

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

THURSDAY, MARCH 24, 2011 – 6:00 P.M.

**H. H. PURDY BUILDING BOARD ROOM
125 W. Lincoln Street
Caro, MI**

125 W. Lincoln Street
Caro, MI 48723

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

- 6:00 P.M. Call to Order – Chairperson Bardwell
Prayer – Commissioner Petzold
Pledge of Allegiance – Commissioner Bardwell
Roll Call – Clerk White
Adoption of Agenda
Action on Previous Meeting Minutes (See Correspondence #1)
Brief Public Comment Period
Consent Agenda Resolution (None)
New Business
 -Drain Commission 2010 Annual Report
 -Cindy Burns – ATM for Jail
 -Position Paper State Revenue Sharing/Personal Property Tax
 -Probate Court Room Bids
 -Redemption or Refunding of Medical Care Facility Bonds (See
 Correspondence #2)
 -Bids for Lighting Portion of Energy Grant (See Correspondence #3)
 -Maintenance Staff Resolution of Appreciation (See Correspondence
 #4)
 -Region VII Area Agency on Aging – Advisory Council Appointments
 (See Correspondence #5)
 -MCF Millage Transfer Requests
 -Child Abuse Prevention Month (See Correspondence # 6)
Old Business
Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

Caro DDA

Brownfield Redevelopment Authority

Economic Development Corporation

MAC Economic Development/Taxation

MAC 7TH District

Local Unit of Government Activity Report

Michigan Association of Counties – Board of Directors

NACo

ALLEN

Board of Public Works
Local Unit of Government Activity Report
Human Services Coordinating Council
Great Start Collaborative – Tuscola County
Parks & Recreation
MAC Judiciary & Public Safety Committee
NACo Agricultural Committee
NACo Rural Action Caucus
MAC Agriculture & Tourism

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
County Planning Commission

PETZOLD

Recycling Advisory
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
Saginaw Bay RC & D

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
DHS/Medical Care Facility Liaison
Tuscola 2011

Closed Session (If Necessary)

Other Business as Necessary

Extended Public Comment

Adjournment

COMMITTEE MEETING TO FOLLOW BOARD

MEETING AT APPROXIMATELY 7:00 P.M.

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 March 10, 2011 Full Board Minutes
- #2 Possible Refunding of Medical Care Facility Bonds
- #3 Bids for Lighting Portion of Energy Grant
- #4 Maintenance Staff Resolution of Appreciation
- #5 Region VII Area Agency on Aging Advisory Council Appointments
- #6 Child Abuse Prevention Month Resolution
- #7 March 10, 2011 Committee of the Whole Minutes
- #8 County Farm Tile County Drain – Notice of Meeting

DRAFT
Tuscola County Board of Commissioners
March 10, 2011 Minutes
HH Purdy Building

Chairman Thomas Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the City of Caro, Michigan, on the 10th day of March, 2011 to order at 8:30 o'clock a.m. local time.

Prayer by Commissioner Allen
Pledge by Commissioner Petzold

COMMISSIONERS PRESENT:

District #1 Roger Allen, District #2 Thomas Bardwell, District #3 Tom Kern,
District #4 Roy Petzold

COMMISSIONERS ABSENT:

District #5 Gerald Peterson

11-M-069

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

11-M-070

Motioned by Kern seconded by Allen to approve the minutes of the
2/24/11 regular meeting. Motion carried.

11-M-071

Motion by Allen seconded by Kern to amend previous Motion 11-M-050 so
that the 1.5% wage increase for non-union employees be clarified to include
employees of the court but to exclude the six elected officials of the county:
County Clerk, Treasurer, Sheriff, Drain Commissioner, Register of Deeds and
Prosecutor. Motion carried.

Brief Public Comment – Katherine Mitchell, a mobile home park manager,
appeared regarding two individuals, Jim Amstel and Mike Trombey, who are
promoting Green Club (medical marijuana) moving into small towns.
A Denmark Township Trustee stated his board adopted a six-month moratorium
against any new marijuana businesses locating in his township.
Ione Vyse noted that the County Planning Commission notified the local units
regarding medical marijuana.

Judy Adams shared some research she encountered concerning medical marijuana.

Health Officer Gretchen Tenbusch offered some assistance with residents' questions concerning medical marijuana.

Heather Thomas with Gardner, Provenzano, Schauman & Thomas P.C. presented an overview of the Health Department's audit.

Wind Energy presentation – Mike Krause, chairman of the Huron County EDC and Carl Osentoski, Executive Director of the Huron County EDC.

10:27 a.m. recess

10:37 a.m. meeting resumed

MSU Extension Memorandum of Agreement presented by Joe Bixler

11-M-072

Motion by Kern seconded by Allen to receive and place on file the 2010 Tuscola County Mosquito Abatement Annual Report. Motion carried.

11-M-073

Motion by Kern seconded by Allen to approve the contract between Tuscola County Sheriff and Tuscola Behavioral Health Systems Board to provide inpatient hospital services to inmates incarcerated in the county jail. Also, authorize all necessary signatures. Motion carried.

Controller/Administrator Mike Hoagland presented year-end 2010 financial information

Equalization Director Walt Schlichting presented property value trends

11-M-074

Motion by Allen seconded by Kern that per the February 17, 2011 letter of recommendation from the Tuscola County Behavioral Health Systems Board, reappoint the following individuals to the Tuscola County Behavioral Health System Board for three-year terms: Paula Cavanaugh, Daniel Grimshaw, Joann Helmbold and Mark Putman. Motion carried.

11-M-075

Motion by Kern seconded by Allen that per the February 24, 2011 letter of request from the Tuscola County Pumpkin Festival Committee, authorize the use of the courthouse lawn October 5-9, 2011. Motion carried.

11-M-076

Motion by Kern seconded by Allen to suspend the purchasing policy in the interest of time to complete the project and that a cost proposal be obtained from

the current contractor (Jim Nolan) to complete the required remodeling in the former Clerk's office area for the Friend of the Court office space in the courthouse. Also, authorization is given to proceed with the proposal if it is reasonable as determined by the Building and Grounds Committee. Motion carried.

11-M-077

Motion by Kern seconded by Allen to approve the out-of-state travel request for Commissioner Bardwell to attend the NACo Rural Action Development Caucus in Washington DC. Motion carried.

Extended Public Comment - none

Meeting adjourned at 12:35 p.m.

Margie A. White
Tuscola County Clerk

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LAW OFFICES OF
AXE & ECKLUND, P.C.
SUITE 355
21 KERCHEVAL AVENUE
GROSSE POINTE FARMS, MICHIGAN 48236
TELEPHONE: (313) 884-9811, TELECOPIER (313) 884-0626

JOHN R. AXE
Johna@axelaw.com

March 18, 2011

VIA EMAIL

Mr. Michael R. Hoagland
Tuscola County Controller/Administrator
207 E. Grant St.
Caro, MI 48723

RE: TUSCOLA COUNTY MEDICAL CARE FACILITY CAPITAL
IMPROVEMENT BONDS, SERIES 2003

Dear Michael:

As you know Municipal Financial Consultants Incorporated sent you on Monday a letter indicating the County could either issue refunding bonds or partially redeem one of the maturities of the captioned bonds which letter indicated either approach would get the same results.

However, on Tuesday, Wednesday and Thursday of this week, we sold three different refunding bond issues all of which resulted in a substantially greater interest savings than we anticipated at the beginning of the week.

For that reason, MFCI has prepared a new estimate of the projected net savings for a refunding of the captioned bond issue. Based on the sales that occurred this week, MFCI believes that the County may have the opportunity to save more than an extra \$100,000 as it is set forth in the attached report prepared yesterday. Based on this new information, we have prepared and recommend that the County Board of Commissioners approve a refunding resolution authorizing the issuance of refunding bonds for some time in the month of April.

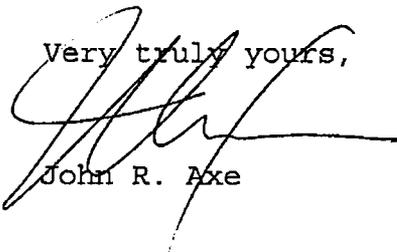
If possible, it would be helpful if the Board of Commissioners would approve this at their meeting next week.

We will send you a time table for the refunding on Monday.

AXE & ECKLUND, P.C.

If you have any further questions, please give me a call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John R. Axe', written over the typed name below.

John R. Axe

Jra.1-TUS32

COUNTY OF TUSCOLA

At a _____ meeting of the Board of Commissioners of the County of Tuscola, Michigan, held in Caro, Michigan on _____, 2011 at ___:___ .m., Eastern Daylight Savings Time there were

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and seconded by _____:

**REFUNDING BOND RESOLUTION
BONDS NOT TO EXCEED \$5,800,000
Tuscola County Medical Care Facility
Capital Improvement Refunding Bonds, Series 2011**

WHEREAS, pursuant to the provisions of Section 517 of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34") the County of Tuscola (the "County") issued its Tuscola County Medical Care Facility Capital Improvement Bonds, Series 2003, dated as of April 1, 2003 (the "Prior Bonds"), in the original principal amount of \$12,800,000 which Prior Bonds were originally issued for the purpose of renovating, improving and expanding the Tuscola County Medical Care Facility;

WHEREAS, the Prior Bonds remain outstanding in the aggregate principal amount of \$7,350,000 maturing in various principal amounts on June 1 in the years 2011 through 2017 and bear interest at rates of 3.60% through 4.25%; and

WHEREAS, pursuant to Act No. 34, Public Acts of Michigan, 2001, as amended, ("Act 34") the County is authorized to refund all or any part of its funded indebtedness; and

WHEREAS, the County may call the Prior Bonds maturing in the years 2012 through 2017 on June 1, 2011; and

WHEREAS, the County has determined that it is necessary and appropriate at this time to issue a series of refunding bonds pursuant to Act 34 to refund the Prior Bonds.

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

1. **Issuance of Refunding Bonds.** Refunding bonds of the County aggregating in the principal amount not to exceed Five Million Eight Hundred Thousand Dollars (\$5,800,000) (the "Refunding Bonds") shall be issued and sold pursuant to the

provisions of Act 34, and other applicable statutory provisions, for the purpose of refunding the Prior Bonds maturing in the years 2012 through 2017 (the "Refunded Bonds").

2. **Refunding Bond Details.** The Refunding Bonds shall be known as "Tuscola County Medical Care Facility Capital Improvement Refunding Bonds, Series 2011" and shall be dated April 1, 2011 or such later date not more than twelve calendar months thereafter as the County Controller/Administrator or the County Treasurer shall provide in the Request for Proposal. The Refunding Bonds shall be fully registered Refunding Bonds, both as to principal and interest, in any one or more denominations of \$5,000 or a multiple of \$5,000 numbered from 1 upwards as determined by the County Controller/Administrator or County Treasurer, regardless of rate and maturity date. The total amount of Bonds to be issued shall not exceed \$5,800,000. Subject, however, to adjustment as described under "INCREASE OR DECREASE IN AGGREGATE AMOUNT OF REFUNDING BONDS", Section 7, if \$5,385,000 in Refunding Bonds are to be issued, the Refunding Bonds shall mature on June 1 in each year as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
2012	\$ 965,000	2014	\$1,020,000	2016	\$1,110,000
2013	1,000,000	2015	1,090,000	2017	200,000

The Refunding Bonds shall be in substantially the form attached hereto as *EXHIBIT A* with such changes, additions or deletions as are not inconsistent with this resolution.

3. **Discount.** The Refunding Bonds may be offered for sale at a price of not less than 99% of the face amount thereof, and the County Controller/Administrator or the County Treasurer are each authorized, in his or her discretion, to provide for a higher or lower minimum purchase price in the Request for Proposal of the Refunding Bonds.

4. **Prior Redemption.** The Refunding Bonds shall not be subject to redemption prior to maturity.

5. **Payment of Interest and Date of Record.** The Refunding Bonds shall bear interest payable December 1, 2011, and semi-annually thereafter on each June 1 and December 1, until maturity, which interest rate shall not exceed 6% per annum. Interest shall be mailed by first class mail to the registered owner of each Refunding Bond as of the applicable date of record.

The date of record shall be May 15 with respect to payments to be made on June 1 and November 15 with respect to payments to be made on December 1.

6. **Adjustment of Refunding Bond Maturities.** The County Controller/Administrator or the County Treasurer is authorized by order in the form attached as *EXHIBIT B* to adjust the amounts of the maturities of the Refunding Bonds, as set forth in Section 7.

7. **Increase or Decrease in Aggregate Amount of Refunding Bonds.** In the event the amount necessary to refund the Refunded Bonds shall be more or less than \$5,385,000, the County Controller/Administrator or the County Treasurer shall increase the principal amount of the Refunding Bonds by up to \$415,000, or decrease the principal amount of the Refunding Bonds up to \$2,000,000 and to the extent required to avoid the issuance of more Refunding Bonds than will be required in light of the amount of Refunding Bonds to be issued and proposals received, which increase or decrease may be applied to any one or more of the maturities and the Request for Proposal attached as *Exhibit D* shall so provide or be changed accordingly. In the event the County determines to contribute additional amounts toward the refunding of the bonds, the bonds shall further be reduced by the amount of such contribution.

8. (A) **Bond Registrar and Paying Agent/Book Entry Depository Trust.** The County Controller/Administrator or the County Treasurer (the "County Controller/Administrator or the County Treasurer") shall designate, and shall enter into an agreement with, a bond registrar and paying agent for the Refunding Bonds which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Controller/Administrator or the County Treasurer from time to time as required may designate a similarly qualified successor bond registrar and paying agent. If so designated the Refunding Bonds shall be deposited with a depository trustee designated by the County Controller/Administrator or the County Treasurer who shall transfer ownership of interests in the Refunding Bonds by book entry and who shall issue depository trust receipts or acknowledgments to owners of interests in the Refunding Bonds. Such book entry depository trust arrangement, and the form of depository trust receipts or acknowledgments, shall be as determined by the County Controller/Administrator or the County Treasurer after consultation with the depository trustee. The County Controller/Administrator or the County Treasurer is authorized to enter into any depository trust agreement on behalf of the County upon such terms and conditions as the County Controller/Administrator or the County Treasurer shall deem appropriate and not otherwise prohibited by the terms of this Resolution, which Contract shall be executed by the County Controller/Administrator or the County Treasurer. The depository trustee may be the same as the Registrar otherwise named by the County Controller/Administrator or the County Treasurer, and the Refunding Bonds may be transferred in part by depository trust and in part by transfer of physical certificates as the County Controller/Administrator or the County Treasurer may determine.

(B) **Exchange and Transfer of Bonds.**

(i) The Refunding Bonds, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Refunding Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bonds.

(ii) The Refunding Bonds shall be transferable upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent, only upon surrender of such Refunding Bonds together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

(iii) Upon the exchange or transfer of the Refunding Bonds, the bond registrar and paying agent on behalf of the County shall cancel the surrendered Refunding Bonds and shall authenticate and deliver to the transferee new Refunding Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bonds. If, at the time the bond registrar and paying agent authenticates and delivers new Refunding Bonds pursuant to this Section, payment of interest on the Refunding Bonds is in default, the bond registrar and paying agent shall endorse upon the new Refunding Bonds the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____, ____."

(iv) The County and the bond registrar and paying agent may deem and treat the person in whose name the Refunding Bonds shall be registered upon the books of the County as the absolute owner of such Refunding Bonds, whether such Refunding Bonds shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Refunding Bonds and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 5 of this Resolution shall be valid and effectual to satisfy and discharge the liability upon such Refunding Bonds to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

(v) For every exchange or transfer of the Refunding Bonds, the County or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other

governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

(vi) The bond registrar and paying agent shall not be required to transfer or exchange the Refunding Bonds or portion of the Refunding Bonds which has been selected for redemption.

9. **Mutilated, Lost, Stolen or Destroyed Refunding Bonds.**

In the event any Refunding Bond is mutilated, lost, stolen, or destroyed, the Mayor and the County Clerk may, on behalf of the County, execute and deliver, or order the Bond Registrar to authenticate and deliver, a new Refunding Bond having a number not then outstanding, of like date, maturity and denomination as mutilated, lost, stolen, or destroyed.

In the case of a mutilated Refunding Bond, a replacement Refunding Bond shall not be delivered unless and until such mutilated Refunding Bond is surrendered to the Bond Registrar. In the case of a lost, stolen, or destroyed Refunding Bond, a replacement Refunding Bond shall not be delivered unless and until the County and the Bond Registrar have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument Refunding Bond for principal and interest remaining unpaid on the lost, stolen or destroyed Refunding Bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Refunding Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Refunding Bond (or his or her attorney) to fully indemnify the County and the Bond Registrar against loss due to the lost, stolen or destroyed Refunding Bond and the issuance of any replacement Refunding Bond in connection therewith; and (iv) the agreement of the owner of the Refunding Bond (or his or her attorney) to pay all expenses of the County and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the County.

10. **Execution and Delivery.** The Chairman of the Board of Commissioners and the County Clerk are hereby authorized and directed to execute the Refunding Bonds for and on behalf of the County by manually executing the same or by causing their facsimile signatures to be affixed. If facsimile signatures are used, the Refunding Bonds shall be authenticated by the Bond Registrar before delivery. The Refunding Bonds shall be sealed with the County's seal or a facsimile thereof shall be imprinted thereon. When so executed and (if facsimile signatures are used) authenticated, the Refunding Bonds shall be delivered to the County Controller/Administrator or the County Treasurer, who is hereby authorized and directed to deliver the Refunding Bonds to

the purchaser upon receipt in full of the purchase price for the Refunding Bonds.

11. **Amounts Pledged for Repayment.** The Refunding Bonds are expected to be retired from part or all of the proceeds of the one mill extra levy approved by the County voters that has been levied from December 1, 2002 and will continue to be levied through and including December 1, 2016. In addition, the County agrees to pledge for the repayment of the Refunding Bonds sufficient amounts of County taxes levied each year provided that the amount of taxes necessary to pay the principal and interest on the Refunding Bonds, together with the other taxes levied for the same year, shall not exceed the limit authorized by law and which taxes will be subject to applicable statutory and constitutional limitations on the taxing power of the County.

12. **Bond Payment Fund.** The County shall establish and maintain a bond payment fund (the "Bond Payment Fund") to be used solely for the purpose of (i) paying principal of, premium, if any, and interest on the Refunding Bonds as well as costs, including the fees and expenses of the Bond Registrar, incidental to the Refunding Bonds; (ii) the annual fees and expenses of the escrow agent under an escrow agreement; and (iii) the fees and expenses of the paying agent or paying agents for the Refunding Bonds.

13. **Use of Proceeds.** The proceeds of the sale of the Refunding Bonds shall be used as follows:

- a. Accrued interest shall be transferred to the Bond Fund created pursuant to Section 12 above;
- b. There shall next be transferred to an escrow fund (the "Escrow Fund") an amount which will be sufficient to pay when due the principal of, premium, if any, and interest on the Refunded Bonds when due upon redemption; and
- c. The balance of the proceeds shall be used to pay some or all of the costs of financing including, but not limited to, publication costs, financial costs, consultant fees, counsel fees, printing costs, application fees, bond insurance premiums, rating fees and any other fees or costs incurred in connection with the financing.

14. **Escrow Agreement; Redemption of Refunded Bonds.** In order that the Refunded Bonds may be properly defeased in accordance with Act 34, the County shall enter into an escrow agreement as may be determined by the County Controller/Administrator or the County Treasurer (the "Escrow Agreement"), with a bank or trust company designated by the County Controller/Administrator or the County Treasurer. The Escrow Agreement shall be in substantially the form attached as

EXHIBIT C to this Resolution (with such changes, modifications and additions as may be approved by the County Controller/Administrator or the County Treasurer). The Escrow Agreement shall be completed by the County Controller/Administrator or the County Treasurer with appropriate figures prior to execution on behalf of the County by the County Controller/Administrator or the County Treasurer.

Upon execution of the Escrow Agreement and delivery of the Refunding Bonds, the County and/or the escrow agent shall take all necessary steps to cause the Refunded Bonds to be redeemed at the earliest possible redemption date or dates.

15. **Investments**. Moneys in the Bond Payment Fund may be continuously invested and reinvested in United States government obligations, obligations the principal and interest on which are unconditionally guaranteed by the United States government, or in interest-bearing time deposits selected by the County Controller/Administrator or the County Treasurer which are permissible investments for surplus funds under Act No. 20, Public Acts of Michigan, 1943, as amended. Such investments shall mature, or be subject to redemption at the option of the holder, not later than the dates moneys in such fund will be required to pay the principal of, premium, if any, and interest on the Refunding Bonds. Obligations purchased as an investment of moneys in the Bond Payment Fund shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

16. **Depositories**. All of the banks located in the State of Michigan are hereby designated as permissible depositories of the moneys in the funds established by this Resolution, except that the moneys in the Bond Payment Fund shall only be deposited in such banks where the principal of, premium, if any, and interest on the Refunding Bonds are payable. The County Controller/Administrator or the County Treasurer shall select the depository or depositories to be used from those banks authorized in this Section.

17. **Arbitrage and Tax Covenants**. Notwithstanding any other provision of this Resolution, the County covenants that it will not at any time or times:

(a) Permit any proceeds of the Refunding Bonds or any other funds of the County or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Refunding Bond to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) in a manner which would result in the exclusion of any Refunding Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Refunding Bond as a "private activity bond" within the meaning of Section 141(a) of the Code,

as a "private loan bond" within the meaning of Section 141(a) of the Code or as an obligation guaranteed by the United States of America within the meaning of Section 149(b) of the Code; or

(b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Refunding Bonds to be includible in gross income for federal income tax purposes, cause the interest on the Refunding Bonds to be includible in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Refunding Bonds to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code, or (ii) adversely affect the exemption of the Refunding Bonds and the interest thereon from the State of Michigan income taxation.

18. **Qualified Tax-Exempt Obligations.** The Refunding Bonds are designated as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, unless, at the time the sale the Refunding Bonds are determined to be ineligible for such designation, in which case the Request for Proposal shall thereby reflect such change in designation.

19. **Defeasance or Redemption of Refunding Bonds.** If at any time,

- (a) the whole amount of the principal of, premium, if any, and interest on all outstanding Refunding Bonds shall be paid, or
- (b) (i) sufficient moneys, or Government Obligations (as defined in this Section) not callable prior to maturity, the principal of, premium, if any, and interest on which when due and payable will provide sufficient moneys, to pay the whole amount of the principal of, premium, if any, and interest on all outstanding Refunding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of, premium, if any, and interest on such Refunding Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding Refunding Bonds shall have been duly called for redemption (or irrevocable instructions to call such Refunding Bonds for redemption shall have been given)

then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the County shall be released from all further obligations under this Resolution, and any moneys or other assets then held or pledged pursuant to this Resolution for the purpose of paying the principal of, premium, if any, and interest on the Refunding Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this Resolution, paid over to the County and considered excess proceeds of the Refunding Bonds. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within 30 days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be given to the registered holders hereof not more than sixty (60) days nor less than forty-five (45) days prior to the redemption setting forth the date or dates, if any, designated for the redemption of the Refunding Bonds, a description of the moneys or Government Obligations so held by it and that the County has been released from its obligations under this Resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of, premium, if any, and interest on the Refunding Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by resolution of the County, and (c) at the time of its appointment and so long as it is serving as such, have at least \$25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal, premium, if any, and interest on which are unconditionally guaranteed by, the United States of America.

20. **Filing with Municipal Finance Division.** If necessary, the Chief Administrative Officer of the County is authorized and directed to:

- (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Refunding Bonds or for an exception;
- (b) file with such application all required supporting material; and

(c) pay all fees required in connection therewith.

21. **Negotiated Sale - Request for Proposal:** The County hereby determines that in order to save the cost of publication of an Official Notice of Sale that it will sell the Refunding Bonds at a negotiated sale after solicitation of proposals from prospective purchasers by its Financial Consultant. The County's Financial Consultant is authorized to solicit proposals from at least twenty-five prospective purchasers and to circulate a Request for Proposal at least seven days prior to the date fixed for receipt of proposals for the purchase of the Refunding Bonds. The Request for Proposal shall be in substantially the form attached to this resolution as Exhibit D with such changes therein as are not inconsistent with this resolution and as are approved by the County Controller/Administrator or the County Treasurer after conferring with Bond Counsel. Once all proposals are received, the County Controller/Administrator or the County Treasurer shall determine the lowest true interest cost proposed and thereafter award the Refunding Bonds to the proposer meeting that criteria. The Financial Consultant is hereby designated to act for and on behalf of the County to receive proposals for the purchase of the Refunding Bonds and together with Bond Counsel to take all other steps necessary in connection with the sale and delivery thereof.

22. **Retention of Bond Counsel.** The firm of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the County in connection with the issuance, sale and delivery of the Refunding Bonds.

23. **Retention of Financial Consultants.** Municipal Financial Consultants Incorporated, Grosse Pointe Farms, Michigan, is hereby retained to act as financial consultant and advisor to the County in connection with the sale and delivery of the Refunding Bonds.

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

25. **Effective Date.** This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the Board of Commissioners of the County as soon as practicable after adoption.

Discussion followed. The results of a roll-call vote on the foregoing resolution were as follows:

YES: _____

NO: _____

ABSTAIN: _____

THE RESOLUTION WAS DECLARED ADOPTED.

Las.r1-tus32

COUNTY CLERK'S CERTIFICATE

The undersigned, being the Clerk of the County of Tuscola, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the County at a _____ meeting held on _____, 2011, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records of the proceedings of the Board of Commissioners in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

COUNTY CLERK

las.r1-tus32



March 15, 2011

Mike Hoagland
Tuscola County
125 W. Lincoln Street
Caro, MI 48723

RE: Energy Efficiency Retrofit
Tuscola County

Mike,

Enclosed are two (2) copies of the tabulation of bids received in your office for the above-referenced project.

A total of four (4) bids were received, with the low being \$98,797.00 and high being \$104,662.00.

The low bid was submitted by Helm Electric, Saginaw, MI. Helm Electric has successfully completed other projects similar to this one in the area.

We recommend the award of this project to Helm Electric at the unit prices bid which, when applied to the estimated quantities, result in a total bid amount of \$98,797.00.

We expect that you will award this project at your March 24th meeting. We will be preparing the contract documents and scheduling a pre-construction meeting.

If we may be of any additional assistance to you, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Darrick W. Huff". The signature is stylized and cursive.

Darrick W. Huff, P.E.
Project Manager

SPICER GROUP, INC
230 S. Washington Avenue
Saginaw, MI 48607
Phone: (989) 754-4717 ext. 5565
Fax: (989) 754-4440
Cell: (734) 787-0339
E-mail: darrickh@spicergroup.com

cc: SGI File No. 118802SG2010
Jeremy McCallion, AKT Peerless
Brent Morgan, City of Caro

Q:\Proj2010\118802SG2010-Tuscola County Energy_Corresp\bidtabremmltr_03-15-11.docx

BIDS FOR: ENERGY EFFICIENCY RETROFIT
TUSCOLA COUNTY, MICHIGAN

TAKEN ON: Friday, March 11, 2011 @ 11:00 a.m.

BIDDERS>>

Item No.	Estimated Quantity	Unit	Description	Helm Electric Saginaw, MI			Crittenden Electric, Inc. Caro, MI		
				Equipment Unit Price	Equipment Amount	Total Labor	Equipment Unit Price	Equipment Amount	Total Labor
<u>Tuscola County Jail</u>									
1.	43	Each	Compact Fluorescent Lighting Upgrades	\$19.00	\$817.00	\$1,116.00	\$8.82	\$379.26	\$430.00
2.	7	Kit	T8 Fluorescent Lighting Upgrades	\$68.00	\$476.00	\$924.00	\$68.00	\$476.00	\$210.00
3.	7	Each	Wall Pack Lighting LED Upgrades	\$188.00	\$1,316.00	\$868.00	\$214.20	\$1,499.40	\$210.00
4.	1	Each	Parking Lighting Upgrades	\$600.00	\$600.00	\$372.00	\$552.50	\$552.50	\$165.00
<u>City of Caro:</u>									
<u>Waste Water Treatment Plant</u>									
6.	6	Each	High Bay Lighting Upgrades	\$169.00	\$1,014.00	\$1,116.00	\$197.25	\$1,183.50	\$390.00
<u>Public Works Building</u>									
7.	21	Each	High Bay Lighting Upgrades	\$169.00	\$3,549.00	\$4,464.00	\$197.25	\$4,142.25	\$1,365.00
<u>Police Department</u>									
8.	5	Each	High Bay Lighting Upgrades	\$169.00	\$845.00	\$1,116.00	\$197.25	\$986.25	\$325.00
<u>Municipal Building</u>									
9.	12	Each	High Bay Lighting Upgrades	\$169.00	\$2,028.00	\$2,232.00	\$197.25	\$2,367.00	\$780.00
<u>Street Lighting</u>									
10.	50	Each	Decorative Street Lighting LED Upgrade	\$1,380.00	<u>\$69,000.00</u>	<u>\$6,944.00</u>	\$1,575.00	<u>\$78,750.00</u>	<u>\$6,250.00</u>
TOTAL					\$79,645.00	\$19,152.00		\$90,336.16	\$10,125.00
TOTAL AMOUNT OF BID-----						\$98,797.00		\$100,461.16	
<u>Unit Pricing for Additonal Street Lighting (Not Part of Base Bid)</u>									
Equipment Unit Price (Each)						\$1,380.00			\$1,575.00
Labor Unit Price (Each)						<u>\$140.00</u>			\$125.00
TOTAL UNIT PRICE (EACH)						\$1,520.00			\$1,700.00



BIDS FOR: ENERGY EFFICIENCY RETROFIT
TUSCOLA COUNTY, MICHIGAN

TAKEN ON: Friday, March 11, 2011 @ 11:00 a.m.

BIDDERS>>

Rauhon Electric, Inc.
Macomb, MI

Sky Electric, Inc.
Lapeer, MI

Item No.	Estimated Quantity	Unit	Description	Equipment Unit Price	Equipment Amount	Total Labor	Equipment Unit Price	Equipment Amount	Total Labor
<u>Tuscola County Jail</u>									
1.	43	Each	Compact Fluorescent Lighting Upgrades	\$19.91	\$856.13	\$1,006.00	\$15.00	\$645.00	\$1,390.00
2.	7	Kit	T8 Fluorescent Lighting Upgrades	\$63.14	\$441.98	\$462.00	\$58.00	\$406.00	\$750.00
3.	7	Each	Wall Pack Lighting LED Upgrades	\$222.14	\$1,554.98	\$1,827.00	\$209.00	\$1,463.00	\$1,325.00
4.	1	Each	Parking Lighting Upgrades	\$416.00	\$416.00	\$346.00	\$594.00	\$594.00	\$250.00
<u>City of Caro:</u>									
<u>Waste Water Treatment Plant</u>									
6.	6	Each	High Bay Lighting Upgrades	\$248.17	\$1,489.02	\$683.00	\$247.00	\$1,482.00	\$1,320.00
<u>Public Works Building</u>									
7.	21	Each	High Bay Lighting Upgrades	\$248.17	\$5,211.57	\$2,391.00	\$238.00	\$4,998.00	\$2,440.00
<u>Police Department</u>									
8.	5	Each	High Bay Lighting Upgrades	\$248.17	\$1,240.85	\$377.00	\$243.00	\$1,215.00	\$1,320.00
<u>Municipal Building</u>									
9.	12	Each	High Bay Lighting Upgrades	\$248.17	\$2,978.04	\$1,367.00	\$232.00	\$2,784.00	\$1,880.00
<u>Street Lighting</u>									
10.	50	Each	Decorative Street Lighting LED Upgrade	\$1,379.75	<u>\$68,987.50</u>	<u>\$11,024.00</u>	\$1,380.00	<u>\$69,000.00</u>	<u>\$11,400.00</u>
TOTAL					\$83,176.07	\$19,483.00		\$82,587.00	\$22,075.00
TOTAL AMOUNT OF BID-----						\$102,659.07		\$104,662.00	
<u>Unit Pricing for Additional Street Lighting (Not Part of Base Bid)</u>									
Equipment Unit Price (Each)						\$1,379.75			\$1,380.00
Labor Unit Price (Each)						\$220.48			\$190.00
TOTAL UNIT PRICE (EACH)						\$1,600.23			\$1,570.00



BIDS FOR: ENERGY EFFICIENCY RETROFIT
TUSCOLA COUNTY, MICHIGAN

TAKEN ON: Friday, March 11, 2011 @ 11:00 a.m.

BIDDERS>>

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Saginaw, MI

Crittenden Electric, Inc.
Caro, MI

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TOTAL UNIT PRICE (EACH)						\$1,600.23			\$1,570.00



TUSCOLA COUNTY BOARD OF COMMISSIONERS

207 E. Grant Street
Caro, MI 48723

Telephone: 989 672-3700
Fax: 989-672-4011

RESOLUTION OF APPRECIATION

Whereas, on the evening of Tuesday, March 7, 2011 at approximately 10:30 P.M. a water supply line at the Tuscola County Courthouse, which was capped for remodeling work, burst and water began pouring into offices on the lowest level of the building and,

Whereas, because of the sharp awareness of county maintenance employees Roberta Brown and Jason Littleton they heard the sound of running water and,

Whereas, within minutes these alert and quick thinking employees were able to trace the noise to the capped water line which had broken and,

Whereas, because of the dedication and knowledge of these maintenance employees, they were able to locate and close the main water shut-off value to the building to stop the water leak and,

Whereas, without the work of these perceptive and vigilant employees the damages would have clearly been considerably worse with significant equipment and building repair costs and,

Now Therefore Be It Resolved, the Tuscola County Board of Commissioners extend tremendous gratitude to Roberta Brown and Jason Littleton for a watchful eye and for acting quickly to a bad situation and in the process minimizing what could have been major damages to the historical Tuscola County Courthouse.

Be It Further Resolved, the Tuscola County Board of Commissioners and the citizens of Tuscola County thank you for a job well done!



REGION VII AREA AGENCY ON AGING

YVONNE CORBAT, CHAIR

ANDREW ORVOSH, EXECUTIVE DIRECTOR

MEMBER COUNTIES: BAY ■ CLARE ■ GLADWIN ■ GRATIOT ■ HURON ■ ISABELLA ■ MIDLAND ■ SAGINAW ■ SANILAC ■ TUSCOLA

TO: Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Saginaw, Sanilac and Tuscola Counties Board of Commissioners

FROM: Andrew Orvosh, Executive Director *Drew*

SUBJECT: Advisory Council Appointments

DATE: January 26, 2011

*Mike,
Please put this on the
next BOB agenda
Thank,
Marge*

Last year, Region VII Area Agency on Aging revised the Advisory Council By-Laws (attached). The revision, in part, is as follows: each county shall appoint one (1) representative from their respective county. There are up to four additional seats available for selection by an application process. These seats will be filled by the application process, approved by the Advisory Council, in the following preferred areas:

- Representative of health care provider organization
- Provider of Veterans health care
- Representative of nutrition provider
- Representative of social service provider
- Person in great social and economic need
- Minority person
- Representative of labor organization

Please advertise the vacancy in the manner you have developed, and if you have a nominee who is qualified for a non-represented preferred area, forward the application (attached) to the attention of the Membership/Rules Committee, ATTN: Sue, Region VII Area Agency on Aging, 1615 S. Euclid Avenue, Bay City, MI 48706 by March 1, 2011.

A sample advertisement for these positions is as follows:

The _____ County Board of Commissioners is taking applications to fill vacancies on the Region VII Area Agency on Aging Advisory Council with representation from: a health care provider organization, a provider of Veterans health care, a nutrition provider, a labor organization, a social service provider, a person in great social & economic need, or a minority person. Seniors who qualify for one or more of these categories may submit an application to _____, (Address), no later than (Date).

REGION VII AREA AGENCY ON AGING, INC.

ADVISORY COUNCIL ON AGING

BY-LAWS

ARTICLE I

Name

Section I: Name

The name of the organization shall be the Advisory Council on Aging of the Region VII Area Agency on Aging.

ARTICLE II

Purpose

Section I: Purpose

The Advisory Council is established pursuant to Title III of the Older Americans Act of 1965, as amended to date, to conduct those functions which are deemed instrumental in the development of a comprehensive and coordinated system of services to the elderly.

Section II: Other Purposes

The Advisory Council shall fulfill such other duties as may be delegated to it by the Board of Directors of the Region VII Area Agency on Aging.

ARTICLE III

Membership

Section I: Membership in General

The membership of the Advisory Council shall be representative of the geographic area comprising the planning and service area and shall be consistent with Federal and State policies pertaining thereto.

Advisory Council members shall be appointed by their respective counties such that each county has one delegate.

Advisory Council By-Laws

Page Two

Selection of the minority, labor, and other non-represented community organizations stated in Section II. – A. shall be by an application process. Not less than three (3) months before the end of the term, each county may advertise the vacancy, in the manner they have developed, requesting interested parties submit their application to the Region VII Advisory Council for consideration. The Membership/Rules Committee shall contact the interested party to assure his/her interest, interview the party along with a representative from the respective county board of commissioners, if they so desire, and make a recommendation to the full Advisory Council no later than the meeting preceding the end of the term.

Section II: Membership Restrictions

A. The Advisory Council shall be made up of up to 14 voting members with membership consisting of:

1. At least 50 percent of older persons;
2. Representatives of older persons;
3. Representatives of health care provider organizations;
4. Providers of Veterans health care, if appropriate;
5. Representatives of nutrition providers;
6. Representatives of social service providers;
7. Persons with leadership experience in private and voluntary sectors;
8. Local elected officials;
9. General public;
10. Person in great social and economic need;
11. Minority persons; and
12. Representatives of Labor Organizations.

The Area Agency, in concert with the counties which comprise Region VII, will implement an appointment process to ensure that the foregoing individuals and representatives of community organizations will be included in the Council. To the extent possible, this process will be carried out as new appointments are made.

B. Persons employed by agencies or organizations which receive funds awarded by the AAA shall be ineligible for membership.

Section III: Tenure and Removal

- A. The term of appointment shall be for three years, and the terms shall expire on March 31st.
- B. In order to provide continuity on the Council, the Council shall have staggered terms with four/five appointments expiring each year. Any interim appointment shall be for a partial term only of the member being replaced.
- C. Each member of the Advisory Council shall be entitled to one vote, unless provisions to the contrary are set forth herein or adopted by majority action of the Board of Directors.
- D. Any member may be removed from membership by the Board of Directors by failure to attend three consecutive meetings or for other just causes and/or by majority vote of the Board of



Tuscola County Sheriff's Office

420 Court Street • Caro, MI 48723

Lee Teschendorf, Sheriff
Glen Skrent, Undersheriff

Phone (989) 673-8161

Fax (989) 673-8164

03/14/2011

Tuscola County Board of Commissioners
Mr. Michael Hoagland, County Controller

I am forwarding a proposed resolution to you regarding April being declared child abuse prevention month in Michigan. The format was received from, and has been recommended by, the Fight Crime-Invest in Kids Michigan organization.

I would ask that the board review and consider passing the resolution in an effort to keep this important issue in the public spotlight.

Respectfully,

A handwritten signature in black ink, appearing to read "Leland Teschendorf", written in a cursive style.

Leland Teschendorf, Sheriff



Tuscola County Sheriff's Office

420 Court Street • Caro, MI 48723

Lee Teschendorf, Sheriff
Glen Skrent, Undersheriff

Phone (989) 673-8161
Fax (989) 673-8164

April 2011 CHILD ABUSE PREVENTION MONTH RESOLUTION

Designating April 2011 as Tuscola County Child Abuse Prevention Month.

Whereas, in 2009, there were 176,021 Michigan families investigated for suspected child abuse or neglect*;

Whereas, in 2009, there were 30,799 Michigan children confirmed to be victims of abuse or neglect;

Whereas, in 2005-06, there were 45 Michigan children who died as a result of abuse, 44% who were between the ages of 1-4, and 49% of these children were under 1 year of age;

Whereas, in 2005-06, there were 38 child neglect death cases, 13% were children between the ages of 1-4, and 63% were children younger than 1 year of age;

Whereas, abused or neglected children have a higher risk in adulthood for developing health problems, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas, a National Institute of Justice study indicated that abused or neglected children—

- (1) are 11 times more likely to be arrested for criminal behavior as juveniles; and
- (2) are 2.7 times more likely to be arrested for violent and criminal behavior as adults;

Whereas, an estimated 1/3 of abused or neglected children grow up to abuse or neglect their own children;

Whereas research has proven the success of quality home visitation, parenting-coaching and family support programs that prevent children from being abused or neglected, reduce subsequent delinquency, and improve other outcomes for children – including home visiting models like the Michigan Zero-to-3 Secondary Prevention Initiative, the Nurse-Family Partnership, Healthy Families, Early Head Start, and Parents as Teachers;

Whereas, providing community-based services to families at-risk or already impacted by child abuse or neglect may be far less costly than—

- (1) the emotional and physical damage inflicted on children who have been abused or neglected;
- (2) providing to abused or neglected children services, including child protective, law enforcement, court, foster care, or health care services; or
- (3) providing treatment to adults recovering from child abuse; or
- (4) providing incarceration to convicted criminals of child abuse and neglect; and

Whereas, child abuse or neglect has long-term economic and societal costs: Now, therefore, be it

Resolved, That the Tuscola County Board of Commissioners and Sheriff Leland Teschendorf

- (1) designates April 2011 as ‘Child Abuse Prevention Month’;
- (2) recognizes and applauds the national, state, and community organizations and their skilled employees that work to promote awareness about child abuse or neglect, including by identifying risk factors and developing prevention strategies;
- (3) supports the proclamations issued on the state and federal levels declaring April 2011 as ‘Michigan Child Abuse Prevention Month’ and ‘National Child Abuse Prevention Month’; and
- (4) should—
 - A. increase public awareness of prevention programs relating to child abuse or neglect; and
 - B. continue to work with the state- and federal-levels agencies to reduce the incidence of child abuse or neglect in our community, state, and nation.

Endnote:

*Michigan research data provided by the Michigan Children’s Trust Fund and fight Crime: Invest in Kids Michigan, March 3, 2011.

DRAFT
Tuscola County Board of Commissioners
Committee of the Whole Minutes
12:40 p.m., Thursday, March 10, 2011
HH Purdy Building
125 W. Lincoln
Caro, MI

Commissioners present: Allen, Bardwell, Kern, Petzold. Also present: Mike Hoagland, Mike Miller, Margie White

Commissioners Peterson and Allen will meet with Judge Joslyn and Judge Roggenbuck

Cell Phones – still working on minimizing costs

Bob Mantey – requesting an increase for Dara McGarry

Claims and per diems were reviewed and approved

Meeting adjourned at 12:47 p.m.

Margie A. White
Tuscola County

#8

OFFICE OF
TUSCOLA COUNTY DRAIN COMMISSIONER

125 W. LINCOLN STREET, STE 100
CARO, MI 48723



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

Phone (989) 672-3820
Fax (989) 673-3497
email: drain-commissioner@tuscolacounty.org

March 4, 2011

RE: County Farm Tile Drain

To: All interested parties.

From: Robert J. Mantey, Tuscola County Drain Commissioner *Rjm*

A petition was filed on behalf of the County Farm Tile Drainage District. The intent of the petition is to establish an extension of the drain that already exists in the NW ¼ of section 35, Almer Twp., but is not officially established as part of the county drain. There is another area of concern near Almer Drive close to the outlet of the drain where catch basins are exposed in the gully.

It is also necessary to update the assessment role to include the City of Caro and MDOT and officially correct any discrepancies within the drainage district.

The petition process does offer the opportunity to address other areas of concern by members of the drainage district.

As Drain Commissioner, if the petition is deemed necessary, I will determine the scope of the project for the public health, convenience or welfare of the assessment district.

STATE OF MICHIGAN
OFFICE OF TUSCOLA COUNTY DRAIN COMMISSIONER

In the Matter of:
County Farm Tile (C-034) County Drain

NOTICE OF MEETING OF BOARD OF DETERMINATION & ADDING LANDS

¶ *Notice is Hereby Given* to you as a person liable for an assessment that the Board of Determination, composed of Duane Lockwood, Mike Day, Jason Koehler, or alternate, Bob Pike, will meet on **Tuesday, March 22, 2011 at 6:00 p.m. at the Almer Charter Township Hall, 1310 Cameron Road, Caro, Michigan**, to hear all interested persons and evidence and to determine whether the drain in Drainage District No. C-034, known as the County Farm Tile Drain, as prayed for in the Petition to clean out, relocate, widen, deepen, straighten, tile, extend, relocate along a highway, require structures or mechanical devices that will properly purify or improve the flow of the drain or pumping equipment necessary to assist or relieve the flow of the drain, or need supplementing by the construction of one or more relief drains which may consist of new drains or extensions, enlargements, or connections to existing drains, or need one or more branches added thereto, to any portion there and burning brush and leveling of spoils, add a branch or branches to said Drain, dated April 13, 2010 is necessary and conducive to the public health, convenience or welfare of Almer Charter Township in accordance with Sections 72 and 191 of Act No. 40, P.A. 1956, as amended, and for the protection of the public health of the following cities, villages and townships: Almer Charter Township.

And further, to determine whether it is necessary to add lands to the Drainage District pursuant to Section 197 of Act No. 40, P.A. 1956, as amended.

Commencing at a point 1362 ft North and 570 ft East of the S ¼ post of SW ¼, Sec 35, T13N, R9E Almer Township, th North 28°30' East 50 ft, North 19°05' West 150 ft, North 35°50' West 200 ft, North 43°40' West 600 ft, North 42°30' West 220 ft, North 45°25' West 450 ft, North 2°05' East 550 ft, North 31°25' East 240 ft, North 0°05' East 60 ft, North 46°05' West 600 ft, North 66°00' West 200 ft, North 50°00' West 85 ft and ending 270 ft East of the West 1/8 post of the NW ¼, Sec. 35.

Branch 1: Beginning at Sta 21+50 of the County Farm Drain, th North 81°45' West 440 ft, North 18°25' West 330 ft, th North 86° 30' West 130 ft and ending 103 ft North and 169 ft East of the SW corner of N 18 A. of SW ¼ of NW ¼, Sec 35

Branch 2: Beginning at Sta 4+40 of Branch 1, County Farm Drain, th North 67°25' West 250 ft, and ending 118 ft South and 173 ft East of the NW corner of the S 18 Acres of North 36 Acres of SW ¼ of NW ¼, Sec 35

Also, commencing at a point located 600' East of the N & S ¼ line, and 5' North of the North line of Golf View Subdivision extended, Sec 35, T13N-R9E, Almer Township, Tuscola County, th North 44°19'30" West 200 ft, th North 73°10'30" West 380 ft, th South 68°08'30" West 95.5 ft and cross the N-S ¼ line of Sec 35, T13N-R9E, at a point located 20 ft North of the South line of Ashbreck Subdivision, Sec 35, T13N-R9E, th South 68°08'30" West 4.5 ft, th North 79°30' West 220 ft to the end of the existing County Farm Tile Drain located approx 115 ft Southwest of the intersection of the SE'ly line of Hollow Street and the SW'ly line of Ashbreck Subdivision and 780 ft Southeast of the intersection of the NE'ly line of Almer Drive and SE'ly line of M-81 and there end.

a total distance of 5,455 ft or 1.03 miles, and there end, following its original route and course of said drain, all or part of as deemed necessary by engineering,

Proceedings conducted at this public hearing will be subject to the provisions of the Michigan Open Meetings Act and you are further notified that information regarding this meeting may be obtained from the Tuscola County Drain Commissioner. Persons with disabilities needing accommodations for effective participation in the meeting should contact the Tuscola County Drain Commissioner at the number noted below (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. Minutes of the meeting will be on file in the Tuscola County Drain Commissioner's Office, 125 W. Lincoln Street, Suite 100, Caro, MI 48723. PH. 989-672-3820.

You Are Further Notified that persons aggrieved by the decisions of the Board of Determination may seek judicial review in the Circuit Court for the County of Tuscola within ten (10) days of the determination.

Robert J. Mantey, Tuscola County Drain Commissioner
125 W. Lincoln Street, Suite 100, Caro, MI 48723 PH. 989-672-3820