral Health Board

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
Parks & Recreation

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 August 25, 2009 Full Board Minutes
- #2 Consent Agenda Resolution
- #3 Change Order Related to Blue Wing Services at Dispatch
- #4 Michigan State Housing Development Authority Grant Amendment
- #5 Acceptance of Community Corrections Grant for 2010
- #6 Notice of Review of Apportionment for Retherford Drain
- #7 August 6, 2009 Tuscola County Road Commission Minutes
- #8 August 19, 2009 Human Development Commission Minutes
- #9 Approval of Amended 2008-09 Annual Plan and Budget for Child Care Fund Expenditures
- #10 September 1, 2009 Committee of the Whole Minutes

DRAFT**Tuscola County Board of Commissioners****August 25, 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 25th day of August, 2009 to order at 8:00 a.m. local time.

Prayer by Commissioner Kern
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-190

Motion by Peterson seconded by Kern to adopt the agenda as amended.
Motion carried.

09-M-191

Motion by Peterson seconded by Bardwell to approve the minutes of the 8/11/09 regular meeting and 8/13/09 special meeting. Motion carried.

Brief Public Comment- none

09-M-192

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

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE

Description of Matter: Move that the August 2009 General Fund Budget amendments as presented by the Controller/Administrator and Chief Accountant be approved and said changes be authorized for implementation.

- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move to approve the Toxicology Contract proposed by Oakland County with one caveat, that the term in Section "XIII" be extended from December 31, 2009 until December 31, 2011, and with that modification that the Chair and Clerk be authorized to sign the Agreement on behalf of Tuscola County.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that authorization be given for the County Parks and Recreation Commission to prepare and submit a Fisheries Grant application to construct a barrier free access ramp to the bay from Vanderbilt County Park. (This authorization is being given with the understanding no local county matching funds are required).
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that authorization is given for Commissioner Kern, Sheriff Teschendorf and Jail Administrator Penny Turner to attend the Michigan Municipal Risk Management Authority National Institute of Corrections Training Conference September 22-24, 2009.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that the Human Resources Director is authorized to send a letter via email to all Tuscola County Department Heads not currently covered by a Health Care Savings Program Participation Agreement to see if any are interested in participating in the Health Care Savings Program.
- Agenda Reference:** G

- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that the Sheriff Department Fitness & Exercise Facility Waiver, Release, Covenant & Stipulation as recommended by the County Attorney and County Insurance Company be approved.
- Agenda Reference:** H
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that beginning in September of 2009 a Schedule be developed to periodically conduct County Board of Commissioner Meetings in each County Commissioner's district.
- Agenda Reference:** I
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that the attached resolution be adopted related to the purchase of the building at 141 S. Almer Street to house the Michigan Department of Corrections Adult Probation operation.
- Agenda Reference:** J
- Entity Proposing:** COMMITTEE OF THE WHOLE
- Description of Matter:** Move that per the August 11, 2009 letter of request from Margaret Phillips, that the Courthouse lawn be authorized for use on September 12, 2009 from 1-3 P.M. Also, the Building and Grounds Director contact this person to explain that their request has been granted.

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

YEAS: all

NAYS: none

ABSTENTIONS: none

RESOLUTION ADOPTED.

09-M-193

Motion by Kern seconded by Petzold to receive the 2008 Human Development Commission Audit as presented place on file. Motion carried.

09-M-194

Motion by Bardwell seconded by Petzold that pursuant to Public Act 210 of 2005, to concur with action by the Village of Akron to concur and authorize the establishment of a Commercial Rehabilitation District in the Village of Akron for the parcel of land to house the business named Busy B Flowerland. Motion carried.

09-M-195

Motion by Kern supported by Petzold to approve the resolution providing full faith and credit pledge of Tuscola County for improvements to be made to the Armbuster Intercounty Drain and all appropriate signatures are authorized. Motion carried.

09-M-196

Motion by Kern seconded by Petzold to authorize the out-of-state travel request from Commissioner Bardwell to attend the National Association of Counties Rural Action Caucus which is instrumental in developing and promoting legislative policy and other matters of importance to Tuscola and other rural counties throughout the country. Also, the Board of Commissioners' budget be amended to finance this travel request. Motion carried.

09-M-197

Motion by Kern seconded by Bardwell that the draft 8/12/09 letter explaining the county's position with respect to financing requirements for prisoners housed in the county jail who receive mental health treatment be authorized to be sent to the Behavioral Health Systems Director. Also, the letter be signed by the Board Chairperson and County Sheriff. Motion carried.

09-M-198

Motion by Kern seconded by Petzold that per the August 20, 2009 correspondence from Donna Fraczek, authorization is given to use the courthouse lawn by the Friends for Life during the lunch hour on August 28, 2009. Motion carried.

09-M-199

Motion by Bardwell seconded by Petzold to concur with the hiring of Bonnie Ware for the Secretary II position in the Prosecutor's office effective August 21, 2009 at the rate of \$13.40/hour. Motion carried.

09-M-200

Motion by Kern seconded by Bardwell to approve the three-year Cooperative Reimbursement with the Department of Human Services and the county Prosecutor and authorize all appropriate signatures. Motion carried.

Meeting adjourned at 9:40 a.m., until 8 a.m., September 8, 2009.

Judy Cockerill
Deputy County Clerk

STATE OF MICHIGAN
TUSCOLA COUNTY BOARD OF COMMISSIONERS
RESOLUTION

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Building in Caro, Michigan on the ____ day of August, 2009, at _____ o'clock __.m. local time.

PRESENT:

Commissioners: _____

ABSENT:Commissioners: _____

It was moved by Commissioner _____ and supported by Commissioner _____ that the following resolution be adopted.

WHEREAS, MCL §791.223a(5) (“Act”) obligates each county board of commissioners to provide physical space to house circuit court probation operations administered in that county by the Michigan Department of Corrections (“Adult Probation”);

WHEREAS, the Act was made effective on January 10, 1980, after Michigan’s Headlee Amendment was adopted in November of 1976 (“Headlee”), which prohibits the State of Michigan from mandating that counties incur obligations without providing state funding;

WHEREAS, Tuscola County (“County”) considers the Act’s space obligations to violate Headlee:

WHEREAS, in 2004, the Michigan Department of Corrections (“DOC”) approved the Niland Building in downtown Caro, Michigan for use as the Adult Probation Office in Tuscola County and requested that the County obtain a tenancy in this building for this purpose;

WHEREAS, in reliance on the DOC’s approval and request and to mitigate its exposure under the Act and its damages under Headlee, Tuscola County (“County”) fulfilled its responsibilities under the Act by leasing space on a 10-year lease in the Niland Building in downtown Caro, Michigan (“Niland Lease”);

WHEREAS, until a recent fire, the County has received no complaints from the DOC, the Village of Caro or any other person about the Niland Building’s suitability for Adult Probation and, in fact, DOC had requested that the County expand its use and development of this tenancy;

WHEREAS, since DOC refused to return to the Niland Building, forcing the County to lease alternative space at 141 S. Almer Street (“Almer Lease”) at rental rates in excess of twice the amount incurred at the Niland Building and forcing the County to sublease the Niland

Building, relieving itself of some but not all of the rent it is incurring for that building until the 10 year lease expires;

WHEREAS, the County, in a further effort to mitigate its damages under the Act, issued a Request For Proposals for the Adult Probation Office and no one except the owner of the 141 S. Almer, submitted a proposal;

WHEREAS, the County has attempted to find space alternatives for Adult Probation that are less financially burdensome than 141 S. Almer, on either a rental or purchase basis, and no such alternatives could be found;

WHEREAS the County has received an offer from BBC Enterprises for the County to purchase the Building at 141 S. Almer Street Caro, Michigan for an amount of \$245,000 (“Almer Offer”);

WHEREAS, the County has determined that acceptance of the Almer Offer is the least costly way for the County to achieve compliance with the Act, but in doing so, also wishes to preserve its claim that the Act’s cost imposition on the County is unlawful as violative of Headlee:

NOW, THEREFORE, BE IT RESOLVED that the County accepts the Almer Offer as reflected in the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that all signatures necessary by county officials to finalize the Almer Offer and subsequent closing are authorized and directed, including but not limited to execution of the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that a budget be established in the 483 Capital Improvement Fund in an amount of \$265,000 through the use of fund balance to purchase the building plus make required building repairs and conduct remodeling work;

BE IT FURTHER RESOLVED that none of the above actions are taken voluntarily or in waiver of the County’s claim against the State of Michigan under Headlee for the Adult Probation costs it has incurred under the Act, including but not limited to the Niland Lease, the Almer Lease and the present Almer Purchase Offer, all such rights being preserved and, rather, that all of these actions are taken and costs incurred merely to mitigate the County’s Headlee claim damages;

BE IT FURTHER RESOLVED that the attached press release is authorized to be issued to explain the Act’s requirements on the County to pay the cost of housing Adult Probation which is a State Department of Correction operation and the fact that purchase of the Almer Building is the least costly alternative for the County in which to mitigate its damages;

BE IT FURTHER RESOLVED that the County Controller shall forward a copy of this Resolution to the Governor of the State of Michigan and the Director of the Department of Corrections;

BE IT FURTHER RESOLVED that this resolution replaces, modifies or supersedes any prior resolution on the same or similar subjects.

YEAS:

Commissioners: _____

NAYS:

Commissioners: _____

ABSTENTIONS: Commissioners: _____

RESOLUTION ADOPTED:

Jerry Peterson, Chairperson, Tuscola County
Board of Commissioners

Margie White-Cormier, Tuscola County Clerk

REAL ESTATE PURCHASE AGREEMENT

Tuscola County, whose official address is 207 East Grant Street, Caro, Michigan 48723, (hereinafter referred to as "Buyer"), agrees to purchase, and BB & C Enterprises, LLC, a Michigan limited liability company, whose address is 715 E. Frank Street, Caro, MI 48723 (hereinafter referred to as "Seller"), agrees to sell, on the terms and subject to the conditions set forth herein, that parcel of real estate located in the Village of Caro, Michigan, commonly known as "141 S. Almer Street", and more particularly described on Exhibit A hereto, together with the personal property described on Exhibit B hereto (collectively referred to herein as the "Property"). Upon mutual execution by Seller and Buyer, this understanding shall constitute a binding Agreement

1 **Purchase Price/Bathroom Improvement.** The purchase price for the Property shall be Two Hundred Forty-Five Thousand Dollars (\$245,000 00), payable in full at the closing by cashier's check or bank money order. The Buyer is purchasing the Building "as is "

2. **Default.**

(a) If Buyer defaults, Seller may elect to have specific performance of this Agreement or, in the alternative, to declare a forfeiture, terminate this Agreement.

(b) If Seller defaults, Buyer may declare a forfeiture and terminate this Agreement.

3. **Title.**

(a) Seller shall convey and Buyer shall accept marketable record title (or, at the Seller's option, insurable title) to the Property, subject only to zoning ordinances and governmental limitations and to existing easements and restrictions. As evidence of his title, Seller shall, at Seller's expense, provide Buyer with either an abstract of title, certified to a date subsequent to this Agreement, prepared by an abstractor authorized to do business in the State of Michigan, or a commitment (issued by a title insurer authorized to do business in the State of Michigan) for a standard form A.L.T.A. owner's policy of title insurance in the amount of the purchase price. Such abstract or title insurance commitment shall constitute conclusive evidence of the state of Seller's title

(b) If, in the written opinion of Buyer's attorney, the abstract or title insurance commitment discloses any unpermitted matters of title, Seller may, but need not, cure or obtain insurance over them within a reasonable time. If Seller is unable to cure or obtain necessary insurance over all unpermitted exceptions within a reasonable time or elects not to do so, this Agreement shall terminate, and neither party shall be obligated further to the other. In the alternative, Buyer may elect to accept such title to the Property, as Seller is able to provide, without reducing or abating the purchase price or crediting or allowing any sum against the purchase price, and without creating any liability in the Seller

(c) Any encumbrance on Seller's title to the Property, which may be removed by paying money, may be removed by Seller out of the sale proceeds, provided that evidence of this removal is presented to Buyer when the purchase price is paid.

4. **Closing.** The closing shall occur on September 30, 2009, or at such a time and date as the parties may agree upon at the office of the attorney or other closing agent designated by Seller; provided, however, that the closing must take place on or before October 30, 2009, unless delayed by reasons of title work or Seller's efforts to cure the title defects, in which case closing shall occur as soon as possible thereafter.

At closing, Buyer shall tender the purchase price as provided in Sections 1 above. Each party shall execute a closing statement reflecting the transaction. Buyer shall pay all recording fees and all of its other costs. Seller shall be responsible for (i) the Michigan real estate transfer tax and (ii) payment of the title insurance premium if title insurance is to be provided pursuant to Section 3 above. Seller must provide a warranty deed, subject to all easements, restrictions, and rights-of-way of record.

5. **Taxes and Assessments.**

(a) Seller shall pay all real estate taxes with respect to the Property that become due and payable prior to the date of closing. All real estate taxes becoming due and payable on or after the date of closing shall be the Buyer's responsibility.

(b) Seller shall pay all special assessment payments with respect to the Property that become due and payable prior to the date of closing. All special assessments payments due and payable on or after the date of closing shall be Buyer's responsibility.

6. **Possession and Termination of Lease.** Buyer shall have full possession of the Property upon closing, and any lease existing between the parties regarding the Property shall be extinguished at that time, with all ongoing obligations terminated at the time of closing, with any rent pro-rated until the date of closing.

7. **Conditions Subsequent.** Prior to closing, this Agreement is subject to the following conditions:

(a) This Agreement is contingent upon Buyer's satisfaction, in its sole discretion, with the Property's environmental condition after receiving environmental reports. In this regard, Buyer shall have the right, at its expense, to procure any environmental studies and assessments of the Premises as Buyer desires, including a Phase I environmental site assessment and, if appropriate, a Phase II environmental site assessment, a Baseline Environmental Assessment ("BEA"), and/or Section 7a Compliance Analysis ("Compliance Analysis"), as those latter two terms are defined in Part 201 of Public Act 451 of 1994, as amended ("Part 2201"). Buyer shall have the right to submit the BEA and Compliance Analysis to and petition for review of them by the Michigan Department of Environmental Quality ("MDEQ"), at Buyer's sole expense.

8 **Indemnification.** Seller agrees to indemnify, defend and hold Buyer harmless for any environmental contamination of, or hazardous substance release onto or below, the Property prior to the closing, including but not limited to claims for injunctive relief and damages

9 **Real Estate Broker.** The parties agree and represent to one another that neither has dealt with a broker. Each agrees to hold the other harmless for any damage or liability, including reasonable attorneys' fees and costs, accruing if this representation proves untrue. This paragraph shall survive the closing and the conveyance of the deed

10 **Survey** If Buyer desires a survey of the Property, Buyer shall promptly procure one at his expense. If Buyer elects not to procure a survey, Buyer agrees that in purchasing the Property, Buyer is relying solely upon Buyer's own judgment as to the location, area and boundaries of the Property without regard to any representation that may have been made by any other person.

11 **Time of the Essence.** Time is of the essence of this Agreement, except that Seller may waive this provision for the purpose of curing title defects

12 **Heirs, Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns; provided, however, that Buyer shall not assign this Agreement without Seller's prior written permission.

13 **Offer to Purchase.** This Agreement, when dated, signed, and delivered to Buyer by Seller, shall constitute the Seller's offer to sell the Property. This Agreement shall become a binding real estate sale Agreement when it has been approved by Buyer's Board of Commissioners and it has been dated and signed by the Buyer and a copy delivered to Seller. If Buyer has not accepted this Offer, Seller may rescind this Offer for any reason at any time by serving written notice of its rescission

14 **Amendment.** This Agreement represents the entire agreement between the parties. It may not be amended, altered or modified unless the party against whom enforcement of any waiver, modification or discharge is sought does so in writing

15 **Mutual Negotiation.** This Agreement is the result of mutual negotiations and discussions regarding form and content and any ambiguity should not be construed against one party or the other on the basis of draftsmanship

16 **Attorneys' fees and costs.** In the event of an action to enforce the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

Seller has executed this Offer to Sell Real Estate on August ____, 2009.

BB & C Enterprises, LLC.

Robert Tuckey, Manager

Witness

John C. Burns, PC
Attorneys for BB & C Enterprises
6352 Garfield Avenue
PO Box 26
Cass City, MI 48726
(989) 872-2197

BUYER'S ACCEPTANCE

The foregoing Offer to Purchase Real Estate is hereby accepted as of August ____, 2009.

Tuscola County

Jerry Peterson, Chairperson
Tuscola County Board of Commissioners

Margie White-Cormier
Tuscola County Clerk

Silver & Van Essen, P.C
Attorneys for Tuscola County
Douglas W. Van Essen
116 Ottawa Avenue, N.W.
Grand Rapids, MI 49503
(616) 988-5600

EXHIBIT A

Description of Real Estate

The real estate commonly known as "141 S. Almer Street" and legally described as follows:

This parcel shall include any and all buildings and fixtures located thereon at the time of the execution of this Agreement:

EXHIBIT B

Description of Personal Property

All fixtures and the following personal property, including an assignment of all warranties thereto. The Seller hereby stipulates that all furnishing, equipment, furniture, utensils, small and large appliances, window treatments and draperies, and other household effects either already belong to the Buyer or are being transferred as part of the above sale price and consideration.

PRESS RELEASE

Tuscola County Board of Commissioners

Date: August 25, 2009

Contact: Tom Kern, Tuscola County Commissioner
Phone – 989-872-3838

Roy Petzold, Tuscola County Commissioner
Phone – 989-871-3789

Building Purchase for Adult Probation Operation

Tuscola County recently purchased the Building at 141 S. Almer Street in Caro, Michigan from BBC Enterprises to house the Adult Probation operation. Although Adult Probation is a State of Michigan-Department of Corrections operation, the State has made it a legal requirement that the County pay for the office space needs of the operation.

The number of individuals assigned to probation by the State is increasing with the State decision to divert more prisoners from state prisons. This State change requires more probation officers and more office space. The former office building that was being leased for Adult Probation was determined to have insufficient floor space for the expanded Adult Probation office space needs.

The County had no choice but to obtain a different office building to meet the growing office space needs of Adult Probation. The County Board drafted building lease and purchase specifications that were reviewed and approved by Department of Correction and other officials. Notification was put in the newspaper that proposals were being accepted to meet the office space needs of Adult Probation. Only one proposal from BBC Enterprises was received which was a purchase option. Negotiations were conducted and BBC lowered the cost of the building.

The purchase cost of the building was \$245,000. The County has been leasing this same building for \$33,000 per year. Purchasing, rather than leasing, is more cost effective. If the County continued leasing, in slightly over 7 years the same amount as the purchase cost would have been spent, but the County would not own the building and lease payments would still continue.

The County Board realizes these are difficult financial times, but believes the most cost effective method to meet its legal obligation of providing office space for Adult Probation is to make a direct purchase of the BBC Enterprises building. Fortunately, through good financial planning in better financial years, reserves have been established in the County Capital Improvement Fund that enables the purchase of this building. It is important to note that the Capital Improvement Fund is a separate source of funds dedicated to meeting County capital improvement needs. County services and operational costs are paid from other funds.

At a regular meeting of the Board of Commissioners of the County of Tuscola held in the Village of Caro, Michigan, on August 25, 2009.

PRESENT: Bardwell, Keen, Petzold, Peterson

ABSENT: Roggebach

The following resolution was offered by Keen and
seconded by Petzold:

RESOLUTION RE: Armbuster Intercounty Drain Bonds, Series 2009

WHEREAS, proceedings have been taken by the Drainage Board for the Armbuster Intercounty Drain for improvements to the Armbuster Intercounty Drain under the provisions of Chapter 8 of the Drain Code of 1956, as amended, pursuant to a petition filed with the Board of County Road Commissioners of the County of Huron, acting as the Huron County Drain Commissioner pursuant to Act No. 3, Michigan Local Acts of 1943; and

WHEREAS, in order to pay for part of the costs of the improvements for said Drain, the Drainage Board has authorized and provided for the issuance by the Armbuster Intercounty Drain Drainage District (the "Drainage District") of bonds designated "Arbuster Intercounty Drain

Bonds, Series 2009” (the “Bonds”) in the aggregate principal amount of not to exceed \$655,000 and bearing interest at a rate not to exceed 7% per annum, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Tuscola) in the Counties of Tuscola and Huron in the Drainage District, said special assessments having been duly confirmed as provided in the Drain Code; and

WHEREAS, \$448,586.79 of the cost of the improvements for said Drain to be financed by the Bonds has been apportioned by the Drainage Board to Huron County and has been assessed against property and public corporations in Huron County, and \$206,413.21 of the cost of such improvements to be financed by the Bonds has been apportioned by the Drainage Board to Tuscola County and has been assessed against property and public corporations in Tuscola County; and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County of Tuscola on the Bonds to the extent of special assessments assessed against property and public corporations in the County; and

WHEREAS, the improvements for said Drain are necessary to protect and preserve the public health and it is in the best interest of the County of Tuscola that the Bonds be sold.

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

1. Pursuant to the authorization provided in Section 132 and 276 of the Drain Code of 1956, as amended, the Tuscola County Board of Commissioners, by a majority vote of its members elect, does hereby irrevocably pledge the full faith and credit of the County of Tuscola for the prompt payment of the principal of and interest on the Bonds to the extent of special assessments against property and public corporations in the County, and does agree that in the event that property owners or public corporations in the County shall fail or neglect to account to the County Treasurer of the County of Tuscola for the amount of any such special assessment installment and interest (in anticipation of which the Bonds are issued) when due, then the

amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Tuscola advances out of County funds, all or any part of the principal of and interest due on the Bonds, it shall be the duty of the County Treasurer, for and on behalf of the County of Tuscola, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. The issuance and sale of the Bonds is subject to permission being granted therefor by the Department of Treasury of the State of Michigan pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and the County Treasurer is hereby authorized and directed, if necessary, to file with the Department of Treasury an application for approval of the Bonds.

4. All resolutions and parts of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

ADOPTED: Yeas: all

Nays: none

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 vote of the members elect at a regular meeting of the Tuscola County Board of Commissioners, held on August 25, 2009, the original of which is on file in my office.

I further certify that notice of the meeting was given pursuant to and in compliance with the Open Meetings Act.


Marge Motta-Cornier
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 8th day of September, 2009 at 8 o'clock a.m. local time.

COMMISSIONERS PRESENT:

COMMISSIONERS ABSENT:

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

CONSENT AGENDA

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 08/27/09
- Description of Matter:** Move to authorize assigning a Sheriff Deputy to the Thumb Narcotics Unit for a three year period with costs of this position to be paid through federal grant funds provided to the Thumb Narcotics Unit. Based on an August 26, 2009 memorandum from the Sheriff most (if not all) of the cost of this position will paid for by the grant.

Agenda Reference: B

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move that per the August 26, 2009 letter from Lieutenant Giroux, to approve the Traffic and Safety Grant in the amount of \$14,000 to provide overtime funds for seat belt and impaired driving enforcement. Also, all appropriate signatures be authorized and appropriate budget amendments be approved.

Agenda Reference: C

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move that per the August 26, 2009 letter from the Register of Deed, the Automation Fund be amended as requested.

Agenda Reference: D

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move per the August 12, 2009 memo from the Circuit/Family Court Administrator that appropriate budget amendments be authorized to account for the decision of the court to change the employee currently acting as the collection officer from the Circuit/Family Court Budget to the Friend of the Court Budget and resume the previous duties of Referee Hearing Recorder/Assignment Clerk.

Agenda Reference: E

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move to receive and place on file the August 14, 2009 letter of retirement for Cheryl Mattlin - Sheriff Department Records Clerk with the retirement to be effective January 22, 2010.

Agenda Reference: F

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move to approve the August 24, 2009 letter from the Sheriff for the posting and refilling of the Sheriff Department Records Clerk position with a hire date of December 7, 2009 which will allow for a four week training period.

Agenda Reference: G

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move that per the request of the August 18, 2009 letter from the Undersheriff, that the Sheriff department be approved to use the Law Enforcement Offices Regional Training Council (LEORTC) for training Sheriff Department employees and appropriate signatures be authorized.

Agenda Reference: H

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move that the County purchasing policies be waived under the emergency provisions in order to solve the material storage problem at the Recycling Center.

Agenda Reference: I

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move that a roof extension to the current Recycling Pole Building be authorized to be constructed as a temporary solution to the problem with storage of recycling materials. Also, the project be awarded to the lowest bidder without further Board action.

Agenda Reference: J

Entity Proposing: COMMITTEE OF THE WHOLE 08/27/09

Description of Matter: Move that authorization be given to Smith's Detection to conduct a preventive maintenance and radiation survey to the security X-Ray machine in the Courthouse and the cost of \$1,000 be paid from the Security Budget.

Agenda Reference: K

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move that the attached resolution authorizing the purchase of 141 S. Almer Street for Adult Probation be adopted replacing the previous resolution acted on at the August 25, 2009 Board of Commissioners meeting.

Agenda Reference: L

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move that per the August 28, 2009 memo from the undersheriff authorization be given to submit an application for computer hardware/software that would enable accident reports to be sent to the State on-line.

Agenda Reference: M

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move that per the recommendation of the County Recycling Committee that the current storage building be repaired to comply with the needed upgrades as identified by the SCMCCI building inspector. Also, the Recycling Coordinator and Building and Grounds Director be authorized to develop specifications and obtain bids to make the necessary repairs per county purchasing policy.

Agenda Reference: N

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to approve the appointment of Barb Gaul and Matthew Bierlein to the Tuscola County Board of Canvassers effective November 1, 2009.

Agenda Reference: O

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to approve the submission of the Tuscola County Seal to NACO for the potential publishing in the NACO Newsletter.

Agenda Reference: P

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to approve a letter to be sent to the Unions to reopen the Contracts to discuss the Blue Cross increase and the Chairperson be authorized to sign.

Agenda Reference: Q

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to authorize the posting of the Speakers Bureau on the Tuscola County Website.

Agenda Reference: R

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to approve the scheduling for the second monthly meeting of each month of the Tuscola County Board of Commissioners meetings at different locations throughout the county with each Commissioner having one in their district. Schedule to be as follows:

- o September 22, 2009 - Comm. Peterson's District Arbela Township Hall @ 6:00 pm
- o October 27, 2009 - Comm. Roggenbuck's District @ 6:00 pm (Twp. to be determined)
- o November 24, 2009 - Comm. Kern's District @ 6:00 pm (Twp. To be determined)
- o January 26, 2010 - Comm. Petzold's District @ 6:00 pm (Twp. to be determined)
- o February 23, 2010 - Comm. Bardwell's District @ 6:00 pm (Twp. to be determined)

Agenda Reference: S

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to approve the Resolution honoring Diane Santhany for her recent award for outstanding work in the Victim Advocate Program.

Agenda Reference: T

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move to approve the Resolution honoring three Tuscola County Medical Care employees for their act of heroism in putting out a fire at the Medical Care Facility.

Agenda Reference: U

Entity Proposing: COMMITTEE OF THE WHOLE 09/01/09

Description of Matter: Move that per the request of the Circuit/Family Court Administrator that the corrected Friend of the Court Cooperative Reimbursement Program funding agreement with the State of Michigan be approved and all appropriate signatures be authorized.

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.

Jerry Peterson, Chairperson
Tuscola County Board of Commissioners

Margie White-Cormier
Tuscola County Clerk

STATE OF MICHIGAN
TUSCOLA COUNTY BOARD OF COMMISSIONERS
RESOLUTION

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Building in Caro, Michigan on the ____ day of August, 2009, at _____ o'clock __.m. local time.

PRESENT:

Commissioners: _____

ABSENT:Commissioners: _____

It was moved by Commissioner _____ and supported by Commissioner _____ that the following resolution be adopted.

WHEREAS, MCL §791.223a(5) (“Act”) obligates each county board of commissioners to provide physical space to house circuit court probation operations administered in that county by the Michigan Department of Corrections (“Adult Probation”);

WHEREAS, the Act was made effective on January 10, 1980, after Michigan’s Headlee Amendment was adopted in November of 1976 (“Headlee”), which prohibits the State of Michigan from mandating that counties incur obligations without providing state funding;

WHEREAS, the County, in a further effort to mitigate its damages under the Act, issued a Request For Proposals for the Adult Probation Office and no one except the owner of the 141 S. Almer, submitted a proposal;

WHEREAS, the County has attempted to find space alternatives for Adult Probation that are less financially burdensome than 141 S. Almer, on either a rental or purchase basis, and no such alternatives could be found;

WHEREAS the County has received an offer from BBC Enterprises for the County to purchase the Building at 141 S. Almer Street Caro, Michigan for an amount of \$245,000 (“Almer Offer”);

WHEREAS, the County has determined that acceptance of the Almer Offer is the least costly way for the County to achieve compliance with the Act, but in doing so, also wishes to preserve its claim that the Act’s cost imposition on the County is unlawful as violative of Headlee:

NOW, THEREFORE, BE IT RESOLVED that the County accepts the Almer Offer as reflected in the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that all signatures necessary by county officials to finalize the Almer Offer and subsequent closing are authorized and directed, including but not limited to execution of the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that a budget be established in the 483 Capital Improvement Fund in an amount of \$265,000 through the use of fund balance to purchase the building plus make required building repairs and conduct remodeling work;

BE IT FURTHER RESOLVED that none of the above actions are taken voluntarily or in waiver of the County's claim against the State of Michigan under Headlee for the Adult Probation costs it has incurred under the Act. All such rights being preserved and, rather, that all of these actions are taken and costs incurred merely to mitigate the County's Headlee claim damages;

BE IT FURTHER RESOLVED that the attached press release is authorized to be issued to explain the Act's requirements on the County to pay the cost of housing Adult Probation which is a State Department of Correction operation and the fact that purchase of the Almer Building is the least costly alternative for the County in which to mitigate its damages;

BE IT FURTHER RESOLVED that the County Controller shall forward a copy of this Resolution to the Governor of the State of Michigan and the Director of the Department of Corrections;

BE IT FURTHER RESOLVED that this resolution replaces, modifies or supersedes any prior resolution on the same or similar subjects.

YEAS:

Commissioners: _____

NAYS:

Commissioners: _____

ABSTENTIONS: Commissioners: _____

RESOLUTION ADOPTED:

Jerry Peterson, Chairperson, Tuscola County
Clerk
Board of Commissioners

Margie White-Cornier, Tuscola County

9-1-1

Tuscola County Central Dispatch

Robert Klenk, Director



August 31, 2009

Stephanie Condron
Transaction Specialist
Sprint Nextel
2001 Edmund Halley Drive
Reston, VA 20191

Re: Tuscola County, MI ("Incumbent")
DL8910433905
Request for Exercise of Planning Funding Agreement
Change Order Provision

Dear Ms. Condron:

To effectuate the planning of the relocation of the frequency or frequencies licensed to the Incumbent pursuant to the Planning Funding Agreement dated March 29, 2007, this letter serves as the official request ("Planning Funding Change Notice") for the exercise of the PFA change order ("Change Order") provision, as required by the PFA.

The purpose of this Change Order is to request a reallocation of funds, already approved under the PFA, for work being performed by Blue Wing Services, Inc. In order to complete the relocation contemplated by the PFA, it will be necessary to reallocate \$2500 from the "Frequency Analysis" category to "Other Costs" category. This Change Order Request will have no cost increase to Sprint Nextel from the PFA as previously amended.

Description of Work to Be Performed	Payee (Separately Identify Incumbent and Each Vendor Being Paid for Work Performed)	Current Budgeted amount	New Estimated Cost(s) for Incumbent and Each Vendor (Not to Exceed Listed Amount)
Frequency Analysis	Blue Wing	\$4000	\$1500
Other Costs	Blue Wing	0	\$2500

Please analyze the information provided herein and contact our counsel below to discuss how we can proceed to amend the PFA.

Jeffrey W. Rubin, Esq.
Alan S. Tilles, Esq.

Shulman Rogers Gandal Pordy & Ecker, P.A.

12505 Park Potomac Avenue, 6th Floor
Potomac, MD 20854

(301) 230-5200

atilles@srgpe.com
jrubin@srgpe.com

Sincerely,

Tuscola County, MI

Signature

Name

Title

cc: Alan S. Tilles, Esq., Shulman Rogers Gandal Pordy & Ecker, P.A.
Jeffrey W. Rubin, Esq., Shulman Rogers Gandal Pordy & Ecker, P.A.
Heather P. Brown, Esq., Sprint Nextel
William Jenkins, Sprint Nextel
Robert Klenk, Tuscola County, MI
Andy Maxymillian, Blue Wing Services



STATE OF MICHIGAN

JENNIFER M. GRANHOLM GOVERNOR MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY LANSING

KEITH MOLIN EXECUTIVE DIRECTOR

August 14, 2009

Gerald Peterson
Tuscola County
207 E. Grant Street
Caro, MI 48723-0000

RE: Amendment to Grant #: MSC-2008-0815-HOA

Dear Gerald Peterson:

This letter is to advise you that the Michigan State Housing Development Authority (MSHDA) has authorized an amendment to the above-referenced grant. The grant agreement has been amended in accordance with the attached form.

Depending on the type of amendment and the manner in which it was initiated, your agency may be required to sign the amendment form.

- If your signature is required, two original amendment forms will accompany this letter and the grantee's signature line will be blank. Your agency must execute both original forms and return one to our office.
- If the form states "Grantee signature not required" you will receive only one form which you are not required to return.

Once the form is reviewed for accuracy, and executed if necessary, the amendment must be filed with your grant agreement. If you have any questions regarding this matter, please contact your CD Specialist, Kelly Gram at (517) 335-4358.

Sincerely,

[Handwritten signature of William Parker]
William Parker, Director of Field Services
Community Development

Enclosure

Cc: Michael Hoagland, Timothy Hardesty, Wendy Falls, Brian Neuville, Mary Vandemark

Kelly Gram
Jess Sobel



MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT
Funding Award Amendment

Grantee: Tuscola County

Amendment #: 1

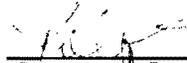
Grant #: MSC-2008-0815-HOA

Effective Date: 8/4/2009

Purpose of Amendment:

- Change in Budget (See attached revision)
- Change Grant Term from 1/1/2008 - 6/30/2010 to 1/1/2008 - 12/31/2010
- Change Program Description (See attached revision.)
- Change Special Conditions (See attached revision.)
- Change Grant Number

APPROVED BY:



Community Development Specialist
Community Development

Authorized Signatory for Grantee



Director, Housing Resource Fund
Community Development



Director
Community Development

Grantee: Tuscola County

Amendment #: 1

Grant #: MSC-2008-0815-HOA

Effective Date: 8/4/2009

Previous Budget

COMPONENT- ACTIVITY	Approved Funds	HRF Units	Non-HRF Units	Leveraged Funds
Rental Rehabilitation				
Rehabilitation	\$15,000.00	1		\$5,100.00
Homeowner Assistance				
Rehabilitation	\$175,000.00	9	8	\$50,000.00
Emergency Repair	\$15,000.00	5		
Neighborhood Preservation				
Demolition Only				
Public Improvements				
Beautification				
Marketing				
Homebuyer Assistance				
Rehabilitation				
New Construction				
Down Payment Assistance				
Administrative Costs				
Administrative Costs	\$45,000.00			
TOTAL	\$250,000.00	15	8	\$55,100.00

Grantee: Tuscola County

Amendment #: 1

Grant #: MSC-2008-0815-HOA

Effective Date: 8/4/2009

New Budget

COMPONENT- ACTIVITY	Approved Funds	HRF Units	Non-HRF Units	Leveraged Funds
Rental Rehabilitation				
Rehabilitation	\$15,000.00	1		\$5,100.00
Rental Unit Assistance				
Rehabilitation	\$200,375.00	9	8	\$50,000.00
Emergency Repair	\$40,875.00	5		
Neighborhood Preservation				
Demolition Only				
Public Improvements				
Beautification				
Marketing				
Homebuyer Assistance				
Rehabilitation				
New Construction				
Down Payment Assistance				
Administrative Costs				
Administrative Costs	\$56,250.00			
TOTAL	\$312,500.00	15	8	\$55,100.00

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT
Funding Award Amendment

Grantee: Tuscola County

Amendment #: 1

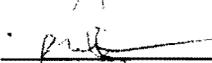
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APPROVED BY:

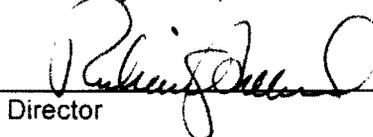


Community Development Specialist
Community Development

Authorized Signatory for Grantee



Director, Housing Resource Fund
Community Development



Director
Community Development

Grantee: Tuscola County

Amendment #: 1

Grant #: MSC-2008-0815-HOA

Effective Date: 8/4/2009

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Demolition Only				
Public Improvements				
Beautification				
Marketing				
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Rehabilitation				
New Construction				
Down Payment Assistance				
Administrative Costs				
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Grantee: Tuscola County

Amendment #: 1

Grant #: MSC-2008-0815-HOA

Effective Date: 8/4/2009

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Demolition Only				
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Marketing				
Homebuyer Assistance				
Rehabilitation				
New Construction				
Down Payment Assistance				
Administrative Costs				
Administrative Costs	\$56,250.00			
TOTAL	\$312,500.00	15	8	\$55,100.00

PROPOSAL FOR COMMUNITY CORRECTIONS FUNDS – FY 2010

CCAB:	Thumb Area Regional	
CCAB Contact:	Len Watkins	
CCAB Chair:	Honorable Nick Holowka	
Units of Government Represented & Approval Date:	Lapeer County Tuscola County	
Grant Coordinator:	Prepared by Linsey LaMontagne	
Application Type:	X	Community Corrections Comprehensive Plans and Services
	X	Drunk Driver Jail Reduction & Community Treatment
	X	Residential Services
State Board Review Date:	August 20, 2009	

SUMMARY

FELONY DISPOSITION:

Group 1 Offenses: Homicide, Robbery, CSC, Assault, Arson, Other Sex Offenses, Assaultive Other, Burglary and Weapons. Group 2 Offenses: Larceny, Fraud, Forgery/Embezzle, Motor Vehicle, Malicious Destruction, Drugs, OUIL 3 rd Offenses, and Other Non-Assaultive Offenses.

The Thumb Area consists of Lapeer and Tuscola Counties. CY 2008 OMNI data indicates that the Lapeer prison commitment rate (PCR) was 16.7% and Tuscola was 18.4%, for a Regional PCR of 17.6%. There were 121 prison dispositions in CY 2008 for the Region; Lapeer County contributed 54 prison dispositions while Tuscola County contributed 67 prison dispositions. Of the 121 prison dispositions, 87% were within the straddle cell (44 dispositions) and presumptive (61 dispositions) categories. Lapeer had 45 prison dispositions from the straddle cell and presumptive categories and Tuscola had 60. Overall PCRs increased slightly in both counties; however, eliminating the 7 prison dispositions attributed to prisoners with new charges from the Lapeer data results in a county PCR of 14.9%.

Within the prison dispositions there were 79 Group 1 offenses and 42 Group 2 offenses. Tuscola County had 45 dispositions from Group 1 and 22 dispositions from Group 2. Lapeer County had 34 dispositions from Group 1 and 20 dispositions from Group 2. Of the 44 straddle cell prison dispositions in the region there were 28 prison dispositions with Group 2 offenses. Offenders under MDOC supervision accounted for 16 of these dispositions.

The Region has indicated strategic objectives for reducing the PCR through policy initiatives, continued monitoring of data, and efficient use of residential services. Group 2 offenders within the straddle cells appear to offer the greatest opportunity for additional prison diversions – Tuscola County is likely to have more opportunity for additional diversions.

JAIL UTILIZATION: Lapeer County has not reported regular JPIS data since 2006 which has affected the County's and OCC's ability to analyze jail utilization.

CY 2008 JPIS data reflects that Tuscola County jail operates at 142.4% of capacity. The data indicates felony and misdemeanor "traffic citation/failure to appear" offenses account for 28.1% of the jail capacity and felony "obstruction of justice" account for 21.3%. Felons who do not post bond before sentencing spend 63.8 more days in jail than sentenced felons who posted bond. Misdemeanants who do not post bond prior to sentencing spend 23.3 more days in jail than those misdemeanants who posted bond and later are sentenced to a jail term. The Region reports that there are discrepancies in the JPIS data related to maintaining offenders on "inmate" status while they participate in off-site programming such as Day Reporting and Residential Services.

LOCAL OBJECTIVES: The Thumb Area provides a comprehensive plan to assist in reducing prison commitment rates, improve local jail utilization, and increase utilization of community corrections programs. It has been a priority to train personnel in evidence-based practices. The Region is requesting additional funding for the *Thinking Matters* cognitive program. The electronic monitoring program will be studied for use in pretrial services.

RISK/NEEDS AND SUBSTANCE ABUSE ASSESSMENT: The CCAB does not use a risk/needs assessment though MDOC agents do a COMPAS prescreen to determine violence and recidivism risk levels and to set the initial supervision level.

I. OFFICE OF COMMUNITY CORRECTIONS

A. Strategic Plan Impact Analysis:

The Region's strategic plan addresses State and local priorities of decreased prison commitments and improved jail utilization. Felony disposition strategies have measurable objectives and focus on priority populations.

The Region plans to implement an educational cognitive treatment program. The program will be based on the *Thinking Matters* curriculum and has a projected utilization of 182 participants. At this time, the Region is requesting additional funding for the program. *Thinking Matters* is an evidence-based program that will likely have a positive impact on recidivism.

B. Recommendation:

Support the Thumb Regional CCAB in their efforts to reduce prison commitments and improve jail utilization. Encourage the Region to work with a software vendor to regularly export JPIS data to the State and reduce the length of stay for unsentenced jail inmates in Tuscola County.

The Region has requested a decrease in projected utilizations for the case management screening and assessment program. The new projection is 295 participants; this is a decrease of 255 participants from FY 2009. It is recommended that the decrease in utilization be supported – projections from previous applications have been unrealistic. In 2007, when the program was changed from pretrial screening and assessment to case management screening and assessment the projections increased from 150 participants to 550 participants. The Region has requested an increase of \$2,200 for the screening and assessment program. Due to decreased projections and consistent underutilization, the increase cannot be supported.

C. Contractual Condition(s):

1. All programs must maintain 80% of projected enrollments comprised of offenders from the primary target group or reimbursement for these programs may be prorated. Programs with low utilization at midyear may have their budgets adjusted accordingly.
2. Projected enrollment for the Day Reporting program must remain at 150 participants or funding in this line item may be reduced.

D. Contractual Objective(s):

1. Enhance targeting of Group 2 straddle cell offenders to reduce the straddle cell rate.
2. The CCAB plans to achieve a prison commitment rate of less than 15% for each county.
3. The CCAB plans to achieve a prison commitment rate for straddle cells of 24% for each county.
4. Reduce the length of stay for unsentenced felons in the Tuscola County Jail by ten days.
5. Transmit JPIS data electronically and routinely during the first quarter of FY 2010.

II. TECHNICAL ASSISTANCE PLAN

CCAB is to request technical assistance as they deem necessary.

At the CCAB's request, OCC will provide or help identify technical assistance opportunities for increased program utilization.

III. FY 2010 PROPOSED COMMUNITY CORRECTIONS PROGRAMS (Utilization rates are based on May 2009 CCIS data as related to projections)

Program Type	Support Funding	Description	FY 2009 Utilization
Community Service			
- Work Crew	X	OCC and the Region fund a work crew program. Offenders perform various jobs for the community and other nonprofit organizations. Offenders are awarded credit towards jail sentences. In Tuscola they are awarded day for day credit and in Lapeer they are awarded 6 hours for each day worked. The projected enrollment for FY 2010 is 248. This includes 78 enrollments from Lapeer and 170 from Tuscola County. CCIS data reflects 86 enrolments as of May 2009, with a successful completion rate of 90.6%	44.1%
- Placement			
Education			
- Education Services			
- Cognitive Change	X	New Initiative. The <i>Thinking Matters</i> program will be offered in the community to offenders. The group will be offered twice a week and offenders will be required to attend a minimum of six sessions. At the end of six sessions, the offender will be evaluated to assess their knowledge and understanding of the material. If a clear understanding of the material is demonstrated, the offender will be discharged from the program. The projected enrollment for FY 2010 is 182 participants. This includes 105 enrollments from Lapeer and 77 from Tuscola County.	
Employment/Training			
- Employment/Training Service			
Intensive Supervision			
- Day Reporting	X	The OCC and the Region fund a day reporting program. Offenders are required to report daily, Monday through Friday, and call-in based on a prearranged schedule. The program focuses on education, employment, and community service requirements. The projected enrollments for FY 2010 is 102, this includes 65 enrollments from Lapeer and 37 from Tuscola County. This is decrease of 48 participants from FY 2009. CCIS data reflects 52 enrollments as of May 2009, with a successful completion rate of 93.6%.	34.7%**
- Electronic Monitoring			
- Supervision			
Mental Health			
- Outpatient			
- Sex Offender Treatment			

III. FY 2010 PROPOSED COMMUNITY CORRECTIONS PROGRAMS (cont.)

Program Type	Support Funding	Description	FY 2009 Utilization
Pretrial Services			
- Screening/Assessment			
- Supervision			
- Electronic Monitoring			
Substance Abuse			
- Testing			
- Outpatient Treatment			
- Cognitive Treatment	X	OCC funds a cognitive substance abuse treatment program. The program is offered in each jail and offenders earn jail credit for participation. The projected utilization is 131 enrollments; this is an increase of 71 enrollments from FY 2009. This includes 77 enrollments from Lapeer and 54 from Tuscola County. CCIS data reflects 57 enrollments as of May 2009, with a successful completion rate of 91.7%.	95.0%
Case Management			
- Screening/Assessment	X	OCC and the Region fund a screening and assessment program. Offenders are screened and referred to the appropriate programming. The projected enrollments for FY 2010 is 295, this is a decrease of 255 enrollments from FY 2009. CCIS data reflects 156 enrollments as of May 2009, with a successful completion rate of 91.8%	28.4%*
- Jail-Based Case Management			
- Community-Based Case Mgt.			
Other			
	X	The Region was awarded DDJR/CTP funding to provide services for OUIL 3 rd intermediate cell offenders. Substance abuse assessment and treatment are offered to this population. The CCAB provides reimbursement for five bed days to the jail during the assessment period.	
24 hour Structured	X	Huron House and New Paths, Inc. provide residential services for the Region.	

COMMENTS: * Projections from previous applications have been unrealistic. In 2007, when the program was changed from pretrial screening and assessment to case management screening and assessment the projections increased from 150 participants to 550 participants.

** Projected enrollment for the Day Reporting program must remain at 150 participants or funding in this line item will be reduced.

MICHIGAN DEPARTMENT OF CORRECTIONS
Office of Community Corrections
FY 2010 FUNDING PROPOSAL
FOR
Thumb Area

A. FUNDING SOURCE		PLANS AND SERVICES			DDJR/CTP	
PROGRAM	CCIS PROGRAM CODE	FY 2009 AWARD	FY 2010 PLAN AMOUNT	RECOMMENDATION	FY 2010 PLAN AMOUNT	RECOMMENDATION
Community Service						
Placement	A19	10,500	-		-	
Work Crew	A25	32,500	33,500	33,500	-	
Sub Total		43,000	33,500	33,500		
Education						
Educational Services	B00	0	-		-	
Cognitive Change	B17	0	25,000	25,000	-	
Sub Total		0	25,000	25,000		
Employment & Training						
Employment & Training Services	C00	0	-	-	-	
Sub Total		0	-	-		
Intensive Supervision						
Day Reporting	D04	24,000	25,000	24,000	-	
Electronic Monitoring	D08	0	-	-	-	
Supervision	D23	0	-	-	87,723	87,723
Sub Total		24,000	25,000	24,000	87,723	87,723
Mental Health						
Outpatient	E18	0	-	-	-	
Sex Offender Treatment	E19	0	-	-	-	
Sub Total		0	-	-		
Pretrial Services						
Screening/Assessment	F22	0	-	-	-	
Supervision	F23	0	-	-	-	
Electronic Monitoring	F24	0	-	-	-	
Sub Total		0	-	-		
Substance Abuse						
Testing	G17	0	-	-	-	
Outpatient Treatment	G18	0	-	-	-	
Cognitive Treatment	G19	56,000	56,000	56,000	-	
Sub Total		56,000	56,000	56,000		
Case Management						
Screening/Assessment	I22	22,800	25,000	22,800	-	
Jail-Based/Case Management	I23	0	-	-	-	
Community Case Management	I24	0	-	-	-	
Sub Total		22,800	25,000	22,800		
Other	Z00	0	-	-	-	
Sub Total		0	-	-		
Total Program Funding		145,800	164,500	161,300	87,723	87,723
In Jail Assessment (DDJRP Only)					6,960	6,960
Sub Total					6,960	6,960
CCAB Administration						
Personnel		24,000	26,000	25,000		
Contractual Services		2,900	2,000	2,000		
Equipment		2,000	500	500		
Supplies		0	1,500	1,000		
Travel		650	600	600		
Training		550	1,000	550		
Board Expenses		300	400	350		
Public Education		0	-	-		
Other		3,600	4,000	4,000		
Total Administration		34,000	36,000	34,000		
Total Program & Administration		179,800	200,500	195,300		

B. TOTAL AWARD SUMMARY						
FUNDING SOURCE		FY 2009 AWARD	FY 2010 PLAN	FY 2010 RESERVE FUNDING	FY 2010 TOTAL RECOMMENDATION	VARIANCE (FY 2009 Award - FY 2010 Total Recommendation)
Comprehensive Plans & Services Funds		179,800	200,500		195,300	15,500
DDJR & CTP						
Assessment & Treatment Services		87,723	87,723		87,723	0
In Jail Housing		6,960	6,960		6,960	0
Residential Services		0	0		0	0
Total DDJRP Funding		94,683	94,683	0	94,683	0
TOTAL:		274,483	295,183	-	289,963	15,500

<u>Program</u>	<u>FY2009 Award</u>	<u>FY2010 Award</u>	<u>Lapeer FY2010 Award</u>	<u>Tuscola FY2010 Award</u>	<u>Lapeer +/-</u>	<u>Tuscola +/-</u>
Community Service	10,500.00	0.00	0.00	0.00	-10,500.00	0.00
Work Crew	32,500.00	33,500.00	20,100.00	13,400.00	600.00	400.00
Thinking Matters		25,000.00	15,000.00	10,000.00	15,000.00	10,000.00
Day Reporting	24,000.00	24,000.00	14,400.00	9,600.00	0.00	0.00
Substance Abuse	56,000.00	56,000.00	33,600.00	22,400.00	0.00	0.00
Case Management	22,800.00	22,800.00	13,680.00	9,120.00	0.00	0.00
DDJR-IOP	87,723.00	87,723.00	52,634.00	35,089.00	0.00	0.00
In-Jail	6,960.00	6,960.00	4,132.50	2,827.50		
Total Programs Difference	240,483.00	255,983.00 -15,500.00	153,546.50	102,436.50	5,100.00	10,400.00
Administrative	34,000.00	34,000.00				
Total	274,483.00	289,983.00				

OFFICE OF
TUSCOLA COUNTY DRAIN COMMISSIONER
COUNTY COURTHOUSE

440 N. STATE STREET
CARO, MI 48723

Phone (989) 672-3820

Fax (989) 673-3497

email: drain-commissioner@tuscolacounty.org

ROBERT J. MANTEY
Drain Commissioner
Cell Phone (989) 553-3824



Office Day Wednesday

August 31, 2009

Dear Landowner,

NOTICE OF REVIEW OF APPORTIONMENT

SEPTEMBER 10, 2009

NOTICE IS HEREBY GIVEN THAT there will be a review of apportionment for the Retherford Drain located in Section 3 of Kingston Township, Tuscola County on September 10, 2009 from 9:00 a.m. to 5:00 p.m. You are being notified of this review because, according to the records of this Office, you have an interest in affected property.

The Retherford Drain will be cleaned out according to Chapter 8, section 280.196 of the Michigan Drain Code of 1956, as amended.

Persons with disabilities needing accommodations for effective participation in the meeting should contact the County Drain Commissioner at the number shown above (voice) or through the Michigan Relay Center at 1-800-649-3777 (TDD) at least 24 hours in advance of the meeting to request mobility, visual, hearing or other assistance.

Pursuant to Section 155 of the Michigan Drain Code of 1956, as amended, an owner of land within the Drainage District or any city, village, township or county feeling aggrieved by the apportionment of benefits may appeal the apportionment ten days after the Day or Review of Apportionment. Appeals may be made by making application to the Probate Court for the appointment of a Board of Review.

If you have any questions, please contact our office at the phone number listed above.

Robert J. Mantey
Tuscola County Drain Commission

RJM/pw

August 6, 2009

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, August 6, 2009 at 8:00 A.M.

Present: Commissioners Gary Parsell, and Mike Zwerk, County Highway Engineer Michele Zaverucha, Superintendent/Manager Jay Tuckey, Director of Finance/Secretary-Clerk Michael Tuckey.
Also present: County Commissioner Roy Petzold.

Absent: Commissioner John Laurie.

Motion by Zwerk seconded by Parsell that the minutes of the July 23, 2009 regular meeting of the Board be approved. Zwerk, Parsell --- Carried.

Motion by Parsell seconded by Zwerk that the minutes of the closed session of the Board dated July 23, 2009 be approved. Zwerk, Parsell --- Carried.

Payroll in the amount of \$101,635.04 and bills in the amount of \$396,035.11 covered by vouchers #09-20, #09-21 and #09-22 were presented and audited.

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

Brief Public Comment Segment:
None.

Mr. Robert Frost, Information Systems Coordinator with the Tuscola Intermediate School District, appeared before the Board to discuss broadband networking and internet access expansion in the thumb area. Mr. Frost reported that stimulus funds are available through the American Recovery and Reinvestment Act of 2009 (ARRA) for expanding broadband access. The Tuscola Intermediate School District, Saginaw Valley State University, and Air Advantage are partnering on the grant application to build a fiber network to every community in the thumb area in order to increase educational opportunities, increase broadband access, and reduce the costs of internet delivery. Mr. Frost asked the Board for a letter of support for the project and if the Road Commission would be interested in connecting to the network. Mr. Frost also asked if the Road Commission would be willing to grant access to the radio tower at the Caro Facility in order to provide wireless service to residents and businesses in the area, as well as share a portion of the long term maintenance costs. The Board supports the concept of the project, but at this time the Road Commission can not commit financially until reviewing the program further and receiving additional information. After further discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk to send a Letter of Support to the Tuscola Intermediate School District supporting their application for ARRA funding toward broadband networking and internet access expansion in the thumb area. Zwerk, Parsell --- Carried.

At 8:15 A.M. the following bids were opened for Reroofing of the Lower Roof at the Road Commission's Caro Office:

	20-year Warranty	15-year Warranty
<u>Bidder</u>	<u>Project Total</u>	<u>Project Total</u>

Port Huron Roofing & Sheet Metal	\$ 35,350.00	\$ 32,900.00
Zimmer Roofing & Construction	39,485.00	36,850.00
Kawkawlin Roofing Company	no bid	29,450.00
Marlette Roofing & Sheet Metal	42,025.00	39,865.00
Buchinger Roofing, Inc.	25,000.00	23,000.00

Motion by Zwerk seconded by Parsell that the bids for Reroofing of the Lower Roof at the Road Commission's Caro Office be accepted and awarded to the low bidder for the 20-year warranty, Buchinger Roofing, Inc. Zwerk, Parsell --- Carried.

Motion by Parsell seconded by Zwerk that bid item #13 of the 2009 Furnishing & Placing Crushed Limestone bids be awarded to Wirt Stone Dock, as specified by the Wisner Township Board. Zwerk, Parsell --- Carried.

Director of Finance Michael Tuckey presented to the Board a revised 2009 Budget. After discussion and review of various financial reports, the Board will further review the revised 2009 Budget and table until the next regular meeting of the Board.

Motion by Parsell seconded by Zwerk to approve Non-Destructive Testing Services, Inc. to conduct the In-Plant Inspection of the Pre-stressed Concrete Box Beams for the Reed Road Bridge Federal Aid Project at an estimated cost of \$2,750.00. Zwerk, Parsell --- Carried.

Motion by Zwerk seconded by Parsell that the agreement between L. Walther & Sons, Inc. and the Tuscola County Road Commission allowing Special Designated All-Season loads on Wilsie Road from its westerly end east to Cemetery Road be extended for two (2) years with the conditions specified in the agreement. Zwerk, Parsell --- Carried.

County Highway Engineer Zawerucha reported to the Board that Mr. Greg Loudon with Michigan Aggregate Products has requested a Special Designated All-Season Road Agreement with the Road Commission for their gravel pit on Snover Road west of Leix Road. Zawerucha sent a proposed hauling agreement to Mr. Loudon which included that Michigan Aggregate Products be responsible for adding ½" bituminous asphalt to that portion of Snover Road at an estimated cost of \$9,000.00. In response, Mr. Loudon asks the Board if Michigan Aggregate Products could pay \$5,000.00 toward the additional asphalt, and that the balance be traded in-kind with crushed gravel. After further discussion, the following motion was introduced:

Motion by Zwerk seconded by Parsell that the Road Commission propose a Special Designated All-Season Road Agreement to Michigan Aggregate Products for their gravel pit on Snover Road west of Leix Road, which includes Michigan Aggregate Products adding ½" bituminous asphalt to that portion of Snover Road with \$5,000.00 to be paid in advance and the balance to be paid within one year from project completion. Zwerk, Parsell --- Carried.

Mr. Galen Faith appeared before the Board to discuss the use of snowmobiles on road right-of-ways in Tuscola County. Mr. Faith asked the Board to reconsider opening the road right-of-ways county-wide for snowmobiles. The Board upholds their resolution at the June 25, 2009 regular meeting of the Road which opposes the use of snowmobiles on road right-of-ways in Tuscola County.

Motion by Zwerk seconded by Parsell that the Board go into closed session at 9:05 A.M. for the purpose of discussing union negotiations. Zwerk, Parsell --- Carried.

At 9:15 A.M. the Board returned to open session.

Motion by Zwerk seconded by Parsell that the meeting be adjourned at 9:20 A.M. Zwerk, Parsell --- Carried.

Secretary-Clerk of the Board

HUMAN DEVELOPMENT COMMISSION
Board of Directors Meeting
August 19, 2009
3 p.m.

#8

PRESENT: Della Hammond, Bob Sugden, Leo Dorr, Ron Wruble, Jerry Peterson, Grace Temple, Jamie Daws, Norton Schramm, George Loomis, Elmer Bussema, Lisa Pridnia, Beth Hunter, Al Long, Steve Vaughn, Gary Roy, Bill Butler, Linda Jarvis

ABSENT: Judge Kim Glaspie (excused), John Merriman (excused), Tom Kern (excused), Carl Holmes (excused), Bob Wood (excused), Chris Taylor (excused)

GUESTS: Tim Hardesty

STAFF: Mary Ann Vandemark, Lori Offenbecher, Brian Neuville, Becky Hassler, Rick Kloor, Lori Ertman

Chairperson Hammond convened the meeting at 3:15 p.m. Roll was called and a quorum established. The Pledge of Allegiance and introduction of staff and guests followed.

Motion by Jerry Peterson, seconded by Norton Schramm, to accept the July 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) notification from A&D Health Care advising that their June 16 assessment found the agency in compliance with all appropriate standards, 2) notification from MSHDA's Homeownership Counseling component advising that their audit of the agency files went well and noted several compliments for agency staff, 3) press release advising that the Public Service Commission had named MCAAAA as the Energy Optimization Plan Administration, 4) article from Congressman Dingell relating to Health Care Reform, 5) an overview of Michigan's unemployment statistics, 6) article from AARP stating that 100,000 Michigan residents will run out of unemployment benefits by the end of the year, 7) Tuscola County CDBG close-out letter from MSHDA, and 8) a proposed diagram for the renovation of Davenport University in Bad Axe to turn it into a Senior Center.

Bylaws/Membership Committee

Chairperson Hammond presented the Committee's recommendation for Board membership from the Early Head Start Policy Council.

Motion by Elmer Bussema, seconded by Grace Temple, that Lisa Pridnia be appointed to the HDC Board of Directors as a consumer sector/Early Head Start representative of Huron County. Motion carried.

Chairperson Hammond assigned Ms. Pridnia to the Personnel Committee of the Board.

Chairperson Hammond provided highlights of the Michigan Community Action Agency Association Summer Conference held the later part of July in which she and Mr. Dorr had attended as HDC Board representatives. She noted that the ARRA funds were a major focus of the Conference, i.e. accountability, regulations, reporting, etc.

Mr. Dorr remarked on the knowledge of the workshop presenters and he encouraged other Board members to attend the Conference next year.

Motion by Leo Dorr, seconded by Bill Butler, to accept the Chairperson's report as presented. Motion carried.

FINANCE REPORT

Mr. Neuville presented the July, 2009 Finance Report which reflected monthly expenses in the amount of \$980,981.

Motion by Jamie Daws, seconded by Beth Hunter, to accept the Finance Report as presented. Motion carried.

Mr. Neuville presented the agency's final audit for the year ending September 30, 2008. He noted that the information was provided to the Executive and Finance/Audit Committees during the exit interview with the auditor.

He highlighted several sections of the audit and noted that it encompassed financial and compliance data, and the agency had no findings or questioned costs and could anticipate being a low-risk auditee next year.

Motion by Grace Temple, seconded by Gary Roy, to accept the agency's audit for the year ending September 30, 2008. Motion carried.

EXECUTIVE COMMITTEE

Chairperson Hammond advised that the Executive Committee had met prior to the Board meeting for the purpose of discussing the search process for a new Executive Director.

The Committee took action to post the position of Executive Director in-house for the period August 24 – September 9. Applicants will send their resumes to the Executive Director's Assistant and they will remain sealed until such time as they are given to the Personnel Committee for screening and then forwarded to the Executive Committee.

Mr. Schramm expressed concern regarding the composition of the Executive Committee in that Huron and Sanilac Counties were under-represented. He suggested that an additional Board member from Huron and Sanilac Counties be temporarily appointed for the purpose of interviewing/hiring a new Executive Director. It was also suggested that the Bylaws be revised to ensure that two Board members from each serve county serve on the Executive Committee.

Members agreed that a criteria should be developed to ensure applicants meet the qualifications for the position of Executive Director. Discussion also followed on the possibility of enlisting the assistance of an outside individual to work with the Personnel and Executive Committees in the search and hiring process.

Motion by Bob Sugden, seconded by Jamie Daws, to accept the Executive Committee report as presented. Motion carried.

CAA ENDOWMENT BOARD OF TRUSTEES

Mr. Sugden advised that the Trustees had met on July 15 at which time the Asset Report was reviewed and the Board discussed several potential fundraising events.

Motion by Bill Butler, seconded by George Loomis, to accept the CAA Endowment Board of Trustees minutes as presented. Motion carried.

SENIOR SERVICES ADVISORY COUNCIL

Ms. Offenbecher presented the July 22 minutes of the Council. Motion by Norton Schramm, seconded by Beth Hunter, to accept the Senior Services Advisory Council minutes as presented. Motion carried.

EARLY HEAD START POLICY COUNCIL

Ms. Temple presented the minutes of the July 14 meeting and the notes of the August 11 session in which a quorum was not present.

Motion by Jerry Peterson, seconded by Linda Jarvis, to accept the Early Head Start Policy Council minutes as presented. Motion carried.

DOMESTIC VIOLENCE SERVICES ADVISORY COUNCIL

Ms. Hunter presented the July 15 minutes of the Council in which members discussed the success of the Art Expo and Candlelight Vigil held on May 1.

Motion by Bill Butler, seconded by George Loomis, to accept the Domestic Violence Services Advisory Council minutes as presented. Motion carried.

AGENCY REPORTS

Executive Director

Ms. Vandemark advised that, in relation to 2009/10 appropriations, the Senate bill has set aside \$70 million of the \$200 million in Weatherization funds to be used by DOE for special projects. Also, 10% of LIHEAP funds will remain under President Obama's control for future urgent needs; hence, states will receive a reduction in LIHEAP funding.

She also advised that, following the completion of numerous surveys from the Department of Labor, a prevailing hourly wage had been set by DOL for the ARRA Weatherization Program.

Members were informed that the agency had received additional information on ARRA reporting requirements.

In relation to the MCAAA Summer Conference, Ms. Vandemark noted that the Director of the National Community Action Partnership had stated that CAA Success Stories would be imperative as it related to ARRA funding. It was also noted that, in partnership with CBS, California had negotiated a 14-month program in which they will air their CAA stories in 30-second spots and 12 one-hour shows in relation to their successes.

Ismael Ahmed, Director of the Department of Human Services, also reiterated the need for Success Stories and stated that DHS would create a new measurement to gauge poverty reduction efforts.

She also noted that workshops were held on Poverty Reduction initiatives in Michigan, as well as across the nation, and she had provided a presentation on HDC's Michigan product line at Wear-A-Bouts.

Ms. Vandemark advised that the Michigan Community Action Agency Association would be sending a letter to federal legislators asking for their support in extending unemployment based on the vast number of individuals who are running out of benefits.

Ms. Hassler presented proposals which the agency wished to submit for funding.

Motion by Jerry Peterson, seconded by Jamie Daws, to submit a proposal to the Michigan Department of Human Service to obtain additional funding for the Low-Income Heating and Energy Assistance Program (LIHEAP). Motion carried.

Motion by Jerry Peterson, seconded by Bill Butler, to submit a proposal to the Michigan Department of Human Services to receive Fiscal Year 2010 CSBG continuation funding. Motion carried.

It was noted that the Michigan Department of Community Health had granted contracts to the agency for the continuation of programs to provide leasing assistance for homeless persons with serious mental illness and their families in the four-county area, and for unaccompanied homeless adults with serious mental illness in Huron, Lapeer, and Sanilac Counties.

Motion by Leo Dorr, seconded by Beth Hunter, to authorize the sale of the 46 Westland Drive property, in Bad Axe, for \$18,500 and authorize the Executive Director to sign all documents relating to the sale. Motion carried.

Ms. Vandemark stated that, in relation to the agency's continuing partnership with Huron County for the development of a Senior Center, staff are attending Ad Hoc Committee meetings.

She also noted that she had received a call from Senator Stabenow's Office in relation to the agency's potential loan from Rural Development for the construction of a building in Bad Axe and the legislative aide also asked "what can we do for HDC?".

Members were informed that, on August 25, the Executive Director and Fiscal/Business Director would be going before the Tuscola County Board of Commissioners to present agency's audit, relative to that County's activities, and provide a summary of services and people served.

Ms. Vandemark advised that Program Guidelines for the operation of the DTE Energy Efficiency Assistance Program, also known as the Energy Optimization Program, had been received. The program is an opportunity for DTE Energy and other utilities to join with the Michigan Community Action Agency Association and its member agencies to help low-income households reduce their energy costs and improve their quality of life. The service will enhance the Weatherization Program in that CAAs will be reimbursed for providing customers with cost-saving measures, i.e. light bulbs, refrigerators.

Ms. Vandemark reported that, since March, 2009, the agency had hired several new staff and retain many positions as a result of ARRA funds and funding from other sources. It is anticipated that at least 23 additional jobs will be created and six additional positions retained in the future.

She also noted that as the agency's annual budget increases, the majority of these dollars are placed back in to the economy of the four counties. The agency also has many additional funding opportunities which will be forthcoming in the near future.

Mr. Hardesty, agency consultant, advised that Croswell Country Manor was moving toward foreclosure based on the inability of MSHDA and HUD to come to an agreement on an aspect of the agency's Croswell Development Project. The agency will be receiving its pre-development loan for past expenditures relating to this Project, however, MSHDA has recently resolved a similar issue with HUD as it related to another project which may provide for a resolution of the Croswell issue. If this is the case, MSHDA wishes HDC to again identify equity partners in order that the Croswell Development Project may move forward once again.

He also advised that, following three applications for the second phase of South Saginaw Homes, MSHDA notified the agency on this date that it will be funded. He noted that Phase I of the project is operating at full occupancy.

Mr. Hardesty stated that the agency is continuing to work on the Sandusky Eastside Manor renovation and related information on the Lapeer/Genesee Housing Project which was discussed and approved by the Executive Committee.

Motion by Grace Temple, seconded by Lisa Pridnia, that the \$8,850 predevelopment loan for the Lapeer/Genesee Housing Project be accepted and that the Executive Director be authorized to sign the grant documents on behalf of the agency. Motion carried.

Motion by Jerry Peterson, seconded by Beth Hunter, to accept the Executive Director's Report as presented. Motion carried.

In response to Mr. Wruble's question regarding lay-off contingencies for Weatherization ARRA Crew Workers, Ms. Vandemark responded the workers will be given training to assist them in entering the new Green Jobs field and positions with utility company energy efficiency programs.

Deputy Director

Ms. Offenbecher advised that 284 eligible applications have been received, to date, for the Weatherization ARRA Program.

In addition, she related her concern that a budget cut, of up to 90%, in state funding for senior services may be forthcoming. This cut would drastically affect Home Delivered Meal and In-Home Services. In addition, a proposed state budget cut would also result in the elimination of the Magic Years Pre-School in Vassar.

Members were also apprised of the fact that a new cooler will be purchase for the Commodities Program, based on the receipt of ARRA funds which will enable additional food items to be distributed. Ms. Offenbecher noted that additional volunteers for this program were needed.

She also advised that the amount of time staff were spending with customers had dramatically increased based on the fact that many individuals coming to the agency had never received services before.

Motion by George Loomis, seconded by Jamie Daws, to accept the Deputy Director's Report as presented. Motion carried.

OTHER

Mr. Long thanked HDC staff for their previous efforts in purchasing and establishing a Dining Center in Bad Axe.

Meeting adjourned at 5 p.m.

Respectfully submitted,


Lori Ertman
Executive Director's Assistant



STATE OF MICHIGAN

DEPARTMENT OF HUMAN SERVICES
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

ISMAEL AHMED
DIRECTOR

June 29, 2009

Gerald Peterson, Chairperson
Tuscola County Board of Commissioners
207 East Grant Street
Caro, Michigan 48723

Dear Commissioner Peterson:

Your **amended** 2008-09 annual plan and budget for Child Care Fund expenditures is approved for state reimbursement in the amount of \$553,400.40. This amount is 50% of your county's gross annual plan and budget which is \$1,106,800.80.

Act 87 P.A. 1978 prohibits the state from reimbursing county Child Care Fund expenditures which exceed a county's approved budget. Child Care Fund policy prohibits reimbursement of capital, rental, lease and certain equipment and repair cost. If your expenditures exceed your **amended** approved budget of \$1,106,800.80, it will be necessary to submit a new/approved budget no later than October 9, 2009, with all three required signatures to be eligible for reimbursement for expenditures in excess of the original approved budget. Failure to comply with this requirement will result in state reimbursement being limited to authorized budget.

Reimbursement for In-Home Care and Basic Grant will only be made up to the amount approved for individual service components.

The following In-Home Care components are authorized:

<u>Title</u>	<u>Administrative Unit</u>	<u>Gross Expenditures</u>
Intensive Probation	Court	\$ 119,300.80
Stop the Abuse	Court	\$ 23,500.00

The following Basic Grant components are authorized:

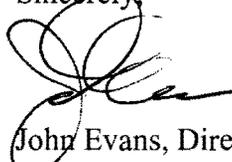
<u>Title</u>	<u>Administrative Unit</u>	<u>Gross Expenditures</u>
School Truancy/Delinquency Prevention	Court	\$ 15,000.00

Gerald Peterson, Chairperson
June 29, 2009
Page 2

Any claim for state monies from the Child Care Fund to cover expenditures incurred between October 1, 2008 and September 30, 2009, will signify your acceptance of the terms of this **amended** approval letter as well as all conditions outlined in the original approval letter.

If you have any questions or concerns regarding this letter, please contact me at (517) 335-3489.

Sincerely,

A handwritten signature in black ink, appearing to read "John Evans", written over a circular scribble.

John Evans, Director
Bureau of Juvenile Justice

cc: The Honorable W. Wallace Kent, Jr., Family Court Judge, Tuscola County
Leonard Richards, Director, Tuscola County DHS
Keith Schafer, Child Care Fund/Chargeback Unit
Janie Ross, Child Care Fund Specialist
Child Care Fund File

DRAFT
Tuscola County Board of Commissioners
Committee of the Whole Minutes
Tuesday, September 1, 2009 – 8:00 A.M.
Annex Board Room (207 E. Grant Caro, Mi.)

Commissioners present: Roggenbuck, Bardwell, Kern, Petzold, Peterson. Also present: Michael Hoagland, Margie White-Cormier, Mary Drier, Mike Miller, Carrie Krampits, Mari Young, Clayette Zechmeister, Kyle Jaskulka, Kate Neese, Walt Schlichting

Finance

Reconsideration of Language in Resolution to Purchase 141 S. Almer Street Building for Adult Probation - (see consent agenda resolution)

Child Care Foster Care Cost Changes – Letter to be Sent to State – Judge Kent is directing that the \$10 per day increase for foster care administrative fees not be taken from the county Child Care Fund.

Audio/Recording of Meetings – corporate counsel's opinion of the board's rules of order states it can't be re-visited until next year.

BCBSM Claim – letter was written by corporate counsel stating a deadline (Sept. 7)

Draft Lapeer County Resolution - regarding state funding (lack of per legislation)

Aerial Photograph Potentials – Walt Schlichting shared an email regarding the state entering into a technology partnership with MicroSoft to create aerial photos. The cost to the county (local match), would be \$23,000. A letter of intent is needed. An extension of the deadline will be pursued.

Parliamentarian – appoint the board chairman until a replacement is identified.

Secondary/On-Going Finance Items

1. Treasurer Bank Statement Reconciliation (Balanced through July)
2. ACS Contract Potential Changes – Corporate Counsel Language Needed
3. Update Regarding Broadband Application
4. Revolving Loan Fund and Enterprise Facilitation – Federal Financial Assistance Request
5. Potential Changes in Dog License Issue Periods
6. Dispatch Pager Update
7. ATM, PayPal, Touch Pay Options for Courthouse – Circuit Court Administrator – met with Independent Bank on Friday and a meeting is scheduled with Northstar for this Friday. The state kicked back the **CRP agreement** because a budget sheet was missing. The agreement needs to be approved in its entirety (**see consent agenda resolution**)
8. SBCI – Great Lakes Restoration Initiative Grant Funds - Set Meeting Date with Bay County Executive
9. Monthly Financial Reports
10. Discussion of Tether Program Potentials-Commissioner to Call Judge – Judge is discussing with Sheriff Teschendorf
11. 2010 Budget Development – department forms will be developed and distributed

Personnel

Board of County Canvassers' Appointments – (see consent agenda resolution for Barb Gaul Democratic Party and Matthew Bierlein Republican Party)

Veterans' Affairs Committee Vacancy – third member. Advertising has occurred

RFP for Labor/Personnel Legal Services – updated version circulated

County Seal – submit to NACo

Discussion of Reopening Union Contracts – letter of apology has been sent. It was felt the timing wasn't appropriate. It was suggested to consider opening contracts regarding the BC/BC increase (see consent agenda resolution)

Potential State Grant to Submit Accident Reports On-Line – grant to fund computer (in-car laptops) equipment to facilitate accident reporting. Currently, accomplished in hard copy format (consent agenda resolution –letter of interest)

Public Employee Benefits Solutions, LLC - information

Set September 22 Board of Commissioner District Meeting Location – to occur at a location yet to be determined in District 5. October 27 meeting will occur in District 1. November 24 meeting will occur in District 3. January 26 meeting will occur in District 4 and February 23 meeting will occur District 2 Meetings will commence at 6 p.m. (see consent agenda resolution).

Approval of Honorary Resolutions – Diane Santhany and Medical Care Facility employees

County Manual/Handbooks – (personnel and county policies) compile, consolidate, organize, distribute (see consent agenda resolution to personnel committee)

Secondary/On-Going Personnel Items

1. Policy Regarding Recording and Publishing of Meetings
2. Review of the Policy Regarding Seeking Legal Opinions and Assistance
3. Employee Recognition
4. Open Meetings Act Discussion for Boards and Commissions – Corporate Counsel and County Prosecutor – a date expected this week
5. Mosquito Abatement Committee – Policy Review
6. Farmland Preservation Committee
7. Expanded Local Official Email List – distribute an updated list to the commissioners
8. Speakers Bureau – list of 13 who have agreed to be included on the list (**see consent agenda resolution to publish**)
9. Potential to use Visual Explorer
10. County Organizational Chart Update – to be emailed to all departments
11. Staff Evaluation, Discipline, Performance Evaluations, Job Descriptions
12. Incorporate County Personnel Policies and Other key Personnel Information on the County Web Site
13. County-Wide Health Care Savings Plan – establish a deadline (end of Sept.)
14. Backup Computer Support for Sheriff Department
15. Electronic Time Recording System
16. Circuit/Family Court Personnel Policies
17. H1N1 Update from Health Officer

Building and Grounds

Recycling Storage Building Alternatives – the Recycling Committee feels it would be better to repair/improve the building (rather than building the lean-to). Rescind the

previous motion regarding the lean-to and make the improvements as recommended by the building code official. The Village of Caro will be contacted regarding the lease and possible land purchase. An RFP will be developed and posted (see consent agenda resolution)

Energy Efficiency Grants Timeline and Application Procedures – Next Steps – RFP expected soon with a deadline of 30 days to apply. Requested is reassurance that EMCOG won't charge us for services after this year.

Secondary/On-Going Building and Grounds Items

1. Vanderbilt Park Operational Cost Sharing Request with Wisner Township and Proposed Upgrades
2. Human Services Building Remodeling Update
3. Follow-Up Work for NACO Energy Star Program
4. Airport Zoning Ordinance Public Hearing Held 8-26-09
5. Review of FOC Potential Relocation to the Courthouse
6. Update Emergency Services Plan for County Operations
7. Adult Probation Update Regarding Purchase Completion Steps
8. Sheriff Auction – September 26, 2009

Correspondence/Other Business as Necessary

1. Resolutions from Other Counties
2. National Flood Insurance Program
3. Economic Development
 - County EDC Strategic Planning and CAT Integration
 - Enterprise Facilitation
 - Revolving Loan Fund
 - Economic Gardening
 - RBEG 3rd Year Application
 - ECMPDR Coastal Zone Management Grant
 - Wind Energy Planning – County Planning Commission, Need for Proactive Planning?
 - Regional Tourism
 - American Recovery and Reinvestment Act - Federal Stimulus Funds

Public Comment Period - none

Controller/Administrator's Potential Discipline – three incidences were reviewed: 1) violated a direct order to produce a detailed job description for each of the two titles (controller and administrator). 2) Interacted with a commissioner in a manner that was inappropriate that served as an attempt to threaten, intimidate or embarrass her. 3) Alleged intimidation of employees. An investigation was conducted and findings reviewed as provided by the Human Resource Director. Discussion occurred and the committee members were polled on each of the the issues. No disciplinary action was recommended as a result of these three separate instances based on the evidence provided. In conclusion, the Board consented to the Personnel Committee developing an Administrator/Controller Performance evaluation template for the purpose of evaluating the Administrator/Controller and providing 5 to 6 areas of focus for performance improvement for future review and evaluation. In addition, the Committee agreed that the Administrator/Controller

immediately initiate steps that will improve both relationship building and communication among all county personnel.

Other Business as Necessary – none

Meeting adjourned at 11:42 a.m.

Margie White-Cormier
Tuscola County Clerk

STATE OF MICHIGAN
TUSCOLA COUNTY BOARD OF COMMISSIONERS
RESOLUTION

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Building in Caro, Michigan on the ____ day of August, 2009, at _____ o'clock __.m. local time.

PRESENT:

Commissioners: _____

ABSENT:Commissioners: _____

It was moved by Commissioner _____ and supported by Commissioner _____ that the following resolution be adopted.

WHEREAS, MCL §791.223a(5) (“Act”) obligates each county board of commissioners to provide physical space to house circuit court probation operations administered in that county by the Michigan Department of Corrections (“Adult Probation”);

WHEREAS, the Act was made effective on January 10, 1980, after Michigan’s Headlee Amendment was adopted in November of 1976 (“Headlee”), which prohibits the State of Michigan from mandating that counties incur obligations without providing state funding;

WHEREAS, the County, in a further effort to mitigate its damages under the Act, issued a Request For Proposals for the Adult Probation Office and no one except the owner of the 141 S. Almer, submitted a proposal;

WHEREAS, the County has attempted to find space alternatives for Adult Probation that are less financially burdensome than 141 S. Almer, on either a rental or purchase basis, and no such alternatives could be found;

WHEREAS the County has received an offer from BBC Enterprises for the County to purchase the Building at 141 S. Almer Street Caro, Michigan for an amount of \$245,000 (“Almer Offer”);

WHEREAS, the County has determined that acceptance of the Almer Offer is the least costly way for the County to achieve compliance with the Act, but in doing so, also wishes to preserve its claim that the Act’s cost imposition on the County is unlawful as violative of Headlee:

NOW, THEREFORE, BE IT RESOLVED that the County accepts the Almer Offer as reflected in the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that all signatures necessary by county officials to finalize the Almer Offer and subsequent closing are authorized and directed, including but not limited to execution of the Buy/Sell Agreement attached as Exhibit A;

BE IT FURTHER RESOLVED, that a budget be established in the 483 Capital Improvement Fund in an amount of \$265,000 through the use of fund balance to purchase the building plus make required building repairs and conduct remodeling work;

BE IT FURTHER RESOLVED that none of the above actions are taken voluntarily or in waiver of the County’s claim against the State of Michigan under Headlee for the Adult Probation costs it has incurred under the Act. All such rights being preserved and, rather, that all of these actions are taken and costs incurred merely to mitigate the County’s Headlee claim damages;

BE IT FURTHER RESOLVED that the attached press release is authorized to be issued to explain the Act’s requirements on the County to pay the cost of housing Adult Probation which is a State Department of Correction operation and the fact that purchase of the Almer Building is the least costly alternative for the County in which to mitigate its damages;

BE IT FURTHER RESOLVED that the County Controller shall forward a copy of this Resolution to the Governor of the State of Michigan and the Director of the Department of Corrections;

BE IT FURTHER RESOLVED that this resolution replaces, modifies or supersedes any prior resolution on the same or similar subjects.

YEAS:

Commissioners: _____

NAYS:

Commissioners: _____

ABSTENTIONS: Commissioners: _____

RESOLUTION ADOPTED:

Jerry Peterson, Chairperson, Tuscola County
Board of Commissioners

Margie White-Cornier, Tuscola County Clerk