

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

TUESDAY, SEPTEMBER 11, 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 Kern
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
- Denmark Township Water Project Resolution (See Correspondence #2)
 - Denmark Township Water Project Resolution (See Correspondence #3)
 - Wisner Township Water Project Resolution (See Correspondence #4)
 - Friend of the Court 3-Year CRP Contract (See Correspondence #5)
 - Emergency Services Director Hiring Update
 - Refilling Vacant Position in Sheriff Dept.
 - 2013 DHS Child Care Fund Budget
 - 2013 Probate Juvenile Child Care Fund Budget
 - State Tax Commission Certification Level Requirements (See Correspondence #6)
- Old Business
- Michigan Community Dental Clinics
 - Big Brothers/Big Sisters Building
 - 2013 Budget Development
 - Vacancies on Aging and Recycling
 - Jail Bed Construction Project
 - Irrigation/Residential Water Wells
- Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

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 7TH District
Local Unit of Government Activity Report
Michigan Association of Counties – Board of Directors
NACo
NACo Agricultural Committee
NACo Rural Action Caucus

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

PETZOLD

Recycling Advisory
Mid-Michigan Mosquito Control Technical Advisory Committee
Michigan Works
Multi-County Solid Waste

TRIAI

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

Closed Session (If Necessary)

Other Business as Necessary

Extended Public Comment

Adjournment

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

CORRESPONDENCE

- #1 August 30, 2012 Full Board Minutes
- #2 Denmark Township Water Project Resolution
- #3 Denmark Township Water Project Resolution
- #4 Wisner Township Water Project Resolution
- #5 Friend of the Court CRP Contract
- #6 State Tax Commission Certification Level Requirements
- #7 Proposed State of Michigan Oil and Gas Lease Auction
- #8 August 16, 2012 Road Commission Minutes

DRAFT
TUSCOLA COUNTY BOARD OF COMMISSIONERS
August 30, 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 30th day of August, 2012 to order at 8:32 o'clock a.m. local time.

Prayer by Commissioner Peterson
Pledge by Commissioner Petzold

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

Absent: District #1 Roger Allen

12-M-165

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

12-M-166

Motion by Peterson seconded by Petzold to approve the minutes of the 7/26/2012 regular meeting. Motion carried.

Brief Public Comment –

Gary VanHoose appeared regarding Sirolli Institution Enterprise Facilitation

Undersheriff Skrent provided an update on the Prisoner Rape Elimination Act (PREA) regarding female correction officers. Also, the Undersheriff provided information associated with new regulations for 17-year olds housed in the jail. Bids have been received to install new security cameras in order to work toward compliance of the PREA. MMRMA will help cover the cost. The cost to the county would be approximately \$25,000 to 30,000.

12-M-167

Motion by Kern seconded by Peterson to have the Undersheriff proceed to further investigate a final cost on a security system for outside and inside of the Tuscola County Jail. Motion Carried.

12-M-168

Motion by Kern seconded by Peterson that Board motion 12-M-152 be rescinded. Motion Carried.

Karen Southgate and Irene Waller requested an amended budget to comply with the Child Care Fund requirements.

12-M-169

Motion by Kern seconded by Petzold that, per the request of the Department of Human Services (DHS), the October 1, 2011 to September 30, 2012 DHS Child Care Fund budget be amended as specified in the August 20, 2012 memorandum from the DHS Director. Further Details of

- \$15,000 transferred from the Family Foster Care line to Institutional Care
- \$10,000 transferred from the Independent Living line to Institutional Care
- The other \$45,000 is anticipated based on current financial information to be available in fund balance in the DHS Child Care Fund (288).

Also, all appropriate signatures are authorized. Motion Carried.

12-M-170

Motion by Kern seconded by Petzold to authorize the County Health Department to open a savings account at Northstar Bank with a debit card system to provide a mechanism to pay for conference, lodging, etc. This authorization is provided contingent upon the County Treasurer being signatory for the account. Motion Carried.

12-M-171

Motion by Kern seconded by Petzold, per the August 9, 2012 memo from the Medical Care Facility Director, to authorize the transfer of \$41,112 from the voted Medical Care to the regular Medical Care Facility Fund for the items identified in the memo (security alarm systems). Motion Carried.

12-M-172

Motion by Peterson seconded by Kern to capitalize on the deregulation of natural gas, authorization is given to enter into a program provided by Xoom Energy called Bizchoice. This authorization is given with the understanding there are no fees, no contract and the county can cancel with Xoom and return to Consumers Energy at any time. Motion Carried.

12-M-173

Motion by Kern seconded by Peterson, per the request of the court, approve the contract with MGT of America to provide the Child Care Fund Cost Allocation Plan to leverage indirect cost revenue and authorize all appropriate signatures. Motion Carried.

2013 Tuscola County Financial Assessment Presentation – Mike Hoagland

Meeting Adjourned at 10:47 am

Jodi Fetting
Chief Deputy Clerk

**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 _____:

NOTE 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 Bond Anticipation Notes pursuant to Act No. 34, Michigan Public acts of 2001, as amended (the "Act"), in anticipation of the amounts to be received by the County when the Bonds are delivered, which is also secured by the Township under the Contract and an Amendment to Contract; 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. **Note Details:** Pursuant to the Act, the Bond Anticipation Note of the County, aggregating not to exceed the principal sum of \$450,000, shall be issued for the purpose of defraying part of the cost of the Project. The note shall be known as "Tuscola County - Denmark Township Water Extension Bond Anticipation Notes, Series 2012" (the "Note") and shall be dated October 1, 2012 or such later date not more than twelve calendar months thereafter. The Note shall be issued in a single denomination not to exceed \$450,000 at a rate of interest not to exceed 4% per annum. The Note shall mature on the first day of May in 2014.

2. **Interest Payment and Date of Record.** The Note shall bear interest payable May 1, 2013 and each November 1 and May 1 thereafter until maturity.

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

Notice of redemption shall be sent to the holder of the Note 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.

4. **Execution and Delivery.** The Note shall be executed and on behalf of the County by the Chair of the Board of Public Works who shall sign an instrument authorizing issuance of the Note, setting both the amount and the rate of interest. The Note, when so executed, shall be delivered to the purchaser upon receipt of the purchase price of the Bonds.

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

6. **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.r-34

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.r4-tus34

COUNTY OF TUSCOLA
BOARD OF COMMISSIONERS

At a _____ meeting of the Board of Commissioners of the County of Tuscola held in the H.H. Purdy Building in Caro, Michigan, on _____, 2012 at ____:____.m. Eastern Daylight Savings Time, there were:

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by _____ and seconded by _____.

**RESOLUTION
APPROVING THE AMENDMENT TO CONTRACT
WITH THE TOWNSHIP OF DENMARK FOR THE TUSCOLA COUNTY -
DENMARK TOWNSHIP WATER EXTENSION PROJECT**

WHEREAS, the County of Tuscola (the "County") by resolution of its Board of Commissioners has approved the establishment of a project currently known as the "Tuscola County - Denmark Township Water Extension Project" (the "Project"); and

WHEREAS, it is necessary for the Tuscola County Board of Public Works (the "Board of Public Works") to enter into an Amendment to Contract with the Township of Denmark (the "Township") with respect to the Project, which Contract is attached as Appendix A.

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

1. The Amendment to Contract attached as Appendix A is hereby approved as is the execution thereof by the designated officials.
2. All resolutions, or portions thereof, insofar as they may be in conflict with the foregoing, are hereby rescinded.

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

YES: _____

NO: _____

ABSTAIN: _____

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

SEAL

Res 16-tus34

Mike Hoagland

From: Paul M. Wyzgoski [PWyzgoski@dickinson-wright.com]
Sent: Tuesday, September 04, 2012 12:38 PM
To: civil engineering consultants; 'James MacFarlane'; 'Tom Paige'; 'Don Duggar'; 'Annette Rieck'; 'William Fahey'; 'Tom Traciak'; 'Dziwura, Wanda - RD, Caro, MI'; mhoagland@tuscolacounty.org; zclay@tuscolacounty.org
Subject: RE: Revised Bond Resolution - Wisner Township Water Distribution System Bonds, Series 2012
Attachments: BLOOMFIELD-#1214656-v1-RES_Bond.DOC

To: group members,

I am sorry to hear of financial development's requirement of a bond payment within six months of closing. It is necessary to move the payment dates from April 1 and October 1 to March 1 and September 1 with the first payment March 1, 2013. I have confirmed the change with Wanda and Tom, and have revised the bond resolution accordingly.

The revised bond resolution is attached.

Paul

Paul M. Wyzgoski
Dickinson Wright PLLC
2600 W. Big Beaver Rd., Suite 300
Troy, MI 48084-3312
tel: (248) 433-7255
fax: (248) 433-7274
email: pwyzgoski@dickinsonwright.com

DICKINSON WRIGHT

1500 City Centre Drive, Suite 2000, Toronto, Ontario, Canada M5G 1C1
1900 Avenue of the Stars, Suite 2000, New York, NY 10019

From: Paul M. Wyzgoski
Sent: Tuesday, September 04, 2012 11:21 AM
To: 'civil engineering consultants'; 'James MacFarlane'; 'Tom Paige'; 'Don Duggar'; 'Annette Rieck'; 'William Fahey'; 'Tom Traciak'; 'Dziwura, Wanda - RD, Caro, MI'; mhoagland@tuscolacounty.org; zclay@tuscolacounty.org
Subject: RE: Bond Resolution - Wisner Township Water Distribution System Bonds, Series 2012

9/6/2012

...and "all let" (both are magical words, but) in preparing for a September 27 closing, it is not clear that it can work, with the primary concern being the township special assessment procedure, the timing of the special assessment proceedings, Michigan Tax Tribunal filings and satisfaction of bond resolution requirements.

Paul M. Wyzgoski
Dickinson Wright PLLC
2600 W. Big Beaver Rd., Suite 300
Troy, MI 48064-3312
tel: (248) 433-7255
fax: (248) 433-7274
email: pwyzgoski@dickinsonwright.com

DICKINSON WRIGHT

Detroit • New York • Washington, DC • Toronto • Phoenix • Las Vegas • Columbus
Chicago • Dallas • Grand Rapids • Ann Arbor • Lansing

From: civil engineering consultants [<mailto:cec@tm.net>]

Sent: Tuesday, September 04, 2012 10:15 AM

To: Paul M. Wyzgoski; 'James MacFarlane'; 'Tom Paige'; 'Don Duggar'; 'Annette Rieck'; 'William Fahey'; 'Tom Traciak'; 'Dziwura, Wanda - RD, Caro, MI'; mhoagland@tuscolacounty.org; zclay@tuscolacounty.org

Subject: RE: Bond Resolution - Wisner Township Water Distribution System Bonds, Series 2012

Hi Paul, Paul,

Can you advise for a Sept 27 closing?

cec@tm.net - civil engineering consultants

Paul

Paul

From: Paul M. Wyzgoski [<mailto:PWyzgoski@dickinson-wright.com>]

Sent: Friday, August 31, 2012 4:24 PM

To: civil engineering consultants; 'James MacFarlane'; 'Tom Paige'; 'Don Duggar'; 'Annette Rieck'; 'William Fahey'; 'Tom Traciak'; 'Dziwura, Wanda - RD, Caro, MI'; mhoagland@tuscolacounty.org; zclay@tuscolacounty.org

Subject: Bond Resolution - Wisner Township Water Distribution System Bonds, Series 2012

9/6/2012

Attached to this email are two resolutions recommending bond resolution for the referenced bonds in anticipation of the Board of Commissioners. The attached draft resolution is in the same form as the draft attached to my August 24 email and is subject to Board review. The APV resolution is in the same form as the draft attached to my August 24 email.

Please let me know if you have any questions on either of the resolutions, and ask the county clerk to have the resolutions certified after adoption.

Paul

Paul M. Wyzgoski
Dickinson Wright PLLC
2600 W. Big Beaver Rd., Suite 300
Troy, MI 48084-3312
tel: (248) 433-7255
fax: (248) 433-7274
email: pwyzgoski@dickinsonwright.com

DICKINSON WRIGHT

Detroit, Nashville, Washington, DC, Toronto, Phoenix, Las Vegas, Columbus,
Boston, Ft. Lauderdale, Grand Rapids, New York, Lansing

At a regular meeting of the Board of Commissioners of the County of Tuscola held on the 11th day of September, 2012.

PRESENT: _____

ABSENT: _____

The following resolution was moved by _____ and supported by _____.

**RESOLUTION AUTHORIZING ISSUANCE OF COUNTY OF TUSCOLA
WISNER TOWNSHIP WATER DISTRIBUTION SYSTEM BONDS, SERIES 2012**

WHEREAS, pursuant to the provisions of Act No. 185, Public Acts of Michigan, 1957, as amended ("Act 185"), the Board of Commissioners of the County of Tuscola (the "County") has established a Department of Public Works for the administration of the powers conferred upon the County by Act 185, which department is under the immediate control of the Board of Public Works, and under the general control of the Board of Commissioners of the County; and

WHEREAS, by the terms of Act 185, the County and the Township of Wisner (the "Township") are authorized to enter into a contract for the acquisition, construction and financing of a water supply system to serve the Township and for the payment of the cost thereof by the Township, with interest, and the County is then authorized to issue its bonds to provide the funds necessary therefor; and

WHEREAS, pursuant to authorization from their respective governing bodies, the County, acting through the Board of Public Works, and the Township have previously entered

into the Wisner Township Water Distribution System Contract, dated as of December 1, 2011 (the "Contract"), which Contract provides for the acquisition, construction and financing of water distribution facilities to serve the Township (hereinafter referred to as the "Project") pursuant to Act 185; and

WHEREAS, there has also been submitted for approval and adoption by this Board, plans, specifications and estimates of the cost and period of usefulness of the Project; and

WHEREAS, the Contract provides for the issuance of bonds by the County to defray the cost of the Project, said bonds to be secured by the contractual obligation of the Township to pay to the County amounts sufficient to pay the principal of and interest on the hereinafter authorized bonds and to pay such paying agent fees and other expenses as may be incurred on account of the bonds.

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

1. PLANS AND SPECIFICATIONS; ESTIMATES OF PERIOD OF USEFULNESS AND COST. The plans and specifications for the Project and the estimates of not less than \$4,035,000 as the cost thereof and of 50 years and upwards as the period of usefulness thereof, as submitted to this Board of Commissioners, are approved and adopted.

2. AUTHORIZATION OF BONDS - PURPOSE. Bonds of the County aggregating the principal sum of Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000) shall be issued and sold pursuant to the provisions of Act 185, and other applicable statutory provisions, for the purpose of defraying part of the cost of acquiring and constructing the Project. Any

remaining cost of the Project shall be paid by the County from federal or state grants, and/or from funds on hand and legally available for such use.

3. BOND DETAILS. The bonds shall be issued in the form of one fully-registered bond in the principal amount of \$3,250,000 that shall be designated "Wisner Township Water Distribution System Bond, Series 2012" (the "Bond"). The Bond shall be sold to and registered in the name of the United States of America acting through the United States Department of Agriculture, Rural Development ("Rural Development") in furtherance of Rural Development's program to provide low-interest rate, long-term loans for eligible projects (the "Program"). This Board of Commissioners hereby determines that the Program and the delivery of the Bond directly to the United States of America as provided in this resolution will provide the County and the Township with the lowest cost of borrowing money for the Project. The Bond shall be dated as of the date of its delivery to the United States of America. The principal amount of the Bond shall bear interest from the date a principal payment is received from the purchaser of the Bond as shown on the registration grid at a rate equal to 3.375% per annum, or such lower rate per annum as is applicable to the Bond through the Program at the time of the initial delivery of the Bond, payable on the first day of March and September in each year commencing on March 1, 2013. Principal installments shall be due on March 1 in each year as follows:

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2013	\$25,000	2033	\$85,000
2014	55,000	2034	85,000
2015	60,000	2035	85,000
2016	65,000	2036	85,000
2017	70,000	2037	85,000
2018	75,000	2038	85,000
2019	80,000	2039	85,000
2020	85,000	2040	85,000
2021	85,000	2041	85,000
2022	85,000	2042	85,000
2023	85,000	2043	85,000
2024	85,000	2044	85,000
2025	85,000	2045	85,000
2026	85,000	2046	85,000
2027	85,000	2047	85,000
2028	85,000	2048	86,000
2029	85,000	2049	87,000
2030	85,000	2050	88,000
2031	85,000	2051	89,000
2032	85,000	2052	90,000

4. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the Bond shall be payable in lawful money of the United States. Principal and interest shall be paid when due by check or draft that shall be mailed to the registered owner at the address shown on the registration books.

5. PREPAYMENT OF PRINCIPAL. Principal installments may be prepaid prior to maturity without premium and in such order as shall be determined by the County on any date other than a Saturday, Sunday or holiday. Principal installments that have been prepaid shall be noted on the Bond and such installments no longer shall be considered outstanding for any purpose. Thirty days' notice of the prepayment of any principal installment shall be given to the registered owner of the Bond at the address shown on the registration grid.

6. BOND REGISTRAR AND PAYING AGENT. The County Treasurer shall be the bond registrar and paying agent for the Bond. In the absence of the County Treasurer or the

inability of the County Treasurer to act, the County Clerk may perform the duties of bond registrar and paying agent.

7. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The Bond shall be executed in the name of the County by the manual signatures of the Chairperson of the Board of Commissioners and the County Clerk, and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Bond. After the Bond has been executed, it shall be delivered by the County Treasurer to the purchaser upon receipt of the first principal payment from the purchaser. The first and each subsequent principal payment received by the County from the purchaser shall be noted on the registration grid of the Bond.

8. EXCHANGE AND TRANSFER OF BONDS. The Bond, 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 transferred to another party. The Bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent. Upon the exchange or transfer of the Bond, the bond registrar and paying agent shall register the Bond in the name of the transferee on the registration books of the County and shall note such transfer on the registration grid.

The County and the bond registrar and paying agent may deem and treat the person in whose name any bond shall be registered upon the books of the County as the absolute owner of such bond, whether such bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 4 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such bond 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. Registration of the Bond shall not be transferred less than five (5) days prior to an interest payment date.

For every exchange or transfer of the Bond, the County 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.

9. FORM OF BONDS. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF TUSCOLA
WISNER TOWNSHIP WATER DISTRIBUTION SYSTEM BOND,
SERIES 2012

Bond No. 1

\$3,250,000

The County of Tuscola (the "County"), State of Michigan, acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the sum of Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000) on the dates and in the amounts set forth on Exhibit A attached hereto and made a part hereof, with interest on such principal sum from the date each principal payment is received by the County as set forth on the Registration Grid of this bond at the rate of ___ and _____ hundredths percent (___%) per annum, payable on the first day of March and September of each year commencing on March 1, 2013. Principal and interest are payable in lawful money of the United States of America and shall be paid by check or draft mailed to the Registered Owner at the address shown on the Registration Grid.

This bond is issued by the County under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 185, Public Acts of 1957, as amended) and a bond authorizing resolution adopted by the Board of Commissioners of the County (the "Resolution") for the purpose of defraying part of the cost of acquiring and constructing a water distribution system to serve the Township of Wisner (the "Township"). This bond is issued solely in anticipation of payments to be made by the Township in the aggregate principal amount of Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000) pursuant to a contract between the County and the Township. The full faith and credit of the Township have been pledged to the prompt payment of the foregoing amount and the interest thereon as the same become due. Taxes levied by the Township to pay the principal of and interest on the bonds of this series are subject to constitutional and statutory tax limitations. This bond is not a general obligation of the County.

This bond shall be registered as to principal and interest, as provided in the Resolution, in the name of the Registered Owner upon the books of the County kept for that purpose by the County Treasurer as bond registrar and paying agent, and such registration shall be noted on the Registration Grid. This bond may be transferred only by submitting the same, together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing, to the bond registrar and paying agent for registration in the name of the transferee on the registration books and for notation on the Registration Grid. This bond may not be transferred less than five (5) days prior to an interest payment date.

Principal installments may be prepaid prior to maturity without premium and in such order as shall be determined by the County on any one or more dates other than on a Saturday, Sunday or holiday. Principal installments that have been prepaid shall be noted on Exhibit A and such installments no longer shall be considered outstanding for any purpose. Thirty days' notice of prepayment shall be given to the Registered Owner by mail to the address shown on the Registration Grid.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this bond, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the County, including this bond, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Tuscola, Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by the manual signatures of the Chairperson of the Board of Commissioners and the County Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon, all as of the date set forth below.

COUNTY OF TUSCOLA

By: _____

Its: Chairperson, Board of Commissioners

And: _____

Its: Clerk

Dated:

EXHIBIT A

COUNTY OF TUSCOLA

WISNER TOWNSHIP WATER DISTRIBUTION SYSTEM BOND, SERIES 2012

Due March 1

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2013	\$25,000	2033	\$85,000
2014	55,000	2034	85,000
2015	60,000	2035	85,000
2016	65,000	2036	85,000
2017	70,000	2037	85,000
2018	75,000	2038	85,000
2019	80,000	2039	85,000
2020	85,000	2040	85,000
2021	85,000	2041	85,000
2022	85,000	2042	85,000
2023	85,000	2043	85,000
2024	85,000	2044	85,000
2025	85,000	2045	85,000
2026	85,000	2046	85,000
2027	85,000	2047	85,000
2028	85,000	2048	86,000
2029	85,000	2049	87,000
2030	85,000	2050	88,000
2031	85,000	2051	89,000
2032	85,000	2052	90,000

10. SECURITY. The Bond shall be issued solely in anticipation of payments to be made by the Township pursuant to the Contract. The Bond shall be secured by the full faith and credit pledge made by the Township in the Contract pursuant to the authorization contained in Act 185.

11. PRINCIPAL AND INTEREST FUND. There shall be established for the bonds a Principal and Interest Fund which shall be kept in a separate bank account. All payments received from the Township pursuant to the Contract are pledged for payment of the principal of and interest on the Bond and expenses incidental thereto and as received shall be placed in the Principal and Interest Fund.

12. CONSTRUCTION FUND. The remainder of the proceeds of the sale of the Bond shall be set aside in a construction fund for the Project and used to acquire and construct the Project in accordance with the provisions of the Contract.

13. REPAIR, REPLACEMENT AND IMPROVEMENT FUND. There shall be established a Repair, Replacement and Improvement Fund to be funded by the Township annually in the amount of \$8,750 until the Bond is paid in full. Moneys in the Repair, Replacement and Improvement Fund may be withdrawn to pay the cost of emergency maintenance of the Project, extensions to Project facilities and replacement of Project short-lived assets having useful lives ending prior to the final maturity of the Bond.

14. INVESTMENTS. Except as herein otherwise provided, moneys in the funds and accounts established herein and moneys derived from the proceeds of sale of the Bond may be invested by the County in United States of America obligations or in obligations the principal of and interest on which is fully guaranteed by the United States of America, and moneys derived from the proceeds of sale of the Bond may also be invested in certificates of deposit of any bank whose deposits are insured by the Federal Deposit Insurance Corporation. Profit realized or

interest income earned on investment of funds in the Principal and Interest Fund and the Construction Fund shall be deposited in or credited as received to the Construction Fund.

15. SALE, ISSUANCE, DELIVERY AND TRANSFER OF BONDS. The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer, the Chairperson of the Board of Public Works, the Secretary of the Board of Public Works and the other officers, agents and employees of the County and the Board of Public Works are authorized to execute such documents and certificates and to take all other actions necessary and convenient to facilitate the sale and delivery of the Bond.

16. TAX COVENANT. The County covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended, necessary to assure that the interest on the Bond will be and will remain excludable from gross income for federal income tax purposes. The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer, the Chairperson of the Board of Public Works, the Secretary of the Board of Public Works and other appropriate County officials are authorized to do all things necessary to assure that the interest on the Bond will be and will remain excludable from gross income for federal income tax purposes.

17. COVENANT AS TO DEFEASANCE. The County covenants that it will not defease this resolution with respect to the Bond so long as registered owner of the Bond is the United States of America or an agency or department thereof.

18. REDUCTION OF PRINCIPAL AMOUNT OF BONDS; ADJUSTMENT OF MATURITY SCHEDULE. If the Chairperson of the Board of Public Works shall determine that it is not necessary to sell the Bonds in the principal amount of \$3,250,000, he may by order reduce the principal amount of the Bonds, and principal maturities of the Bonds, to be sold to that amount deemed necessary. In addition, if the Chairperson of the Board of Public Works

shall determine it would be in the County's best interest to adjust the annual principal maturities of the Bonds, he may by order so adjust such maturities within the parameters of this Bond Resolution and Michigan law.

19. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

YEAS: _____

NAYS: _____

RESOLUTION ADOPTED.

#5

Mike Hoagland

From: Nancy Thane [nthane@tuscolacounty.org]
Sent: Wednesday, August 29, 2012 3:55 PM
To: mhoagland@tuscolacounty.org
Subject: CRP Contract
Attachments: viewPDF.pdf

Mike,

I would like to appear at the meeting on August 30th to seek Board approval for the 3 year CRP contract.

Attached is the actual 31 page three year CRP Contract. Highlights from the contract are as follows:

2013 Total expenditures is \$1,306,378.68 of which the contract reimbursement amount is \$862,210.00

2014 Total expenditures is \$1,384,762.12 of which the contract reimbursement amount is \$913,943.00

2015 Total expenditures is \$1,467,848.48 of which the contract reimbursement amount is \$968,780.00

As you know, this is NOT the actual budget amounts that are approved by the Courts and the Commissioners. This is the contract for reimbursement amounts. (For 2012, the total expenditures budgeted is \$994,067.00 and the CRP reimbursement amount is \$529,427.00.)

I would be requesting that the Chairperson of the Board be authorized to sign the Cooperative Reimbursement Contract for the years of 2013, 2014 and 2015, via the Egrams Contract Signing Process.

If you need any additional information, please let me know.

Thank you.

Nancy



*Copy to all Comm.
#6*

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

ANDY DILLON
STATE TREASURER

August 31, 2012

Thomas Bardwell, Chair
Tuscola County Board of Commissioners
440 North State Street
Caro, MI 48723

Dear Mr. Bardwell:

At their August 28, 2012 meeting, the State Tax Commission adopted certification level requirements for counties for the 2014 year. It has been determined, based on compiled State Equalized Value information, that the combined SEV of all counties for which your equalization director is currently responsible will exceed the total allowed by your equalization director's certification level for 2014. Failure to attain the oversight of a properly certified equalization director prior to 2014 equalization will result in action taken by the State Tax Commission. These levels are determined 18 months in advance to provide adequate notice to affected counties.

Please feel free to contact me directly at (517) 335-2532 or tenbroekek@michigan.gov if you have any questions regarding this notification.

Sincerely,

Kyle W. Ten Broeke, Analyst
State Tax Commission

Cc: Equalization Director
County Administrator

**STATE TAX COMMISSION
REQUIRED COUNTY CERTIFICATION LEVELS**

Certification level requirements for **Counties** are as follows:

MAAO Level (3):

All local assessing units within a single county have a certification level requirement of MCAO

OR

The total combined state equalized value of the county is less than **\$1,923,000,000 AND** the total combined state equalized value in the county of the commercial and industrial real and personal classifications, including utility and special acts properties, does not exceed 20 percent of \$1,923,000,000 (or **\$385,000,000**).

MMAO Level (4):

The total combined state equalized value of the county is greater than **\$1,923,000,000**, or the total combined state equalized value in the county of the commercial and industrial real and personal classifications, including utility and special acts properties, exceeds 20 percent of \$ 1,923,000,000 (or **\$385,000,000**).

The state equalized value of one large commercial or industrial property (major industrial facility, power plant, resort, etc.) or multiple **like** facilities (i.e. wind energy mills) that are located within the same county, may be subtracted from the total state equalized value used to calculate the level of certification required of the county equalization director. To qualify, the county must annually submit STC Form 4742 as well as documentation of a contract with an MMAO (4) assessing officer to appraise and assume appeal responsibilities of the affected parcel(s) to the State Tax Commission no later than October 31 of the year prior.

If an assessing unit enters into a contract with the county equalization director to assess one large commercial or industrial property, or multiple facilities (wind energy mills), that action will not reduce the level of certification required of the county equalization director. If an assessing unit extends into more than one county, the certification level of that assessing unit shall not be considered in establishing the certification level of a county unless more than 25 percent of the state equalized value of the assessing unit is located within that county.

The state equalized value requirements for counties shall be adjusted annually by the rate of increase in the statewide state equalized value as compiled by the Assessment and Certification Division of the Michigan Department of Treasury; the rate of increase used to adjust the 2014 tax year's certification levels was determined using the 2013 statewide state equalized value compared to the 2011 statewide state equalized value. If a county equalization director is responsible for more than one county or for one or more counties and one or more local assessment units located outside the county, the certification level required of the equalization director must be measured by using the combined state equalized value of all of the counties and local assessment units for which that individual is responsible.

County certification levels were approved by the State Tax Commission on August 28, 2012 for use in the 2014 tax year.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

September 4, 2012

Tuscola County Commissioner
125 West Lincoln Street
Caro, MI 48723

SUBJECT: Public Notice of Proposed October 24, 2012 Oil and Gas Lease Auction

Enclosed is a Public Notice (Notice) which recently appeared in the county newspapers and a list of the parcels in your county that are affected by the said Notice.

The Notice is to inform the public of a proposed State of Michigan Oil and Gas Lease Auction, and to allow for public review of the classifications of descriptions proposed to be offered for lease. The enclosed list will provide you with the details regarding which classification (i.e. development, development with restriction, or nondevelopment) the Department of Natural Resources (DNR) has assigned to specific parcels.

The procedures for public comment are shown in the third paragraph of the Notice. Please keep the Notice and parcel list available for review by interested parties until September 11, 2012.

Anyone having questions you are unable to answer may contact the DNR, Minerals Management Section, P.O. Box 30452, Lansing, Michigan 48909-7952. If you should have any questions, please contact me at the number below.

Sincerely,

Kimberly A. Venne, Property Analyst (na)
Oil and Gas Lease Management Unit
Minerals Management Section
517-335-3242

Enclosures

**PUBLIC NOTICE OF STATE-OWNED
OIL AND GAS RIGHTS
TO BE OFFERED FOR LEASE AUCTION**

Lands under consideration for oil and gas leasing include acreage in the following counties: **ALLEGAN, ARENAC, BARRY, BAY, EMMET, GRAND TRAVERSE, IONIA, IOSCO, KALKASKA, KENT, LAKE, MANISTEE, MIDLAND, MONTMORENCY, OAKLAND, OGEMAW, OSCODA, OTTAWA, PRESQUE ISLE, SAGINAW, TUSCOLA, AND WEXFORD.**

On October 24, 2012, the **Department of Natural Resources (DNR)** will offer, at an oral-bid public auction, approximately 196,000 acres of state-owned oil and gas lease rights in those Michigan counties indicated herein. More detailed information regarding location of the nominated parcels can be found at http://www.michigan.gov/dnr/1,1607,7-153-10371_14793-30912--,00.html or by calling 517-373-7663.

Written comments by interested parties relative to the classification of any description must be received by Minerals Management Section at the address specified herein **NO LATER THAN September 11, 2012.** Any request for change in classification will be considered by the DNR prior to offering the lease rights at public auction, with final classification to be set at the sole discretion of the Director of the DNR.

Registration of bidders will begin at 8:00 a.m. on Wednesday, October 24, 2012, and continue throughout the auction. Registration will be at the Michigan Constitution Hall, 525 West Allegan Street, Lansing, Michigan. Bids may be submitted by individuals of legal age, a partnership, corporation, or other legal entity qualified to do business in Michigan. Prospective bidders will be required to submit a valid government-issued photo identification (ID) which will be retained until the time of check out. It can be in the form of a driver's license or identification card.

Offering of lease rights will begin at 9:00 a.m. at an expected minimum bid of \$10.00 per acre and will continue until all descriptions have been offered. Additionally, at the auction's end and at the option of the DNR, parcels for which no bids are received may be re-offered at an expected minimum bid of \$2.00 per acre.

The total bonus must be paid at the time of check out for all lease rights which receive successful bids. Prospective bidders who do not have an established credit rating with the DNR through prior leasing of state-owned minerals, must pay at least one-half of the TOTAL bonus bid by cash, certified check, cashier's check, or money order. A credit rating may be established by filing with the **Minerals Management Section (MMS)**, three letters of references acceptable to the DNR, one of which must be a bank. In no instance will the DNR accept "site drafts" even if noted as a "zero-day site draft." **Bidders are legally and financially responsible for any successful bids. Failure to pay for a successful bid is considered intent to defraud and the bidder may be subject to prosecution.**

An auction catalog showing the legal description of the lands proposed to be offered and parcel classifications will be available after September 13, 2012, at http://www.michigan.gov/dnr/0,1607,7-153-10368_11800-169044--,00.html or by contacting DNR-MMS, P.O. Box 30452, Lansing, Michigan 48909-7952, telephone 517-373-7663.

August 16, 2012

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, August 16, 2012 at 8:00 A.M.

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

Motion by Parsell seconded by Zwerk that the minutes of the August 2, 2012 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Parsell that the minutes of the closed session of the Board dated August 2, 2012 be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$95,585.64 and bills in the amount of \$508,388.24 covered by vouchers #12-28, #12-29, and #08 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.

Management and the Board reviewed and discussed the Road Commission's procedures and fee schedule for Transportation Permits. Management reported that NextEra Energy Resources and G.E. Energy will soon be transporting wind turbine components into the county, and recommends a variance of the permit procedures and fees in order to streamline the permit paperwork. After further discussion, the following motion was introduced:

Motion by Sheridan seconded by Matuszak to grant NextEra Energy Resources and G.E. Energy a special variance of the Road Commission's procedures and fee schedule for Transportation Permits while transporting wind turbine components into Tuscola County; all in accordance with the Road Agreement between the Tuscola County Road Commission and NextEra Energy Resources. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Superintendent/Manager Jay Tuckey reported to the Board that the Road Commission will be contracting Superior Environmental Corporation to remove an underground fuel tank from the property at the Vassar Division.

PUBLIC HEARING

At 8:30 A.M. a public hearing was held for the proposed improvements to Ormes Road from Reese Road to Bray Road in Sections 29, 30, 31, and 32 of Tuscola Township. County Highway Engineer Zaverucha presented the plans for the project. Members of the public were given the opportunity to speak at the hearing, of which a complete transcript of the hearing is available at the Road Commission Office. After hearing comments from the public, the following motion was introduced:

Motion by Parsell seconded by Matuszak to close the public hearing and to proceed with letting the Federal Aid Project for the proposed improvements to Ormes Road from Reese Road to Bray Road in Sections 29, 30, 31, and 32 of Tuscola Township. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

County Highway Engineer Zawerucha reported to the Board that the Cass River Greenway Trail Committee requested a project for the control of phragmites along the road right-of-ways draining into the Cass River. The Road Commission will add this project to Owen Tree Services work, as approved at the February 2, 2012 regular meeting of the Board.

Motion by Sheridan seconded by Parsell to approve the request from the Vassar Township Board for the installation of a Specialty Handicap Sign on Saginaw Road between Oak Road and Maple Road. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan that the agreement between Lynn & Brian Schriber and the Tuscola County Road Commission allowing Designated and Special Designated All-Season loads for W. Deckerville Road from their westerly driveway at 1818 W. Deckerville Rd. east to Colling Road be extended for an additional two (2) years with the conditions specified in the agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Superintendent/Manager Jay Tuckey requested from the Board permission to post and fill two (2) vacant Laborer positions at the Road Commission. The Board will table the request and further discuss at the next regular meeting of the Board.

Motion by Parsell seconded by Matuszak granting Ken Graichen an extended Medical Leave of Absence through January 1, 2013, all in accordance with article V of the labor agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Parsell to request from the Tuscola County Sheriff's Department a copy of the daily time log sheets for the County Weighmaster. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the Board go into closed session at 9:40 A.M. for the purpose of discussing union negotiations. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 10:55 A.M. the Board returned to open session.

Motion by Zwerk seconded by Parsell that the meeting be adjourned at 11:00 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board