

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
MEETING AGENDA  
TUESDAY, MAY 8, 2012 – 8:30 A.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

- 8:30 A.M. Call to Order – Chairperson Bardwell  
Prayer – Commissioner Petzold  
Pledge of Allegiance – Commissioner Kern  
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  
    -Bond Resolution – Denmark Water Extension Project (See  
        Correspondence #2)  
    -Nationwide Deferred Compensation Program Update  
    -June 28, 2012 – 8:30 a.m. Meeting with Senator Green  
Old Business  
Correspondence/Resolutions

**COMMISSIONER LIAISON COMMITTEE REPORTS**

PETZOLD

Recycling Advisory  
Mid-Michigan Mosquito Control Technical Advisory Committee  
Michigan Works  
Multi-County Solid Waste  
TRIAD  
Local Unit of Government Activity Report  
Road Commission  
Health Board

PETERSON

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

ALLEN

Board of Public Works  
Local Unit of Government Activity Report  
Human Services Coordinating Council  
Great Start Collaborative – Tuscola County  
Parks & Recreation

BARDWELL

Caro DDA  
Brownfield Redevelopment Authority  
Economic Development Corporation  
MAC Economic Development/Taxation  
MAC 7<sup>TH</sup> District  
Local Unit of Government Activity Report  
Michigan Association of Counties – Board of Directors  
NACo  
MAC Judiciary & Public Safety Committee  
NACo Agricultural Committee  
NACo Rural Action Caucus  
MAC Agriculture & Tourism

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 2020

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 April 26, 2012 Full Board Minutes
- #2 Denmark Water Extension Bond Resolution
- #3 Senator Green Capitol E-News – Re: Travis Mills
- #4 April 12, 2012 Road Commission Minutes
- #5 April 26, 2012 Architectural/Engineering Proposal for Jail Showers
- #6 Invitation to Consumers Energy 'Ribbon-Cutting' Ceremony

**DRAFT**  
**TUSCOLA COUNTY BOARD OF COMMISSIONERS**

April 26, 2012 Minutes  
H. H. 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 26th day of April, 2012 to order at 8:32 o'clock a.m. local time.

Prayer by Commissioner Allen  
Pledge by Commissioner Peterson

COMMISSIONERS PRESENT: District #1 Roger Allen, District #2 Thomas Bardwell, District #3 Tom Kern, District #4 Roy Petzold, District #5 Gerald Peterson

12-M-070

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

12-M-071

Motion by Kern seconded by Peterson to approve the minutes of the 4/10/2012 regular meeting. Motion carried.

Brief Public Comment – Court Administrator Donna Frazcek appeared regarding an item on the agenda.

Gary Rolka appeared regarding a Freedom to Work resolution.

EDC Director Steve Erickson appeared to invite all to an upcoming EDC dinner.

12-M-072

It was moved by Allen and supported by Peterson that the following Consent Agenda Resolution be adopted:

**CONSENT AGENDA**

**Agenda Reference:** A

**Entity Proposing:** COMMITTEE OF THE WHOLE 4/12/12

**Description of Matter:** Move that the following 2012 general fund budget changes be implemented:

- Increase the 2012 property tax revenue by \$143,822 from \$5,237,899 to \$5,381,721

- Increase building codes SCMCCI revenues and expenditures from \$225,000 to \$269,000
- Reduce tax administration fee revenue from \$65,000 to 48,000
- Increase revolving delinquent tax fund revenue from \$765,000 to \$790,000
- Increase diverted felon revenue from \$63,000 to \$73,000

**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.

12-M-073

Motion by Kern seconded by Peterson to approve the Tuscola County Health Department Plan of Organization as presented at the April 26, 2012 meeting of the Board of Commissioners and forward it to the Michigan Department of Community Health. Motion carried.

12-M-074

Motion by Kern seconded by Petzold to receive and place on file the 2010/2011 Health Department Annual Report as presented at the April 26, 2012 meeting of the Board of Commissioners. Motion carried.

12-M-075

Motion by Allen seconded by Peterson to receive and place on file, with regret, the April 16, 2012 letter of resignation from the Human Resources Director with said resignation to be effective May 18, 2012. Also, authorize posting and advertising to refill this position. Motion carried.

12-M-076

Motion by Kern seconded by Allen that \$3,000 be transferred from salaries part-time temporary in the Controller's budget to a new overtime account to pay the Administrative Assistant (hourly employee) for overtime work hours required for the production of payroll and other office functions. Motion carried.

9:49 a.m. - Recess

10:00 a.m. – Meeting reconvened

12-M-077

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

12-M-078

Motion by Peterson seconded by Petzold to come out of closed session. Motion carried.

12-M-079

Motion by Kern seconded by Allen that the used vehicle no longer needed by Mosquito Abatement be purchased by the county for the county pool car system. The purchase price is \$6,200 per the research of Mosquito Abatement regarding the value of this used vehicle. Also, the 2012 Equipment Fund be amended for proper budgeting and accounting of this purchase. Motion carried.

12-M-080

Motion by Kern seconded by Allen to approve the Administrative Services Contract with Blue Cross/Blue Shield in effect until August 31, 2012 and authorize the Chairperson to sign all necessary documents. Motion carried.

12-M-081

Motion by Allen seconded by Kern that per the April 16, 2012 letter of request from the Caro Girl Scouts, authorization is given to use the courthouse lawn on May 19, 2012 for accepting contributions and gifts for military personnel. Also, the Building and Grounds Director notify the Girl Scouts of the board's approval. Motion carried.

12-M-082

Motion by Kern seconded by Allen that per the request of the Sheriff, approve the amendment to the Health Professionals Agreement for inmate health care services to provide for the additional beds that were recently added at the jail. Also, all appropriate signatures are authorized. Motion carried.

Tuscola County Equalization Report – presented by Equalization Director Walter Schlichting.

12-M-083

Motion by Allen seconded by Peterson to approve the 2012 county equalization report and authorize all appropriate signatures. Motion carried.

12-M-084

Motion by Kern seconded by Allen that the Local Government Resolution for Charitable Gaming Licenses be approved for Tuscola 2020. Also, appropriate documents are authorized for signature. Motion carried.

Buildings and Grounds director Mike Miller appeared regarding the possibility of installing a public address system in the courthouse. The board authorized him to pursue obtaining additional information from CenturyLink.

Extended Public Comment – Register of Deeds Dan Grimshaw appeared regarding the Akron-Fairgrove sewer project. The attorney will generate the paperwork transferring the property to the two entities involved. He updated the board regarding Fannie Mae and Freddie Mac not paying transfer taxes associated with foreclosure transactions. Genesee and Saginaw counties sued. He is not recommending pursuing the lost transfer tax revenue.

Meeting adjourned at 11:36 a.m.

Margie A. White  
Tuscola County Clerk

APPENDIX 1

COUNTY OF TUSCOLA  
BOARD OF COMMISSIONERS

At a \_\_\_\_\_ meeting of the Board of Commissioners of Tuscola County held in Caro, Michigan on \_\_\_\_\_, 2012, at \_\_\_:\_\_\_ .m., Eastern Daylight Savings Time, there were:

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

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

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_:

BOND RESOLUTION

WHEREAS, this Board of Commissioners has adopted a resolution approving the Tuscola County - Denmark Township Water Extension Project for the purpose of extending a water system to serve part of the Township of Denmark (the "Project"); and

WHEREAS, pursuant to a resolution of this Board of Commissioners and pursuant to resolutions adopted the governing body of the Township of Denmark (the "Township"), the County of Tuscola (the "County") and the Township are entering into a Contract dated as of June 1, 2011 (the "Contract"), whereby the County agrees to acquire, construct and finance the Project at an estimated cost of \$3,500,000 and the Township agree to pay for the cost of the Project, which is to be financed by bonds to be issued by the County (the "Bonds") up to the aggregate principal amount of \$2,869,000; and

WHEREAS, a contract for the Project was executed between the County and the Township, showing an estimate of \$3,500,000 as the cost of constructing the Project and estimating not less than 40 years as the period of usefulness of the County's share of the Project, and has been approved by the Board of Public Works and by this Board of Commissioners of the County and by the Township and has been approved; and

WHEREAS, under the Contract, the Township is to pay semi-annually to the County an amount equal to each semi-annual installment of principal of, premium, if any, and interest on the Bonds and in addition are to pay all transfer agent and registrar fees and other bond service charges, as determined pursuant to the Contract; and

WHEREAS, the County desires to issue Bonds pursuant to Act No. 185, Michigan Public acts of 1957, as amended (the "Act"),

in anticipation of the payments to be made by the Township under the Contract; and

WHEREAS, the County proposes to undertake the Project and to request the County to incur taxable or tax-exempt debt (the "Reimbursement Obligations") to finance all or a portion of the costs of the Project; and

WHEREAS, the County may make certain expenditures for said Project prior to issuance of the Reimbursement Obligations and may wish to use the proceeds of the Reimbursement Obligations to reimburse all or a portion of said expenditures; and

WHEREAS, it is in the public interest and for the public benefit that the County designate an authorized officer for the purposes of declaring official intent of the County with respect to expenditures; and

WHEREAS, the County Board of Public Works has approved this resolution and recommended its adoption by the Board of Commissioners;

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

1. **Bond Details:** Pursuant to Act 185, the bonds of the County, aggregating not to exceed the principal sum of \$2,869,000, shall be issued for the purpose of defraying the cost of the Project. The bonds shall be known as "Tuscola County - Denmark Township Water Extension Project Bonds, Series 2012" (the "Bonds") and shall be dated May 1, 2012 or such later date not more than twelve calendar months thereafter. At the option of the Chairman of the Board of Public Works, the Bonds may be dated as of the first day of the month as delivered to the Purchaser which delivery shall be in accordance with the provisions set forth in Appendix D without reference to any year. The Bonds shall be issued in a single fully registered bond, both as to principal and interest, in the denomination not to exceed \$2,869,000, which shall provide for additions to the principal amount on various dates. The Bonds shall mature on the first day of May in each year as set forth in the attached Appendix B.

2. **Interest Payment and Date of Record.** The Bonds shall bear interest payable November 1, 2012 and each May 1 and November 1 thereafter, until maturity, which interest as to the Bonds is set forth in Appendix B. Interest shall be paid by Preauthorized Debit (PAD) to the registered owner of each Bond as of the applicable date of record. If interest is paid differently, the Bond form attached as APPENDIX C shall be changed accordingly.

The date of record for each interest payment shall be the 15th day of the calendar month preceding the date such payment is due.

3. **Prior Redemption.** The Bonds shall be subject to redemption prior to maturity at the option of the County, in inverse order, on any interest payment date. Said Bonds called for redemption shall be redeemed at par, plus accrued interest to the date fixed for redemption.

With respect to partial redemption's, any portion of the Bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of the Bond is called for redemption, upon surrender of the Bond to the transfer agent, the transfer agent shall authenticate and deliver to the registered owner of the Bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of the Bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption, if different than otherwise provided in the resolution authorizing the issuance of the Bonds. Any defect in such notice shall not affect the validity of the redemption proceedings. The bond so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the transfer agent to redeem the same.

The Bonds shall not be subject to any defeasance by the purchase of U.S. Government Securities or otherwise.

4. **Bond Registration and Transfer.** The Bonds shall be registrable upon the registration books of the County kept by a paying agent, bond registrar, and transfer agent (the "Transfer Agent") to be named by the County Treasurer. The Transfer Agent so named may be any bank or trust company permitted by law to offer and offering the necessary services pertaining to the payment, authentication, registration, transfer and exchange of the Bonds. The Bonds may also be registrable at the office of the County Treasurer, who shall be the Transfer Agent, and in which event as the Transfer Agent shall be paying agent, transfer agent, and authenticating agent for the Bonds.

5. **Transfer or Exchange of Bonds.** Any Bond may be transferred upon the books required to be kept by the Transfer Agent pursuant to this Section, by the person in whose name it is registered, in person or by his or her duly authorized attorney, upon surrender of such Bond for transfer, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Transfer Agent shall record such transfer on the registration books and shall register such transfer on the registration grid attached to the

Bond. At the time of such transfer the Transfer Agent shall note on the Bond the outstanding principal amount thereof at the time of such transfer. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The County shall not be required to (i) to issue, register the transfer of, or exchange any Bond during a period beginning at the opening of business fifteen days before the day of the mailing of a notice of prepayment of Bonds or installments thereof selected for redemption under Section 203 of this Resolution and ending at the close of business on the day of that mailing, or (ii) to register the transfer of or exchange any Bond or portion thereof so selected for prepayment. In the event any Bond is called for prepayment in part, the Transfer Agent, upon surrender of the Bond, shall note on the Bond the principal amount prepaid and shall return the Bond to the registered owner thereof together with the prepayment amount on the prepayment date.

6. **Execution and Delivery.** The Bonds shall be executed for and on behalf of the County by the Chairman of the Board of Commissioners and countersigned by the County Clerk either manually or by causing their facsimile signatures to be affixed to the Bonds, and the seal of the County or a facsimile thereof shall be affixed to or imprinted on the Bonds. The Bonds shall thereafter be authenticated by the Transfer Agent as authenticating agent. The Bonds, when so executed and authenticated, shall be delivered to the purchaser upon receipt of the purchase price of the Bonds.

7. **Mutilated, Lost, Stolen or Destroyed Bonds.** In the event any Bond is mutilated, lost, stolen or destroyed, the Chairman of the Board of Commissioners and the County Clerk shall, on behalf of the County, execute and deliver, or order the Transfer Agent to authenticate and deliver, a new Bond having a number not then outstanding, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Transfer Agent. In the case of a lost, stolen, or destroyed Bond a replacement Bond shall not be delivered unless and until the County and the Transfer Agent shall have received such proof of ownership and loss and such indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument bond for principal and interest remaining unpaid on the lost, stolen or destroyed bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the County and the Transfer Agent against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond in connection

therewith; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the County and the Transfer Agent in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the County.

8. **Bond Sale.** The Bonds shall be sold to the United States of America in accordance with form RD 1940-1, "Request for Obligation of Funds", a copy of which is on file at the County.

9. **Reduction in Aggregate Amount of Bonds.** In the event bids received for constructing or equipping the Project shall be less than the estimate which will reduce the principal amount of the Bonds in accordance with United States of America instructions and the principal amount of the Bonds shall be reduced to the extent required to avoid the issuance of more Bonds than will be required to meet United States of America requirements all as determined by an order to be supplied by the Chairman of the Board of Public Works.

10. **Full Faith and Credit of the Township.** The Bond is to be issued pursuant to the provisions of the Act in anticipation of the payments to become due to the County from the Township under the Contract. Such payments are supported by a pledge of the full faith and credit of the Township. The ability of the Township to raise funds with which to meet such full faith and credit pledge is subject to applicable statutory and constitutional tax limitations.

11. **Principal and Interest Fund:** All monies paid to the County by the Township toward the cost of the Project pursuant to the Contract shall be set aside by the County in a separate fund hereby established, to be known as the "Principal and Interest Fund." All moneys in the Principal and Interest Fund shall be kept in a separate depository account with one or more banks or trust companies where the principal of and interest on the Bond is payable, and such moneys shall be used solely for the payment of the principal of and interest on the Bond and expenses incidental thereto. All accrued interest and the premium, if any, received from the purchaser of the Bond shall be deposited in the Principal and Interest Fund upon receipt.

12. **Construction Fund:** There is hereby established a Construction Fund into which all proceeds of the borrowing shall be deposited, except the accrued interest on the Bonds and premium, if any, received from the purchaser of the Bonds and any capitalized interest. All moneys in the Construction Fund shall be used solely for the payment in full of costs of the Capital Improvement Project, including the costs of issuing the Bonds. Surplus moneys remaining in the Construction Fund after completion of the Capital Improvement Project and payment in full of the costs of the Capital Improvement Project (or

provision for such payment) shall be deposited in the Principal and Interest Fund.

13. **Investments**: Moneys in the Principal and Interest Fund and the Construction Fund may be continuously invested and reinvested in the United States government obligations, obligations the principal of and interest on which are unconditionally guaranteed by the United States government, or in interest-bearing time deposits selected by the County Treasurer which are permissible investments for surplus funds under Act No. 20 of the Public Acts of 1943, as amended. Such investments shall mature, or be subject to redemption at the option of the holder, not later than (a) in the case of the Principal and Interest Fund, the dates moneys in such fund will be required to pay the principal of and interest on the Bonds, and (b) in the case of the Construction Fund, the estimated dates when moneys in such fund will be required to pay costs of the Capital Improvement Project. Obligations purchased as an investment of moneys in the Principal and Interest Fund or the Construction Fund, as the case may be, 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.

14. **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 Principal and Interest Fund shall only be deposited in such banks where the principal of and interest on the Bonds are payable. The County Treasurer shall select the depository or depositories to be used from those banks authorized in this Section.

15. **Approval of the Department of Treasury**. The issuance and sale of the Bond may be subject to the approval of the Michigan Department of Treasury, as required by law, and the Chief Administrative Officer of the County, if necessary, is hereby authorized to make application to the Department of Treasury for permission to issue and sell the Bond, to provide all necessary documentation and to pay the related fee.

16. **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 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 Construction of which would cause any 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 Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any 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 Bonds to be includible in gross income for federal income tax purposes, cause the interest on the 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 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 Bonds and the interest thereon from the State of Michigan income taxation.

17. **Qualification of Bonds.** The Bonds are designated as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code.

18. **United States of America Right to Inspect Project, Records and Accounts.** The County covenants and agrees, so long as the Bond hereby authorized remains unpaid, as follows:

(a) It will comply with applicable State laws and regulations and continually operate and maintain the Project in good condition.

(b)(i) It will maintain complete books and records relating to the operation and financial affairs of the Project. If the Government is the holder of the Bond, the United States of America shall have the right to inspect the Project and the records, accounts, and data relating thereto at all reasonable times.

(ii) It will cause an annual audit of such books of record and account for the preceding fiscal year to be made each year by a recognized independent certified public accountant, and will cause such accountant to mail a copy of such audit to the United States of America, without request of the United States of America, or to the manager of the syndicate or account purchasing any series of the Bond. Such audit shall be completed and so made available not later than one hundred fifty (150) days after the close of each fiscal year, and said audit may, at the option of the County, be used in lieu of the statement on forms prepared by the Department of Treasury and all purposes for which said forms are required to be used by this Resolution.

(c) It will maintain and carry, for the benefit of the holders of the Bond, insurance on all physical properties of the Project, of the kinds and in the amounts normally carried by municipalities engaged in the operation of similar projects. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed, and to the extent not so used, shall be used for the purpose of calling bonds. Said insurance will be in an amount not less than such amount as may be specified in a LETTER OF CONDITIONS, from the United States of America.

(d) It will not borrow any money from any source or enter into any contract or agreement to incur any other liabilities that may in any way be a lien upon the Lease or otherwise encumber the Project so as to impair collection of the lease payments therefrom, without obtaining the prior written consent of the United States of America, nor shall it transfer or use any portion of the lease payments for any purpose not herein specifically authorized.

(e) It will not voluntarily dispose of or transfer its title to the Project or any part thereof, including lands and interest in land, sale, mortgage, lease or other encumbrances, without obtaining the prior written consent of the United States of America.

(f) Any improvements of the Project shall be made according to sound engineering principles and specifications shall be submitted to the United States of America for prior review.

19. **Resolution Subject to Michigan Law and United States of America Regulations.** The provisions of this Resolution are subject to the laws of the State of Michigan and to the present and future regulations of the United States of America not inconsistent with the express provisions hereof and Michigan law.

20. **Issuer Subject to Loan Resolution.** So long as the United States of America is holder of the Bond, the County shall be subject to the Loan Resolution (Form RUS 1780-27) with the United States of America and shall comply with all provisions thereof.

21. **Severability.** If any section, paragraph, sentence, clause or phrase of this Resolution shall be held invalid, the same shall not affect any other part of this Resolution.

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

23. **Effective Date.** This Resolution shall become effective immediately upon its adoption and shall be recorded in

the minutes of the Commission as soon as practicable after adoption.

A vote on the foregoing resolution was taken and was as follows:

YES: \_\_\_\_\_

\_\_\_\_\_

NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

The Resolution was declared adopted.

Las.r3-tus34

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the County of Tuscola, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County at a \_\_\_\_\_ meeting held on \_\_\_\_\_, 2012, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the County, (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.

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

las.r3-tus34

**Mike Hoagland**

# 3

**From:** Senator Mike Green [SenMGreen@senate.michigan.gov]**Sent:** Monday, April 30, 2012 1:33 PM**To:** mhoagland@tuscolacounty.org**Subject:** Travis Mills: A Wounded Hero Who Needs Our Support**CAPITOL E-NEWS***State Senator***MIKE GREEFF***Serving the 31st District***[www.StateSenatorMikeGreen.com](http://www.StateSenatorMikeGreen.com)****Travis Mills: A Wounded Hero Who Needs Our Support**

On April 10th, 2012, Army Staff Sergeant Travis Mills of the 82nd Airborne was severely injured by an improvised explosive device (IED) during his third tour of duty in Afghanistan, resulting in the loss of both arms and legs. He is believed to be only the fourth quadruple amputee in U.S. military history to survive his injuries. Travis is currently undergoing intense medical treatment, to include multiple surgeries, at the Walter Reed Army Medical Center in Washington, D.C.

A native of Vassar, Travis, his wife Kelsey and their four month old daughter Chloe are now faced with a long road to recovery. Their lives have been forever impacted by the injuries he sustained in service to our nation and to them we are indebted.

The Vassar community, indeed the entire nation, has come together to provide prayer and a helping hand to the Mills family to help ease the emotional and financial burden during this difficult time. The Richville American Legion is hosting a Memorial Day weekend spaghetti dinner fundraiser for Travis on Sunday, May 27th from 2:00pm - 7:00pm at the Alvin F. Miller Hall, 9890 Sanilac Road, Richville. Tickets are \$10 for adults and \$5 for children. The event will also include a bake sale and a live auction at 4pm.

Travis is a wounded hero who needs our support. Please consider giving in any way you can. To learn more about Travis, keep track of his recovery progress, and for information about donation opportunities to include donating online, please visit [www.travismills.org](http://www.travismills.org).

Sincerely,

5/1/2012

A handwritten signature in black ink that reads "Mike". The letters are cursive and slanted to the right.

Mike Green  
State Senator

This message was sent to [mhoagland@tuscolacounty.org](mailto:mhoagland@tuscolacounty.org) Click here to [unsubscribe](#)

April 12, 2012

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, April 12, 2012 at 8:00 A.M.

Present: Road Commissioners John Laurie, Gary Parsell, Mike Zwerk, Julie Matuszak, and Pat Sheridan; County Highway Engineer Michele Zawerucha, Superintendent/Manager Jay Tuckey, Director of Finance/Secretary-Clerk Michael Tuckey.  
Also present: County Commissioner Roy Petzold.

Motion by Parsell seconded by Matuszak that the minutes of the March 29, 2012 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the minutes of the closed session of the Board dated March 29, 2012 be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$95,940.63 and bills in the amount of \$415,725.63 covered by vouchers #12-13, #12-14, and #04 were presented and audited.

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

Brief Public Comment Segment:  
None.

Motion by Parsell seconded by Matuszak that bid items #1, #2a, #2b, and #4 of the 2012 bituminous resurfacing bids for primary roads be awarded to the low bidder, Albrecht Sand & Gravel Company; and that bid item #3 of the 2012 bituminous resurfacing bids for primary roads be awarded to the low bidder, Saginaw Asphalt Paving Company. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell that bid items #12 and #13 for Dayton Township, bid item #32 for Novesta Township, bid items #24 and #25 for Juniata Township, bid item #18 for Elkland Township, and bid item #8 for Almer Township of the 2012 bituminous resurfacing bids be awarded to the low bidder, Albrecht Sand & Gravel Company; and that bid item #26 for Juniata Township of the 2012 bituminous resurfacing bids be awarded to the low bidder, Astec Asphalt, Inc. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan that the bids for HMA Base Crushing, Shaping, and Compaction taken at the March 29, 2012 regular meeting of the Board be awarded to Pavement Recycling, Inc. for bid items #1 and #2 and to Astec Asphalt, Inc. for bid item #3. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to approve the proposed amendments of the C.R.A.M. Constitution and Bylaws by amending Article VII, Sections 1 and 2, and Article VI, Section 2. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 8:15 A.M. the following bids were opened for 2012 Roadside Spraying:

<u>Bidder</u>	<u>Item A</u>	<u>Item B</u>	<u>Item C</u>	<u>Item D</u>	<u>Item E</u>
The Daltons, Inc.	\$177.00 p/mile \$ 18.00 p/tenth	\$149.00 p/mile \$ 15.00 p/tenth	\$295.00 p/mile \$ 30.00 p/tenth	\$129.00 p/int.	\$0.07 p/lft

\$255.00 p/twp.

Owen Tree Service	\$140.00 p/mile	\$100.00 p/mile	\$255.50 p/mile	\$115.90 p/int.	\$0.05 p/ft
	\$ 12.00 p/tenth	\$ 9.50 p/tenth	\$ 25.00 p/tenth		
			\$242.72 p/twp.		

Motion by Zwerk seconded by Parsell that the bids for 2012 Roadside Spraying be accepted and awarded to the low bidder, Owen Tree Service. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Mr. Mike Johnson, Sales Representative from Michigan Cat, appeared before the Board to review the Road Commission's equipment lease schedule. Mr. Johnson presented a proposal for one (1) backhoe loader to replace the leased backhoe loader that expires May 2012 at the same 60-month lease payment. After discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk that the following resolutions be adopted:

**RESOLUTION**

BE IT RESOLVED, by the Board of Road Commissioners of Tuscola County as follows:

THAT Michael Tuckey or Jay Tuckey is authorized to enter into a 60-month Lease/Purchase Agreement with the credit corporation for Michigan Cat to obtain:

One (1) New Caterpillar 430E Backhoe Loader (Serial Number: 0SWC00522)

for the total price of \$93,399 in accordance with the Lease-Purchase Agreement attached hereto, and made a part hereof.

THAT the Clerk is hereby directed to attest to the authorized official's signature.

Adopted this 12<sup>th</sup> day of April, 2012.

Michael Tuckey

Votes by Governing Body:

\_\_\_\_\_  
Michael Tuckey, Authorized Signatory

- 1. Yes: John Laurie
- 2. Yes: Gary Parsell
- 3. Yes: Mike Zwerk
- 4. Yes: Julie Matuszak
- 5. Yes: Pat Sheridan

Jay Tuckey

\_\_\_\_\_  
Jay Tuckey, Authorized Signatory

Attest:

Michael Tuckey

\_\_\_\_\_  
Michael Tuckey, Clerk of the Board

Management and the Board further discussed the Vassar Division Foreman position previously discussed at the last regular meeting of the Board. Superintendent/Manager Jay Tuckey reported to the Board that the position was internally posted and 8 employees applied for the position. After reviewing the applicants, Tuckey again recommends the following position transfers: Ron Spaulding to Vassar Division Foreman, Allen Jacobs to Deford Division Foreman, and Jason Root to Caro Working Foreman. After further discussion, the following motion was introduced:

Motion by Parsell seconded by Sheridan to approve the recommendation of the Superintendent/Manager for the following position transfers: Ron Spaulding to Vassar Division Foreman, Allen Jacobs to Deford Division

Foreman, and Jason Root to Caro Working Foreman. Ayes: Sheridan, Matuszak, Parsell, Laurie. Nays: Zwerk. --- Carried.

Management and the Board further discussed the Wind Turbine Project and proposed Road Agreement with NextEra Energy Resources tabled from the last regular meeting of the Board. Mr. Michael Bogie with NextEra Energy Resources appeared before the Board and presented the revised proposed Road Agreement with the Road Commission. The Board reviewed the proposed agreement including the three major items of concern. The Board was in agreement with the revisions that the Tuscola County Road Commission will complete any needed road repairs during the project, the issuance of a performance bond as a method of reimbursement, and that the burden of proof of any road damage shall be on the developer. After further review and discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk to approve the proposed Road Agreement between the Tuscola County Road Commission and NextEra Energy Resources for the Wind Turbine Project, pending receipt of a complete revised copy of the agreement and with the approval of the Road Commission's Attorney. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan to adopt the proposed Social Security Number Privacy Policy as presented. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan to rescind the Board's motion at the February 16, 2012 regular meeting of the Board requesting from Blue Cross & Blue Shield of Michigan that the Tuscola County Road Commission return to the 2-tier 10/40 prescription coverage retroactive back to January 1, 2012; and to continue with the new 3-tier prescription coverage as originally approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell to approve the signing of the title sheet for the Van Buren Road Federal Aid Project (job number 051716A), and to proceed with the Michigan Department of Transportation letting the project in July 2012. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board further discussed the Board's request to the Michigan Department of Transportation that they resurface the proposed Bradleyville Road detour route in conjunction with their M-25 bridge project. County Highway Engineer Zawerucha reported that the Michigan Department of Transportation will alter their detour route to include only state highways during this project.

Motion by Sheridan seconded by Parsell to approve the Road Commission change to its summer operating hours effective Monday, April 23, 2012; as recommended by the Superintendent/Manager. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak that the following resolution be adopted:

### **RESOLUTION**

In accordance with the Mass Mutual Pension Plan Document, the Board of Tuscola County Road Commissioners adopts the amended Defined Benefit Plan effective April 1, 2012 to meet the qualification requirements of Section 401 or 403(a) of the Internal Revenue Code. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

County Highway Engineer Zawerucha reported to the Board of meeting with Mr. Jonathan Link on site regarding the Hoppe Road construction project previously discussed at the last regular meeting of the Board. Zawerucha recommends for the safety of the motoring public to uphold the Board's policy for clearing the road right-of-way and remove the trees from Mr. Link's property. After further discussion, the following motion was introduced:

Motion by Parsell seconded by Matuszak to approve the recommendation of the County Highway Engineer and uphold the Board's policy for clearing the road right-of-way in accordance with the plans for the Hoppe Road construction project. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

County Highway Engineer Zaverucha presented to the Board a request from the Kingston Township Board for a variance of the Local Road Improvement and Township Allowance Policy. Kingston Township requests that the township wide gravel patching planned for the 2012 season be eligible for the Section II Township Matching Allowance. After discussion, the following motion was introduced:

Motion by Zwerk seconded by Parsell to grant Kingston Township a one-year variance of the Local Road Improvement and Township Allowance Policy by allowing their township wide gravel patching for the 2012 season to be eligible for the Section II Township Matching Allowance, with the understanding that in 2013 Kingston Township will return to the policy that township wide gravel patching is considered eligible for the Section III Township Matching Allowance. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board discussed the Road Commission's garage facilities, in particular the current condition and future of the Akron Division and Vassar Division. The Board requested that Management conduct a feasibility study regarding the future of those divisions and its properties.

Motion by Parsell seconded by Zwerk that the meeting be adjourned at 10:35 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

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Chairman

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Secretary-Clerk of the Board

#5



**Landmark** Design Group, P.C.  
3900 Linden Ave., SE, Suite C, Grand Rapids, MI 49548, 616-956-0606

April 26, 2012

To: Michael R Hoagland  
Tuscola County/Controller Administrator  
125 W. Lincoln  
Caro, MI. 48723

Copy: Glen Skrent, Undersheriff, Tuscola County Sheriff Department  
Mike Miller, Tuscola County

RE: Architectural /Engineering Proposal for Showers at Cell Block C-1 and C-2.  
Tuscola County Jail

Dear Mr. Hoagland,

Thank you for the opportunity to assist the County. We have enjoyed working with the County in the past and look forward to this project.

The project scope is to partially renovate a portion of Cell Block C-1 and C-2 to provide additional showers. This allows compliance with the Michigan Plumbing Code for the increased inmate capacity.

We will prepare architectural and engineering drawings suitable for contractor bidding and building permits. We will submit permit drawings to State and local building officials, the Michigan Department of Corrections and the State Fire Marshall. One trip during the drawing phase to review the plans is included.

The County will oversee the contractor bidding and construction phase. We will support the County by responding to questions and review shop drawings.

For our services we request a lump sum fee of \$ 3,200.00 (three thousand two hundred dollars). There will be no travel charge for the one trip. The only reimbursable cost is printing the contractor bid drawings.

If this proposal is acceptable, please let us know and we will get started. We will then prepare a Standard Owner Architect Contract for your review.

If you have any questions, please do not hesitate to contact me at (616) 956-0606 or email bob@landmark.us.com.

Sincerely,

**LANDMARK DESIGN GROUP, P.C.**

Robert Van Putten, Architect  
President

#6

**Mike Hoagland**

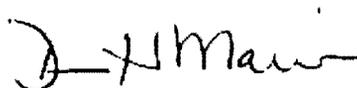
**From:** DENNIS H. MARVIN [DENNIS.MARVIN@cmsenergy.com]  
**Sent:** Monday, April 23, 2012 10:00 PM  
**To:** mhoagland@tuscolacounty.org  
**Subject:** CE Field Office  
**Attachments:** CAROFieldRibbonInvite-FINAL.pdf

Good evening Mike:

As we have discussed previously, we are soon to be "neighbors." We are now in our new field office and plan to have an official ribbon cutting opening on Monday, May 14, 2012 beginning at 11:00 a.m. I have attached an invitation for you to share with your Board of Commissioners. In addition, we are interested in the potential of having the Chairman offer a few comments and participate as one of our "ribbon cutters." Please let me know if this will work for his schedule, as well as, advise what other commissioners can attend. Of course, you are invited, as well.

Thank you kindly Mike.

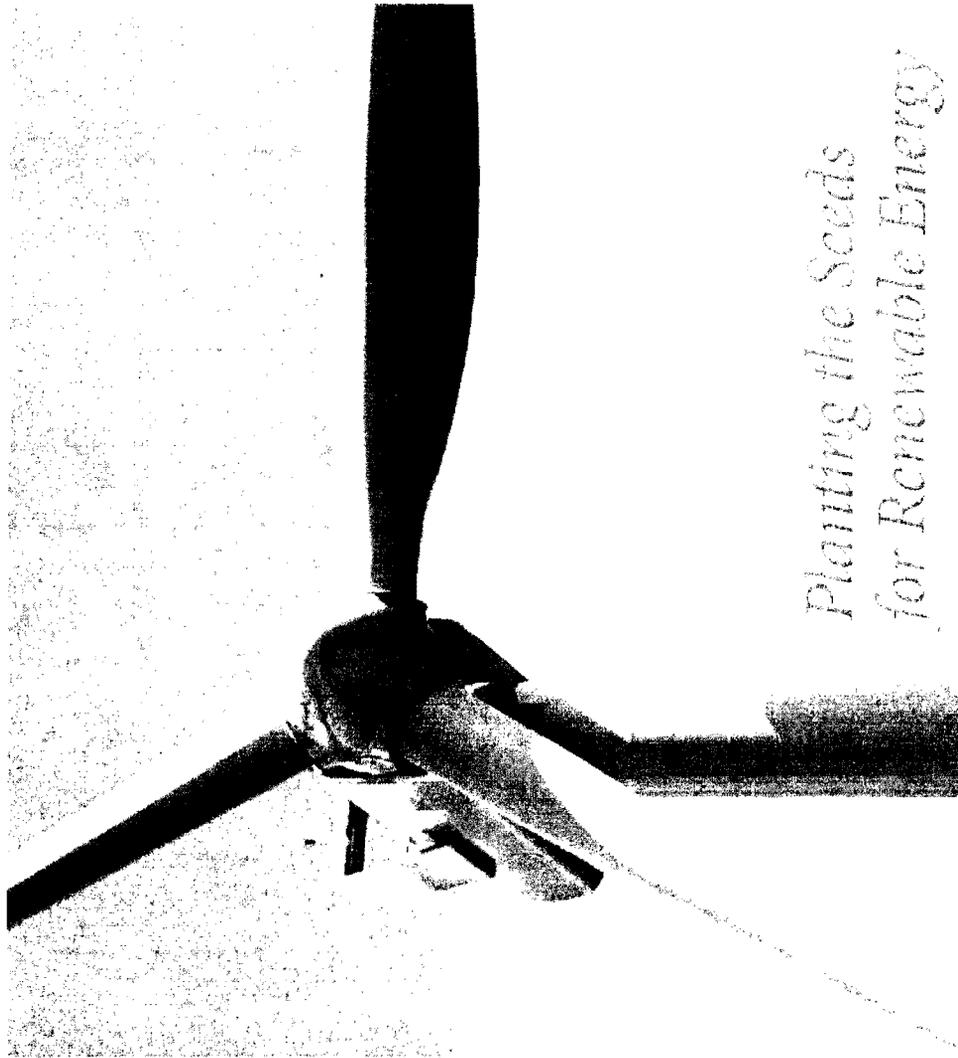
Regards,



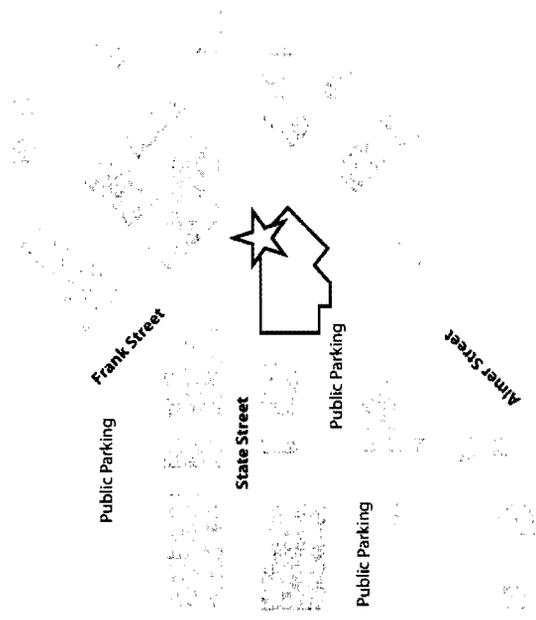
*Consumers Energy*

**Dennis H Marvin** | *Communications Director* | *New Generation*  
*One Energy Plaza, EP8-206* | *Jackson, MI 49201* | T: 517.788.0318 | M: 517.740.0209  
[www.ConsumersEnergy.com/newgeneration](http://www.ConsumersEnergy.com/newgeneration)

4/24/2012



*Planting the Seeds  
for Renewable Energy*



**YOU MAY KNOW** that Consumers Energy is building the Cross Winds Energy Park, a 150-megawatt wind farm, in Tuscola County. Now, the utility also is opening a field office in downtown Caro that will serve as the local contact point for the project.

to join us at 11 a.m. on May 14 for a ribbon-cutting ceremony at the new facility, which is located at 101 N. State Street in Caro (across the street from the Strand Theater). We'll have an open house at the new field office from 12:30 p.m. to 3 p.m. and hope you can drop by for that, too.

**For more information:**

Please RSVP to Marie Earegood at [m.safidlo-earegood@cmsenergy.com](mailto:m.safidlo-earegood@cmsenergy.com) or (517) 788-1007.