

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

TUESDAY, FEBRUARY 12, 2013 – 7:30 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

- 7:30 A.M. Call to Order – Chairperson Bardwell
Prayer – Commissioner Bardwell
Pledge of Allegiance – Commissioner Allen
Roll Call – Clerk Fetting
Adoption of Agenda
Action on Previous Meeting Minutes (See Correspondence #1)
Brief Public Comment Period
Consent Agenda Resolution (None)
New Business
- Potential Establishment of a Dental Clinic for Uninsured Medicaid Eligible (See Correspondence #2)
 - Mosquito Abatement Staffing and Material Purchase Request (See Correspondence #3 & 4)
 - Program to Pay Delinquent Taxes for Home Owners (See Correspondence #5)
 - Niland Building Lease Update (See Correspondence #6)
 - Wind Energy (See Correspondence #7)
 - Amendments to Tuscola County General Development Plan
 - Cass River Enterprises Letter of Support
 - Personnel Related Items
 - ❖ Dispatcher Vacancy (See Correspondence #8)
 - ❖ Friend of the Court Director
 - ❖ Deputy Court Administrator
 - ❖ Deputy Sheriff
- Old Business
Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

TRISCH
Board of Health
Human Development Commission (HDC)
TRIAD

Economic Development Corp/Brownfield Redevelopment
Human Services Collaborative Council
Green Start Collaborative
Local Unit of Government Activity Report

KIRKPATRICK

Thumb Area Consortium/Michigan Works
Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
MI Renewable Energy Coalition
MEMS All Hazards
Cass River Greenways Pathway
Local Unit of Government Activity Report

BIERLEIN

Thumb Area Consortium/Michigan Works
Planning Commission
Behavioral Health Systems Board
Tuscola 2020
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Multi County Solid Waste
Local Unit of Government Activity Report

ALLEN

Dispatch Authority Board
County Road Commission
Board of Public Works
Senior Services Advisory Council
Mid-Michigan Mosquito Control Advisory Committee
Saginaw Bay Coastal Initiative
Dental Clinic for Indigents
Parks & Recreation
Local Unit of Government Activity Report

BARDWELL

NACo
NACo Rural Action Caucus
Economic Development Corp/Brownfield Redevelopment
Caro DDA/TIFA
MAC Economic Development/Taxation
Michigan Association of Counties – Board of Directors
MAC 7th District
Local Unit of Government Activity Report

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 January 23, 2013 Full Board Minutes
- #2 Potential Dental Clinic Information
- #3 Mosquito Abatement Staff Request
- #4 Mosquito Abatement Material Request
- #5 Delinquent Taxes Payment Program
- #6 Niland Building Lease Update
- #7 Wind Energy
- #8 Dispatch Employee Resignation Letter
- #9 Renewable Energy Information
- #10 Local Government Summit on Efficiency Creation
- #11 January 9, 2013 All Hazards Planning Team Meeting
- #12 January 17, 2013 Road Commission Minutes

1

TUSCOLA COUNTY BOARD OF COMMISSIONERS

January 23, 2013 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 23rd day of January, 2013 to order at 7:30 o'clock a.m. local time.

Prayer by Commissioner Kirkpatrick

Pledge by Commissioner Trisch

Commissioners Present: District 1 – Roger Allen via Skype, District 2 – Thomas Bardwell, District 3 – Christine Trisch, District 4 – Craig Kirkpatrick, District 5 – Matthew Bierlein

Also Present: Mike Miller, John Bishop, Jim McCloskey, Bob Mantey, Mary Drier, Gretchen Tenbush, Bob Klenk, Mike Hoagland and Jodi Fetting

13-M-016

Motion by Trisch seconded by Kirkpatrick to adopt the agenda as amended.

Motion Carried.

13-M-017

Motion by Trisch seconded by Bierlein to adopt the Board of Commissioners meeting minutes from December 27, 2012 regular meeting, January 2, 2013 organizational meeting and January 2, 2013 regular meeting. Motion Carried.

Brief Public Comment –

Jim McCloskey provided an update on behalf of Senator Mike Green.

Bob Mantey showed appreciation for the opportunity to purchase a new vehicle and provided an explanation of the Department's need for the purchase. The Drain Commissioner also provided information to the new commissioners.

John Bishop updated the Board regarding copy fees charged in the Register of Deeds office.

13-M-018

Motion by Trisch seconded by Bierlein to approve the following Consent Agenda Resolution with Item E removed. Motion Carried.

CONSENT AGENDA

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/10/13
- Description of Matter:** Move that the chairperson be authorized to sign the contract for representation of developmentally disabled individuals in the Tuscola County Probate Court.
-
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/10/13
- Description of Matter:** Move that the chairperson be authorized to sign the contract for representation of individuals in Tuscola County Circuit/Family Court.
-
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/10/13
- Description of Matter:** Move that per the recommendation of the Dispatch Director the chairperson be authorized to sign the document that enables the county to receive PA 32 of 1986 state funding for dispatcher training.
-
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/10/13
- Description of Matter:** Move that per the January 9, 2013 letter of recommendation from the County Drain Commissioner that a new truck be authorized to be purchased from Moore Motors who was the low bidder for an amount of \$24,693. (Originally a used vehicle was budgeted at \$25,000 but the competitive pricing enabled a new vehicle to be purchased without exceeding the budget.)
-
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/10/13
- Description of Matter:** Move that per the October 16, 2012 email memo from the County Clerk, that the CCW photo cost be increased from \$8 to \$15 effectively immediately.

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: Allen, Bardwell, Trisch, Kirkpatrick, Bierlein

NAYS: None

ABSTENTIONS: None

RESOLUTION ADOPTED

13-M-019 (Item E from above Consent Agenda)

Motion by Kirkpatrick seconded by Trisch that two commissioner cellular telephone contracts with Thumb Cellular be authorized for signature. Also, the commissioner who has chosen to maintain his current telephone be reimbursed at \$55 per month which would have been the average monthly cost under a cellular telephone contract. Yea - Kirkpatrick, Trisch, Bardwell Nay- Bierlein and Allen. Motion Carried.

13-M-020

Motion by Trisch seconded by Kirkpatrick that per the recommendation of the Health Officer and Board of Health that the 2013 Health Department fee schedule be approved effective February 1, 2013. Motion Carried.

13-M-021

Motion by Bierlein seconded by Kirkpatrick that the Chairperson be authorized to sign the letter of support for the Tuscola Township grant application to the Department of Natural Resources Trust Fund to establish a trail system in the Tuscola Township Park. Motion Carried.

Recap Potential Re-use of Former Camp Tuscola – Tour was successful. Ideas for use of the facility are still encouraged.

Recap Oil & Gas Meeting – More information to be provided as available.

Recap Wind Energy Taxation Meeting and Proposal to Conduct a Study

13-M-022

Motion by Kirkpatrick seconded by Allen that per the recommendation of the Michigan Renewable Energy Coalition that the county be authorized to finance the cost of a wind energy appraisal study with county share of cost based on the Study Cost Distribution Spreadsheet. Also, the Study Cost Distribution Spreadsheet be forwarded to all other benefiting entities requesting their financial participation in the Study. Motion Carried.

Exploration of Joint Dispatch Director with Huron County - Huron County hired a Director

13-M-023

Motion by Trisch seconded by Bierlein that the County Clerk shall advertise to fill vacancies on the Region VII Area Agency on Aging Council Advisory Council. Motion Carried.

Dispatch Surcharge Lawsuit Update – Bob Klenk provided an update

Workers Compensation Cost Increase – Mike Hoagland provided an update

Open Meetings Act Amendment – Clerk Fetting provided an update regarding the posting of Public Meetings

13-M-024

Motion by Bierlein seconded by Trisch that the County Clerk be requested to comply with the new meeting posting requirements of the Open Meetings Act per amendments that were made effective 12/31/12 and summarized in the 1/23/13 Board of Commissioners packet. Motion Carried.

Region VII Board of Directors Vacancy – Discussion Postponed.

Old Business – None

Correspondence/Resolutions -

Representative Brown to attend January 24, 2013 Board Meeting

MAC conference – March 2013

Tax Assistance is available through Human Development Commission and MSHDA

Dental Program – Mike Hoagland provided an update. Meeting to be scheduled.

Financial Department – Tuscola County has received an award '*Certificate of Achievement for Excellence in Financial Reporting.*'

Closed Session - None

Other Business – Mike Miller informed the Board of water issue at the Tuscola County Jail. Mr. Miller passed on his appreciation to the City of Caro DPW for their assistance.

Extended Public Comment –

John Bishop requested further information regarding the Proposed Dental Program.

Mary Drier questioned how the public was informed regarding the warming center during recent power outage.

Meeting Adjourned at 10:10 a.m.

Jodi Fetting
Tuscola County Clerk

Mike Hoagland

From: Mike Hoagland [mhoagland@tuscolacounty.org]
Sent: Friday, February 01, 2013 2:56 PM
To: Gretchen Tenbusch (Gretchen Tenbusch); Patrick Kaltenbach (patkal@bkf-law.com); JODI ESSENMACHER; Dorman Kathy (kdorman@sanilacounty.net); Bierlein Matthew (mbierlein@tuscolacounty.org); Kirkpatrick Craig (kirkpatrick_craig@sbcglobal.net); Roger Allen (beetman95@yahoo.com); Tom Bardwell (tbardwell@hillsanddales.com); Trisch Christine (christinetrisch@gmail.com)
Subject: Brief Summary of Dental Clinic Meeting 2-1-13
 Commissioners

Thought it may helpful to provide a brief summary of the meeting this morning regarding potential establish of a dental clinic to serve uninsured Medicaid eligible adults in Huron, Sanilac and Tuscola Counties.

Attendance

- 3 Huron Commissioners and 2 Tuscola Commissioners (Allen and Trisch), Sanilac and Tuscola Administrators, Health Officers for Huron, Sanilac and Tuscola Counties and their staff along with Tuscola and Huron Attorneys

Major topics discussed

- History of events that lead up to the current situation
- Significant need for the service with statistics provided
- Summary of the numerous questions asked to date
- TADC answers to some of the questions were reviewed
- Procedures regarding intergovernmental transfers (IGT) Diana Schafer has prior experience with process)
- Finances were discussed and it is thought county financial responsibility is: IGT, maybe one-time funds to match grant applications (maybe \$10,000 per county) and some administrative time
- Advantages and disadvantages of MCDC and TADC programs were reviewed
- TADC does not require the counties to bond to build a facility and are local dentists
- County lawyers had concerns with several important aspects of draft TADC contract
- Expect periodic state/federal audits

Actions/Next Steps

- The consensus of the group was to continue to pursue a program with TADC
- Lawyers for the counties will work with Rutkowski and TADC lawyers and request contract changes to be acceptable
- Timeline will depend upon how quickly TADC lawyers can redraft an acceptable contract for review and consideration
- Frustration that no state/federal agencies will give pro-active approval of a program
- Request Congresswoman Miller to review the program for compliance

Mike Hoagland

From: Matthew A. Honaman [MATHON@BraunKendrick.com]
Sent: Tuesday, February 05, 2013 4:35 PM
To: mhoagland@tuscolacounty.org
Cc: casek@co.huron.mi.us; kdorman@sanilacounty.net
Subject: Dental Clinic

Mike, here is a draft summary report for your upcoming Commissioners' meeting:

On Friday, February 1, 2013, representatives from Tuscola, Huron, and Sanilac Counties held a meeting to discuss issues concerning the proposed dental clinic. The consensus was that the draft agreement from Thumb Area Dental Clinics, Inc. ("TADC") lacked the necessary detail for the arrangement. We are proposing several additional items that should be included in the agreement, particularly detail related to the quarterly intergovernmental transfer ("IGT") of funds to the State of Michigan. But before we entertain revisions to the proposed agreement, which we will ask TADC to make, we must first be certain that the proposed arrangement will comply with federal and state laws and regulations. Because of the necessary time and expense involved in the anticipated rework of the agreement, we are sending a letter to TADC's representative, Jim Rutkowski, asking for an opinion letter from TADC's attorney detailing the IGT procedure, how it will work, and the legal authority relied upon.

We are currently working on a proposed letter requesting the suggested amendments, which each county's legal counsel will have an opportunity to review and incorporate their comments before it is sent. Hopefully this approach meets with the Commissioners' approval. If it does not please let us know.

Best,
Pat Kaltenbach
Matt Honaman



BRAUN KENDRICK

MATTHEW
A.
HONAMAN
Attorney

matt@braunkendrick.com

EMAIL CONFIDENTIALITY NOTICE

Draft Agenda
Huron, Sanilac and Tuscola Meeting to Discuss Potential Dental Clinics
February 1, 2013 Tuscola County Purdy Building

1. Overview of events to date – Hoagland (See Attached A)
2. Review of need for service – Tenbusch and other health officers
3. Rutkowski answers to certain questions – (See Attached B)
4. Other questions – Kaltenbach (See Attached C)
 - Is TADC currently a 501(c) (3) or pursuing this status?
 - Does TADC have articles of incorporation, who is on the Board?
 - Will the new location be used exclusively for TADC patients?
 - What is the impact if Medicaid changes?
 - How many patients will be treated?
 - Matching funds from counties for grants?
 - Intergovernmental transfer (administrative time/costs) – Schafer
 - Client referrals – Health officers
 - Transportation for clients?
 - Other?
4. Draft Contract – Kaltenbach and other legal representatives (See Attached D)
 - Cause and termination provision
 - Exclusivity provision
 - Stark law and anti-kick back provisions
 - Naming counties as additional insured
 - Protecting counties from liability
 - Other?
5. Next Steps
 - TADC timeline – end of February
 - Follow-up meeting with Rutkowski and TADC lawyers to answer questions
 - Send Rutkowski question for written response
 - Procedure to revise draft Contract – Kaltenbach and other legal representatives
 - Rutkowski meetings with County Commissioners
6. Other

Thumb Area Dental Clinics basic concerns answered:

- The Dentists want to do this project:
 - To be in control of the nonprofit Medicaid clinic locally
 - To work within the community from the community
 - To insure local Dentist offices stay strong in small communities and retain patients
 - To continually work with other non profits in the three counties
 - To serve the needs of people who cannot afford Dental work
 - To help these people to get jobs, health and thus become patients
- This is a nonprofit **and no local Dentists will get any payment**
 - The Bylaws state this
 - The Federal government watches over it closely
 - Retired Dentists that work here and the staff will get paid
 - If a Dentists ever does need to work here for a day or a week they will get paid. **That is unexpected**
- IGT transfers are done all over the state
 - Quarterly
 - Money extended comes back to county
- The staffing is run through the non profit
- The operations loan the Dentists are applying for
- There will be one Executive Director point of contact
- We will also be doing community health care education on location throughout the thumb

I Jim Rutkowski will be attending the next commissioners meeting to update you. I hope these answers bring some clarity to you. We need this approval done quickly because we are applying for grants. One is due February 28th The other IT grant needs to be used by April.

Thank you

Mike Hoagland

From: Matthew A. Honaman [MATHON@BraunKendrick.com]
Sent: Wednesday, February 06, 2013 2:50 PM
To: mhoagland@tuscolacounty.org
Cc: Patrick Kaltenbach; casek@co.huron.mi.us; jyoung@sanilacounty.net;
kdorman@sanilacounty.net
Subject: FW: Thumb Area Dental Clinic
Attachments: Thumb Brochure for soliciting dentists.pdf; MDA Article re Anti-trust, 2-2013.pdf

Mike received the below email today. We do not intend to respond and, unless directed otherwise, we will continue to prepare the letter to TADC's representative, Jim Rutkowski, asking for an opinion letter from TADC's attorney detailing the IGT procedure, how it will work, and the legal authority related thereto.

We're copying Huron and Sanilac Counties' corporate counsel on this email. We haven't spoken with Sanilac County's attorney yet, but it is my understanding that Kathy Dorman, Sanilac's Administrator, has communicated with him concerning the status of the proposed dental clinic. We're copying Kathy on this email as well.



BRAUN KENDRICK

MATTHEW
A.
HONAMAN
Attorney

matth@braun-kendrick.com

EMAIL CONFIDENTIALITY NOTICE

From: Thomas Veryser [mailto:TVeryser@midental.org]
Sent: Wednesday, February 06, 2013 11:11 AM
To: Matthew A. Honaman; Patrick Kaltenbach
Cc: Diana Schafer (schaferd@sanilachealth.com)
Subject: Thumb Area Dental Clinic

Gentlemen,

2/7/2013

meeting on the request of Dianna Shafer, the Health Officer/Director of the Sanilac County Health Department, who is concerned about the Counties of the Northern Thumb region partnering with the newly re-organized dentists who wish to establish and operate a dental clinic to serve certain Medicaid patients within the local area in the region. Attached is a copy of the brochure used by the dental group to solicit financial support from their dental colleagues in the region. It is clear that the primary reason for this venture is to serve the needs of the region, which is clearly a violation of anti-trust law. Also attached is an article that was published in the *Journal of the Michigan Dental Association*, which was written to respond to this situation. It is important that I would think that the Counties might be concerned about colluding with this new entity for this reason.

It is also important to the Michigan Dental Association that the local dental community opposes the establishment of an MCDC operated public health clinic out of unfounded fear mongering by Dr. Dennis Spillane and his few vocal colleagues.

Please know that MCDC was invited to the region by the Health Departments of Huron, Tuscola and Sanilac to fill an obvious void, and if there can be a viable alternative safety-net clinic or private practice solution to the problem, we would be pleased to assist in any way that makes sense. Our concern is for the 14,000 adults on Medicaid in the Northern Thumb region, who have nowhere to obtain dental services. We at MCDC are sufficiently occupied with the 21 – soon to be 22 - other clinics we operate throughout Michigan, and don't need to go into a region that is willing and able to solve the problem without our expertise. That said, it is doubtful that this alternative being contemplated by the Counties will properly serve the target population and be sustainable over time. If it would be valuable to the process, I may be willing to address the ad hoc committee to explain the MCDC program in detail, and answer any of their questions.

Don mentioned that you have questions about the processes outlined in the Agreement that MCDC has with the HPH Centers with which it partners for this purpose. (A draft agreement was provided to the HPH several years ago, and has since been shared with you.) I will be pleased to make myself available to explain the details of the agreement, answer your questions, and enlighten you as to the history and administration of the Michigan Center for Rural Health, as well as for public health dentistry in Michigan. I am available to speak with you tomorrow morning, Monday, February 11th at 9 am, and then again sometime during the week of February 18th. To learn more about our various public health programs, please visit our web site, which has a link below. MCDC is a member of the MDA and the MPCA. As a result of the success of MCDC in meeting the need for Medicaid dental services in Michigan, I have been appointed by Governor Snyder to serve on the Board of the Michigan Center for Rural Health, as the representative of the Governor's office.

I am familiar with your firm, as I served on the Board of Huron Memorial Hospital for 18 years, and enjoyed a long and mutually beneficial relationship with Ted Braun, who served as legal counsel on many matters.

Thomas J. Veryser, D.D.S., M.H.S.A.
Chief Executive Officer



Michigan Community Dental Clinics, Inc.
One Water Street, Suite 200
Boyer City, MI 49712

Phone: 231-547-7656

Fax: 231-437-4782

Email: tveryser@midental.org

Web Site: www.MIdental.org

Before we started this huge endeavor, not a single Dentist in the three counties of the Northern Thumb accepted Medicaid. MCDC, a corporation that has several Medicaid dental clinics, was well on their way to building a Medicaid clinic in the Thumb. Almost all of us accept Healthy Kids. MCDC would have taken some of these Healthy Kids patients out of our practices. What is even worse, is that a full 20% of MCDC's patients do not have Medicaid or Healthy Kids (MCDC Annual Report). They would use our tax dollars to build their clinic and then take these low income, non-insured patients from our practices too. We have stopped MCDC from coming to the Thumb and hurting our practices.

The other side of this is that we can truly do good for the people in our community. We, as a dental community, have neglected those among us with Medicaid. Individually, we could not make it accepting Medicaid; but together, we really can. We need to give back to those less fortunate, and doing it this way will not hurt your practice. There are real costs to make this happen. We are paying a lot of money to have the leg work done for us so we can devote the time we need to in our own practices. If we all help, this is a lower burden on those already involved. Do the right thing. Join with us in this effort for a truly good thing.

- James Thomas, DDS

THUMB AREA DENTAL CLINICS



- Bradi Boyce, DDS
- Thomas Coombs, DDS
- James Ford, DDS
- Michael Misko, DDS
- Nicholas E. Nahernak, DDS
- Scott Redwanz, DDS
- Dennis Spillane, DDS
- James Thomas, DDS
- Joseph A. Vella, DDS

THUMB AREA DENTAL CLINICS



VISION

Establish a superb well managed Dental Clinic for Medicaid Patients operated by Thumb Area Professionals.

MISSION

Continually increase collaboration and care for residents.

I am respectfully requesting that you join with many other local dentists to unite in our effort to control our destiny, protect our practices, and invest in our family of patients.

We have all lost patients due to the loss of dental insurance of our auto worker retirees and cutbacks with today's economy. We do not need to lose any more patients from our practices. This is an opportunity to actually quell this loss by our own actions instead of it just happening without any control. We can stop an unfair competitor (MCDC & Dr. Veryser) from coming into our area and grabbing our patients, by banding together.

The contribution that is being requested is a small amount compared to the equipment investment for "toys" we all make for our practices. It can be paid in four payments to spread it out. You can probably write it off for "practice consulting", or "marketing", since we have hired a consultant and it should develop or retain patients in your practice.

There is strength in numbers. You don't have to attend or participate more than you feel comfortable. Your investment should come back to you by saving your Delta Healthy Kids and MI Child and patients referred from the voucher system. This is a no-brainer!! Do you really want Veryser who knows this area coming here and setting up shop and taking his profits back to Charlevoix?

- Dr. Dennis T. Spillane, DDS

SEPTEMBER

- Attended Huron and Tuscola County Commissioner Meetings
- Met with Dentists from the Northern Group
- Met with Huron, Sanilac and Tuscola County Health Departments
- Began researching billing process for Clinic
- By-laws drafted
- Board created
- Organizational chart created
- Fund donation process clarified

OCTOBER

- Mission and vision statements completed
- Goals and objectives set
- Grants identified
- 501c3 submitted
- Initial budget drafted
- Staffing discussions held
- Board meeting held
- All members contacted
- Possible building sites identified
- Site & building funding defined
- Medicaid: system clarified
- Committees Formed:
 - Staffing
 - Building
 - Finance budget

NOVEMBER

- Create Newsletter draft
- Meet with Sanilac Commissioners
- Medicaid: Work on Health Department Agreements
- Work on Transportation Agreements
- Define building specifications
- Solidify funding
- Clarify ownership
- Create ED job description
- Create staff job descriptions
- Finalize budget
- Committees meet
- Hold new committees
- Procedure
- Prep for AD-HOC committees of County Boards of Commissioners

DECEMBER

- Finalize location
- Start building plans
- Submit Grants
- Continue Fundraising
- Secure Operating Funding
- Finalize contracts with Health Departments
- Finalize contracts with Transportation

Do Not Ignore Antitrust Law! Important Information for All Dentists

By Daniel J. Schulte, JD
MDA Legal Counsel

Antitrust laws cannot be ignored by dentists on the basis that they are not fair, are too complicated, or make no sense. The U.S. Justice Department and the Federal Trade Commission are particularly interested in prosecuting physicians and dentists for antitrust violations. Since dental organizations like the MDA are composed of independent practitioners, the activities of organized dentistry fall under federal scrutiny.

A basic understanding of the antitrust laws is therefore essential for all Michigan Dental Association members. Here's what you need to know . . . it is perilous indeed to ignore these laws.

Requirements for violation

Section one of the Sherman Antitrust Act declares contracts, combinations or conspiracies in restraint of trade to be unlawful. For a violation of this act to occur, two things must occur:

- two or more independent dentists or entities must engage in joint activity; and

- the joint activity must restrain competition.

1. Joint action — The law does not apply to actions taken individually by a dentist. There must be an agreement or understanding, and it takes more than one person or entity to have an agreement. Such joint action does not exist in a completely integrated dental group practice. In such a group practice, the separate practices of individual dentists are “merged” or “integrated” into the group. The dentists share profits and losses, and do not have independent competing practices. Because there is only one practice, the joint action element required for a violation is absent.

Any agreement by two or more independently practicing dentists, or group practices, which restrains competition, may constitute “joint action.” An example of such joint action would be two or more independent dentists who together decide not to sign a managed care participating contract or who decide to terminate such a contract. Another example would be two or more dentists with independent practices who agree on minimum or maximum fees or capitation amounts. Business managers of two independent dental practices who agree that

the practices will not compete against each other in a certain geographic area would be another example.

The “agreement” need not be formal or written to be illegal. A tacit understanding is enough. Dentists do not need to know the agreement is illegal in order to violate the law. The key is to avoid even the appearance of an illegal agreement. For example, informal conversations with other dentists at a dental society meeting about problems incurred with a managed care plan, which result in some dentists terminating their contracts with the plan, may be construed as an illegal agreement. A letter to another dentist that merely discusses fees may evidence an agreement to fix prices.

2. Restraint on competition — In order for joint action or an agreement to constitute an antitrust violation, it must unreasonably restrain trade. This occurs when the effect or purpose of the agreement is to decrease competition. To determine whether the agreement is unreasonable, the courts use two different standards, depending on the type of agreement:

Illegal Per Se: If the agreement involves price-fixing, group boycotts or the allocation of practice territories or patients, the courts apply the per se rule. Under the per se rule, the court presumes that an unreasonable restraint of trade occurred. The plaintiff only has to prove the existence of the agreement, not that the agreement decreased competition. Under the per se analysis, it does not matter that the dentists did not intend to violate the antitrust laws, or that the agreement operates to lower consumer prices.

Rule of Reason: If the per se rule does not apply, a court applies the rule of reason. Under this analysis, the court balances the pro-competitive purposes and effects of the agreement against the anti-competitive purposes and effects. If, on balance, the agreement is considered to be anti-competitive, then the agreement is illegal.

(Continued on Page 78)



tants. Speakers: Wendy Kerschbaum, RDH, MA, MPH, and Janet Kinney, RDH, MS. Where: School of Dentistry. Five CE credits.

Friday, May 31: Complete Denture Design. Speakers: Kenneth May, DDS, MS, Renee Duff, DDS, MS, Berna Saglik, DDS, MS, and Wonsuk Oh, DDS, MS. Where: School of Dentistry. Six CE credits.

COMPONENT SOCIETIES

The MDA encourages local dental societies to publicize courses and speakers online and in the MDA *Journal's* continuing education listings. These listings are published when submitted and should not be considered a definitive list or master calendar of all component CE courses offered in the state of Michigan. Local societies planning CE events are urged to check with other components when scheduling courses.

Friday-Sunday, March 1-3, 2013: Macomb Dental Society 2013 Winter Sports Seminar. Endodontic Irrigants, Jason Lang, DDS, MS, and Getting Patients to Want What they Need, Mark Murphy, DDS. Where: Crystal Mountain Resort, Thompsonville. Component: Macomb District Dental Society. Contact: Mike Wojcik, DDS, at 586-412-0090 or Dave Kolakowski, DDS, at 586-412-3690. Six CE credits.

Tuesday, March 19, 2013: Cone Beam Imaging. Speaker: Ghabi Kaspo, DDS. Where: Crystal Gardens, Howell. Component: Livingston District Dental Society. Contact: William Metz, DDS, at wlmetz@mac.com. Two CE credits.

Friday, March 22, 2013: What Good Is a Dead Patient with Perfect Teeth? Speaker: David Meinz. Where: Frederik Meijer Gardens and Sculpture Park. Component: West Michigan District Dental Society. Contact: Elaine Fleming at 616-234-5605. Seven CE credits.

MISCELLANEOUS

Saturday, March 2, 2013: Treating Patients with Cardiovascular Disease — What to Know and What to Do. Speaker: James Lichon, RPh, DDS; and Staying on Top — Tips, Tools and Techniques for Team Success. Speaker: Jennifer Ireland, CDA, RDA, BS. Where: Bavarian Inn Lodge, Frankenmuth. Sponsor: Michigan Dental Assistants Association. Contact: Laurel Fowler at 586-415-7110. Six CE credits.

Wednesday, March 13, 2013: Dental Trauma and Cosmetic Solutions. Speaker: Thomas Lambert, DDS. Where: Grand Rapids Airport Hilton. Sponsor: Kent County Dental Society. Contact: Dr. Kathryn Swan at kentcountydental@hotmail.com. Two CE credits. ♦

Dentistry and the Law
(Continued from Page 18)

Illegal per se joint action

Price-fixing and group boycotts constitute the greatest risks of joint activities conducted by dentists that may lead to antitrust violations.

1. Price-fixing. Price-fixing is an agreement or understanding among competitors to fix, stabilize, raise, or lower prices (or any element of price) and is per se illegal. The following types of activity generally constitute price-fixing, if conducted by independent dentists:

- an understanding to submit a certain fee to an insurance company or managed care entity;
- an understanding not to discount fees beyond a certain percentage; and
- a letter to an insurer stating that if fee schedules are not raised, specified dentists will terminate their contracts.

Oral or written communications between independent dentists regard-

ing price should be avoided.

2. Group boycotts. An agreement by two or more dentists not to deal with a third party may constitute an illegal group boycott. The following types of activity may be considered group boycotts if conducted by independent dentists:

- a tacit understanding to refuse to participate in an insurance or managed care plan;
- an understanding among general practitioners not to refer to a specialist who participates in an unpopular managed care plan; or
- an agreement to terminate participating contracts with a plan for any reason.

Antitrust enforcement

Federal antitrust laws are enforced by the Justice Department, the Federal Trade Commission, and suits brought by private parties. The Justice Department may bring either criminal or civil action against dentists who are in violation of the antitrust laws. Criminal actions are felonies punishable by imprisonment and fines. Private parties can sue dentists for antitrust violations and, if successful, recover treble damages. ♦

Portions of this article have been previously published in the *Journal*.

Original Departmental
(Continued from Page 58)

48. Yamamoto Y, Yonei N, Kamikawa C, Kishaka A, Furukawa F. Effect of chemical peeling on dental epithelial cells. *J Dermatol Sci* 2004;35:158-61.

49. Fowler EB, Breault LG, Galvin BG. Enhancing physiologic pigmentation utilizing a free gingival graft. *Pract Periodontics Aesthet Dent* 2000;12:193-96.

50. Griffin TJ, Banjar SA, Cheung WS. Reconstructive surgical management of an amalgam tattoo using an ADM graft: Case reports. *Compend Contin Educ Dent* 2005;26:853-59.

51. Campbell CM, Deas DE. Removal of an Amalgam Tattoo Using a Subepithelial Connective Tissue Graft and Laser Deepithelialization. *J Periodontol* 2009;80:860-64.



TUSCOLA COUNTY MOSQUITO ABATEMENT

1500 Press Drive
Caro, Michigan 48723-9291
989-672-3748 Phone ~ 989-672-3724 Fax

To: Tuscola County Board of Commissioners
Michael Hoagland : Controller/Administrator

From: Kimberly Green: Co-Director
Rich Colopy: Co-Director

Date: February 1, 2013

RE: 2013 Staff

We are requesting permission to hire our 2013 seasonal employees. A list of the names of our selections is attached.

Thank you.

2013 Mosquito Abatement Returning Employees

John Adamczyk

Randy Babcock

James Benjamin

Ronald Botkins

Paul Chronowski

James Clark

Matthew Downing

Richard Exel

Kurt Fritz

Lee Garnsey

Daniel Heckroth

Lisa Hubbard

Steven Irvine

Larry Langenburg

Richard Myers

William Owensby

Thomas Perkins

Renee Raney

Michael Sherman

Leonard Terbush

Patrick Webster

Larry Zapfe

2013 Mosquito Abatement New Hire Employees

Alan Blackwell

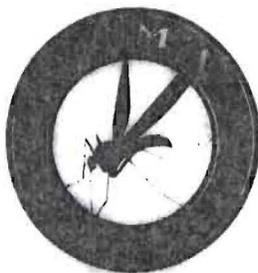
Donald Gohs

Gary Sargent

Christopher Searles

Thomas Shaw

Steven Turner



TUSCOLA COUNTY MOSQUITO ABATEMENT

1500 Press Drive
Caro, Michigan 48723-9291
989-672-3748 Phone ~ 989-672-3724 Fax
Directors – Kim Green & Rich Colopy

TO: Tuscola County Board of Commissioners
Michael Hoagland – Controller/Administrator

FROM: Kim Green ~ Rich Colopy : Co - Directors
Tuscola County Mosquito Abatement

Date: February 1, 2013

RE: Request to purchase control materials / Equipment for 2013 season

On January 9, 2013 sealed bids for insecticide materials were opened at the Midland County Board of Commissioners Finance Committee meeting. After review of these bids, we are requesting permission to purchase the following materials.

- Evoluer 4-4 permethrin 4,950 gallons
- BTI Liquid 450 gallons
- BTI Granular 12,800 lbs.
- VectoLex WDG 48lbs.

These purchases total \$92,899.38, and will be deducted from the 2013 Mosquito Abatement budget from account 240-620-750-000, Abatement Materials.

In addition to the control materials, we are requesting permission to purchase from Clarke Inc. 2 ULV - Grizzly OHV Smart Flow #12208OHV. These units will be replacing 2 ULV mounted sprayers. This purchase (\$21,913.50) would be deducted from account 240-620-970-030.

These purchases were anticipated, and sufficient funds allocated to these accounts. Please see attached copy of insecticide bid information and quote for new equipment.

Thank You

Respectfully,

Kimberly Green

Richard Colopy

**Midland, Bay & Tuscola County Mosquito Control Agencies
2013 INSECTICIDE BID SUMMARY**

10-Jan-13

Material	Amount		Vendor - Unit Price (pound, gallon, case)						
	B	Bay	Adapco	All Pro Vector Group	Clarke	Helena	Univar Env. Sci.	Valent Biosci.	
	M	Midland							
T	Tuscola								
A. Abate 5%PG	M	1,584 lb.	N.B.	N.B.	\$15.45 3	N.B.	N.B.	N.B.	
B. Larvicide Oil		Brand	BVA -2		Coco Bear	BVA-2	Kontrol		
	M	3,000 gal.	\$8.70	N.B.	\$13.90	\$8.10	\$8.92	N.B.	
C. Altosid Pellets	M	1,320 lb.	\$25.05	N.B.	\$25.05	N.B.	\$25.05	N.B.	
E. ULV Permethrin		Brand	Perm-X 4-4	Evoluer 4-4	Biomist 4+4	Perm-X 4-4	Kontrol 4-4		
	B	2,475 gal.	\$14.23	\$12.13 2	\$17.90	\$14.06	\$14.14	N.B.	
	M	3,850 gal.	\$14.23	\$12.13 2	\$17.90	\$14.06	\$14.14	N.B.	
	T	4,950 gal.	\$14.23	\$12.13 2	\$17.90	\$14.06	\$14.14	N.B.	
F. BTI Liquid	M	3,890 gal.	\$26.90	N.B.	N.B.	N.B.	\$33.71	\$26.65 5	
	T	450 gal.	\$26.90	N.B.	N.B.	N.B.	\$33.71	\$30.69	
G. BTI Briquets	B	10 cases	\$66.25	N.B.	\$92.00	N.B.	\$66.00	N.B.	
H. VectoLex CG	M	400 lb.	\$6.14 1	N.B.	\$6.94	N.B.	N.B.	N.B.	
I. VectoLex WDG	T	48 lb.	N.B.	N.B.	\$60.31	N.B.	N.B.	N.B.	
J. Natular XRT	B	10 cases	N.B.	N.B.	\$875.60 3	N.B.	\$666.60 4	N.B.	

notes:





110 E IRVING PARK RD
ROSELLE, IL 60172
U.S.A.
www.clarke.com
TOLL-FREE: 800-323-5727

PH: 630-894-2000
FAX: 630-894-1774
EMAIL: clarke@clarke.com

QUOTATION

B Tuscola County MAD (T10086)
I Kimberly Green
L 1500 Press Road
L
Caro, MI 48723
T 989-672-3748
O 989-672-3724

S Tuscola County Mosquito Control
H Richard Colopy
I 1500 Press Road
P
Caro, MI 48723
T 989-672-3748
O 989-672-3724

Address ID: 000000

Quotation #	Quote Date	Salesperson	Written by	Valid to
0002009187	01/09/13	Rob Cascioli	Stephanie Rodriguez - Sales Assoc.	12/31/13

Delivery Method	Terms
Freight Carrier	Net 30 Days

Item #	Item Description	Qty Ordered	Unit Price	Extended Price
12208OHV	GRIZZLY OHV SMART FLOW	2 ea	10,956.75/ea	21,913.50

Order total	21,913.50
Total	<u>21,913.50</u>

* For your convenience we also accept Visa and MasterCard

*** Please Note: Clarke will charge applicable sales taxes unless a valid exemption certificate is faxed to us at 630-582-0704

Gogebic County to participate in program helping homeowners pay taxes, mortgages

By **PHOTOGRAPHY**
ranan@yourdailyglobe.com

BESSEMER — It sounds too good to be true, but it's no scam.

Gogebic County is participating in a program that can provide up to \$30,000 apiece for homeowners hit hard by delinquent taxes and mortgages.

County treasurer Sue Pertile recently announced the availability of the no-interest loan program at a Gogebic County Board of Commissioners meeting.

It's called the "Helping Michigan's Hardest-Hit" program. Michigan has

received a total of nearly \$500 million in Emergency Economic Stabilization Act or Troubled Asset Relief Program funds to operate the program and spread among state citizens.

The funds will be made available on a first-come, first-served basis statewide. At first, Pertile thought the program provided \$30,000 for Gogebic County, but she since learned each homeowner may qualify for up to \$30,000.

"I have sent in my agreement with the state for Gogebic County to participate," Pertile said. She added the pro-

gram will begin accepting applications on Tuesday, Jan. 15.

"Any person interested has to apply with the state at www.stepforward-michigan.gov," Pertile said. The number to call is 1-866-946-7432.

Pertile has asked the state for paper applications to have on hand in her office for people who don't have Internet access and she's hopeful the applications will be available at her office.

The federal Department of Treasury established the Hardest Hit program in

(See TAXES — Page 5)

TAXES

(Continued from Page 1)

2010 to provide aid to families affected by the economic and housing downturn.

There are four different programs a homeowner can apply for, as the funds are provided as a zero percent loan.

The state will determine eligibility.

According to the Michigan State Housing Development Authority, based on the \$30,000

per household rate, 6,802 households would be assisted statewide.

That totals about \$200 million to be given out, as about 60 percent of the \$500 million will be go to administrative expenses, according to MSHDA.

Because there is such an overwhelming need for the funds statewide to prevent foreclosures, it's anticipated the \$500 million will be exhausted around the third quarter of 2014.

Helping Michigan's Hardest-Hit Homeowners

Loan Rescue Program - Past Due Property Tax Assistance

The Michigan Homeowner Assistance Nonprofit Housing Corporation (MHA) was created in 2010 by the Michigan State Housing Development Authority (MSHDA) to oversee the distribution of the Hardest Hit Funds® in Michigan. The MHA's program, Step Forward Michigan, has four programs designed to assist homeowners who have endured a financial hardship.

Information about Michigan's four Hardest Hit Funds® programs can be found online at www.stepforwardmichigan.org

Effective January 15, 2013 Step Forward Michigan will begin taking applications to assist homeowners located in a participating county with past due property taxes using our Loan Rescue Program. If determined eligible, a onetime payment can be sent directly to the county treasurer to pay toward outstanding county and local property taxes. Funds may be disbursed through the Homeowner's mortgage company if the lender can maintain an escrow account. The maximum Loan Rescue Program reservation per household is \$30,000.

The **Loan Rescue Program** helps homeowners that have fallen behind on their mortgage and/or property taxes and need help catching up. Homeowners that occupy the property as their primary residence and have endured a qualifying involuntary hardship that caused them to fall behind may be eligible if they can now sustain their mortgage and/or property tax payments. Approved homeowners will be asked to sign a forgivable loan note and mortgage lien for the amount of assistance granted. The loan is provided at a 0% interest rate, requires no monthly payments, and will be forgiven at 20% each year as long as the property remains the homeowner's primary residence. Hardest Hit Funds® are paid directly to the participating mortgage lender and/or county treasurer for application toward the amount owed.

How To Apply

Homeowners must complete the Hardest Hit Funds® application located online at www.stepforwardmichigan.org.

To be considered for past due property tax assistance, homeowners must also complete the attached Property Tax Assistance Form and provide their most recent Summer and Winter property tax bills with their printed Hardest Hit Funds® application.

To Request Mortgage & Property Tax Assistance

Complete the online application and select your mortgage company's name from the lender list.

In addition, on Step 4 of the website application, select PROPERTY TAX ASSISTANCE as "Lender Name 2" entering your property parcel or tax identification number as the "Account Number". The total amount of property taxes owed should be entered in the "Unpaid Balance" and type the same amount in the "Monthly Payment" field in Lender 2 section.

Submit the attached Property Tax Assistance Form with the required tax statements along with your printed Hardest Hit Funds® application.

To Request Property Tax Assistance Only

Complete the online application and select PROPERTY TAX ASSISTANCE from the lender list.

Refer to the total amount of property taxes owed when answering online application questions that state "mortgage".

On Step 4 of the website application PROPERTY TAX ASSISTANCE will appear as "Lender Name 1". In the Lender 1 section, enter your property parcel or tax identification number as the "Account Number". The total amount of property taxes owed should be entered in the "Unpaid Balance" and type the same amount in the "Monthly Payment" field in Lender 1 section.

Submit the attached Property Tax Assistance Form with the required tax statements along with your printed Hardest Hit Funds® application.

TO REQUEST ASSISTANCE WITH YOUR PAST DUE PROPERTY TAXES, SUBMIT THIS FORM AND A COPY OF YOUR RECENT SUMMER AND WINTER PROPERTY TAX BILL DUE TO YOUR CITY, TOWNSHIP, OR VILLAGE ALONG WITH YOUR HARDEST HIT FUNDS® APPLICATION.

**** START YOUR HARDEST HIT FUNDS® APPLICATION ONLINE AT ****
www.stepforwardmichigan.org

Step Forward Michigan
**Third Party Authorization and
Property Tax Assistance Form**

Homeowner Name: _____

Property Address: _____
(Street Address)

(City) (State) (Zip Code)

(County)

I AM REQUESTING ASSISTANCE WITH: My Mortgage and Property Taxes
 My Property Taxes Only

MY TOTAL PAST DUE PROPERTY TAX AMOUNT IS APPROXIMATELY: S _____
(Include all amounts due to the City, Township, Village, and County Treasurers)

MY ANNUAL SUMMER PROPERTY TAX AMOUNT IS APPROXIMATELY: S _____ *
(Most recent amount due to the City, Township or Village)

MY ANNUAL WINTER PROPERTY TAX AMOUNT IS APPROXIMATELY: S _____ *
(Most recent amount due to the City, Township or Village)

*Attach a statement(s) from the City, Township, or Village Treasurer that shows this amount.

I/we authorize my CITY, TOWNSHIP, VILLAGE, AND COUNTY TREASURER(S) and the MICHIGAN HOMEOWNER ASSISTANCE NONPROFIT HOUSING CORPORATION to exchange, share, release, discuss, and provide public and non-public personal information as necessary to evaluate my Hardest Hit Funds® application. This information may include (but is not limited to) my name, address, telephone number, social security number, credit information, income, government monitoring information, loss mitigation application status, account balances, program eligibility, payment activity, property occupancy and property tax status.

Homeowner Signature

Date

Helping Michigan's Hardest-Hit Homeowners
About The Michigan Hardest Hit Funds® Program

January 15, 2013

The U.S. Department of the Treasury established the Hardest Hit Fund® in 2010 to provide targeted aid to families in states hit hard by the economic and housing market downturn.

Michigan received a total of \$498.6 million in Emergency Economic Stabilization Act (EESA) or Troubled Asset Relief Program (TARP) funds to operate its Hardest Hit Funds® program.

The Michigan Homeowner Assistance Nonprofit Housing Corporation (MHA) was created by the Michigan State Housing Development Authority (MSHDA) to oversee the distribution of the Hardest Hit Funds® in Michigan.

The MHA's program, Step Forward Michigan, has four programs designed to assist homeowners who have endured a financial hardship. Michigan homeowners can apply online at www.stepforwardmichigan.org.

Approved homeowners will be asked to sign a forgivable loan note and mortgage lien for the amount of assistance granted. The loan is provided at a 0% interest rate, requires no monthly payments, and will be forgiven at 20% each year as long as the property remains the homeowner's primary residence. Hardest Hit Funds® are paid directly to the participating mortgage lender and/or county treasurer for application toward the amount owed.

Homeowner's may be eligible to receive assistance on their primary residence from one of Michigan's four programs;

Unemployment Mortgage Subsidy Program - helps unemployed homeowners stay in their homes by providing monthly mortgage payment assistance directly to their mortgage lender. The program may provide up to the lesser of \$1,000 or 50 percent of a homeowner's monthly mortgage payment each month for a maximum of 12 months. The homeowner is responsible for the remaining portion of the monthly payment. To be eligible the homeowner or their spouse must actively be receiving State of Michigan unemployment benefits at the time of application and be able to sustain their portion of the monthly payment. Homeowners who are currently delinquent on their mortgage may also be awarded funds, that are not already reserved for the monthly payment assistance, toward the delinquent mortgage amount. The maximum program reservation is \$30,000.

Loan Rescue Program - helps homeowners that have fallen behind on their mortgage and/or property taxes and need help catching up. Homeowners that have endured a qualifying involuntary hardship that has caused them to fall behind may be eligible if they can now sustain their mortgage and/or property tax payments. Funds can be used to assist with one of the following situations; 1) To fully reinstate a 1st lien mortgage delinquency, 2) To reinstate the 1st lien mortgage delinquency and make a contribution toward past due property taxes, 3) To reinstate a 2nd mortgage lien delinquency only or contribute toward past due property taxes only, if the first lien mortgage is current. The maximum program reservation is \$30,000.

Modification Plan Program - helps homeowners that may have fallen behind on their mortgage and homeowners with negative equity, who are struggling to sustain their monthly payment. Funds can be used to pay the delinquent amount and/or make a contribution toward the unpaid principal balance to reduce the negative equity, if the lender agrees to modify the existing mortgage terms to provide the homeowner a more affordable, sustainable payment. The maximum program reservation is \$30,000.

Principal Curtailment Program - helps homeowners who have negative equity. Maximum program reservation is \$10,000 and requires a one-to-one match from the lender to equal a total amount of assistance of \$20,000. These funds can be used to make a contribution toward the unpaid principal balance to reduce the negative equity, if the lender agrees to modify the existing mortgage terms to provide the homeowner a more affordable, sustainable payment. These funds can also be used toward a second mortgage lien if the first mortgage account is documented as current.

Helping Michigan's Hardest-Hit Homeowners

Frequently Asked Questions

1. What is the Michigan's Hardest Hit Funds® program?

It is a federally funded loan program designed to help eligible homeowners who are struggling to make their mortgage payments.

2. What programs are available and who will it help?

Michigan's Hardest Hit Funds® has four programs available that address challenges facing homeowners:

— **Unemployment Mortgage Subsidy Program**

This program helps unemployed homeowners receiving monthly unemployment benefits from Michigan's Unemployment Insurance Agency (UIA) stay in their homes by providing monthly mortgage payment assistance directly to their mortgage lender. (The UIA recipient must occupy the property as their primary residence)

The program may provide up to the lesser of \$1,000 or 50 percent of a homeowner's monthly mortgage payment each month for a maximum of 12 months. The homeowner must be able to sustain their portion of the monthly payment. If you are currently delinquent on this mortgage the program may also contribute available funds, not already reserved for the monthly payment assistance, towards the delinquent mortgage amount. The maximum program reservation is \$30,000.

— **Loan Rescue Program**

This program provides help for homeowners that have fallen behind on their mortgage and/or property taxes and need help catching up. Homeowners that have endured a qualifying involuntary hardship that has caused them to fall behind may be eligible if they can now sustain their mortgage and/or property tax payments. Funds can be used to assist with one of the following situations; 1) To fully reinstate a 1st lien mortgage delinquency, 2) To reinstate the 1st lien mortgage delinquency and make a contribution toward past due property taxes, 3) To reinstate a 2nd mortgage lien delinquency only or contribute toward past due property taxes only, if the first lien mortgage is current. The maximum program reservation is \$30,000.

— **Modification Plan Program**

This program provides help for homeowners that may have fallen behind on their mortgage and homeowners with negative equity, who are struggling to sustain their monthly payment. Funds can be used to pay the delinquent amount and/or make a contribution toward the unpaid principal balance to reduce the negative equity, if the lender agrees to modify the existing mortgage terms to provide the homeowner a more affordable, sustainable payment. The maximum program reservation is \$30,000.

— **Principal Curtailment Program**

This program provides help for homeowners that have a combined loan balance higher than the value of their home creating negative equity situation. Maximum program reservation is \$10,000 and requires a one-to-one match from the lender to equal a total amount of assistance of \$20,000. These funds can be used to make a contribution toward the unpaid principal balance to reduce the negative equity, if the lender agrees to modify the existing mortgage terms to provide the homeowner a more affordable, sustainable payment. These funds can also be used toward a second mortgage lien if the first mortgage account is documented as current.

3. What are the homeowner eligibility requirements for Michigan's Hardest Hit Funds® programs?

Homeowners must have had a qualifying involuntary hardship and meet all of the following requirements:

- Be a Michigan resident
- Be a legal U.S. citizen or a legal alien
- Occupy the property as their primary residence
- Have had a qualifying involuntary hardship
- Have limited cash reserves:
 - No more than six months of mortgage payments saved in their bank accounts to be considered for Mortgage Assistance
 - No more than 1 ½ times annual property tax amount to be considered for Property Tax Assistance

Homeowners are NOT eligible if they have:

- A conviction within the last 10 years on a financial-related felony, including larceny, theft, fraud, forgery, money laundering and/or tax evasion
- A completed Foreclosure Sale

4. **What are the property eligibility requirements for Michigan's Hardest Hit Funds® programs?**

Homeowners' primary residence must be located in Michigan and can be any of the following types of structures:

- A single-family home
- A single-family condominium (attached or detached)
- A manufactured or mobile home (single or doublewide) on a foundation, permanently affixed and taxed as real estate
- 1-4 unit properties are eligible if one unit is occupied as primary residence of homeowner

The property is NOT eligible if it is:

- A vacation or second home
- An investment property (except 1-4 unit properties as listed above)
- Abandoned, vacant or condemned
- A mobile home located in a mobile/manufactured home park
- Currently listed for sale

5. **What are the mortgage eligibility requirements?**

Homeowners may be eligible for Hardest Hit Funds® if their mortgage:

- Is currently being serviced by a participating lender/servicer
- If their participating lender/servicer agrees to accept Hardest Hit Funds®
- Has an unpaid principal balance equal to or less than \$729,750

Homeowners are NOT eligible if:

- The loan is a land contract transaction or privately held mortgage
- A Foreclosure Sale has already been completed

6. **What is a "qualifying involuntary hardship"?**

A *qualifying involuntary hardship* is an unexpected event beyond the homeowner's control that impacts the homeowner's ability to maintain payments. Examples of *acceptable hardships* are: job loss, reduction of income, medical condition, death, divorce, disability, one-time critical expense, etc. Examples of *unacceptable hardships* are: excessive obligations, curtailment of income, abandonment of property, payment adjustments, increased living expenses, non-dependent medical expenses, etc. The listed examples are not all inclusive and should be used only as a general guide.

7. **What does Michigan's Hardest Hit Funds® program consider to be a "sustainable" monthly payment"?**

Hardest Hit Funds® can only be used if a homeowner can sustain their monthly payments. A *sustainable* payment is a monthly mortgage payment that is less than or equal to 45% of the homeowner's gross household income. The monthly mortgage payment refers to the next monthly payment due on the primary mortgage. If a homeowner is being considered for Loan Rescue Property Tax Assistance, the annual property tax amount divided by twelve will be added to the monthly mortgage payment, if any, to determine sustainability.

8. **Are Michigan's Hardest Hit Funds® programs limited to homeowners who are delinquent on their mortgage?**

No; there are programs available for homeowners who are current OR delinquent on their mortgage. However, homeowners must still have had a qualifying hardship and be struggling to make their mortgage payments.

9. **Is there a minimum or maximum delinquency required for Loan Rescue Property Tax Assistance?**

No; any property tax that is due to the County, City, Township, or Village can be considered if the property is located in a participating county. However, the homeowner must have endured a qualifying involuntary hardship and meet all Loan Rescue Program requirements.

10. **Can homeowners qualify for more than one program?**

No; homeowners will only be able to seek help from one program. Each application will be reviewed to determine program eligibility. Once an approval has been made and funds disbursed, homeowners cannot reapply.

11. **How do I apply for Hardest Hit Funds® assistance?**

You can apply online at www.StepForwardMichigan.org. This site contains all the information to begin an application, with step-by-step instructions. If you do not have access to a computer, you may contact our toll free number at 866-946-7432.

12. **How do I apply for Loan Rescue Property Tax Assistance?**

You must complete the standard Hardest Hit Funds® application online and submit the Property Tax Assistance request form found on our website with your application.

13. **Who is required to sign the application?**

All persons who own the property and their spouse, and all persons that signed the primary mortgage Note that may receive Hardest Hit Funds® mortgage assistance must jointly apply, sign, and provide required documentation. (See attached Applicant Matrix for specific requirements)

- 14. Why do others have to apply and sign the Hardest Hit Funds® documents, if I am the only one on title or on the Note?**
Any individuals with an ownership in the property, marital interest in the property, or that have a financial responsibility for the mortgage debt being paid are considered to be receiving a financial benefit from the Hardest Hit Funds®.
- 15. What happens once the online application is complete?**
Once you have completed the online application, you must print the application package and submit it to us along with the supporting documentation: just follow the directions on the cover page of the application package. You will then be contacted by an advisor or counselor to review your request for assistance.
- 16. How long will it take to consider my application?**
We will work with you to make sure you have submitted everything we need to make a decision. Once you have submitted a complete application, you will be informed that we are contacting your lender/servicer to confirm they can accept you to the program. Although some cases may take more or less time because of the unique factors surrounding the application, the process typically takes about 30 to 60 days to complete.
- 17. How can I find out if my lender/servicer or county is participating?**
A list of lender/servicers and counties that have signed our Participation Agreement is available on the website www.StepForwardMichigan.org.
- 18. What if my lender/servicer or county is not participating?**
Your application cannot be considered for the program. To be considered, the lender/servicer who owns the servicing rights of your loan or for Property Tax Assistance, the County Treasurer where the property is located must first sign our Participation Agreement. Encourage them to visit our website or to call us at 866-946-7432 to learn how they can make this program available to their clients.
- 19. Are mortgage lenders/servicers required to participate in all four Hardest Hit Funds® programs?**
No: each lender/servicer can select which programs they will offer to their customers. Your application will be considered for the programs that your lender/servicer has agreed to participate in.
- 20. How does my lender/servicer or county know that I have applied for assistance?**
If you are eligible for the Michigan Hardest Hit Funds® program, we will contact your lender/servicer or county directly to inform them.
- 21. What can Hardest Hit Funds® be applied to by the lender/servicer or county?**
Application of the funds may vary depending on the program the homeowner has been approved for. In general, Hardest Hit Funds® may be used to pay such items as: mortgage payments, escrow shortages, lender/servicer corporate advances, mortgage principal, delinquent condominium association fees, delinquent property taxes, and the interest, fees and cost associated with a property tax default. The servicer/lender must waive all accumulated late charges and non-sufficient funds (NSF) fees.
- 22. When does my lender/servicer or county receive payment and apply the Michigan Hardest Hit Funds® to my loan?**
Approximately two weeks after you have been approved, signed, and returned the required Mortgage and Note; we will schedule funds to be sent directly to your lender/servicer and/or county. We will notify you using your registered e-mail address when funds are sent to them. The lender/servicer or county is required to apply funds timely; this typically occurs within 10 days; however, sometimes it may take longer for you to see it on your account. Contact your lender/servicer or county if you have questions regarding the application of funds.
- 23. How are payments sent to my lender or county?**
All funds are sent electronically to the bank account established by the lender/servicer or county to accept payments.
- *Unemployment Mortgage Subsidy Program* payments are provided over a series of disbursements; including an initial one-time lump sum payment for any approved reinstatement amount and up to twelve monthly payments that will be timed to arrive on the 1st of each month. During the monthly funding cycle, the MHA will disburse the full monthly payment to the lender/servicer and the homeowners reimburse the MHA for required portion before the next disbursement is scheduled.
 - *Loan Rescue Program* mortgage reinstatement payments are provided as a one-time lump sum payment to the lender/servicer.
 - *Loan Rescue Program* property tax assistance payments are provided as a one-time lump sum payment to the County Treasurer for application to the amounts owed at the county and for disbursement to the local city, village, or township treasurer if applicable.
 - *Modification Plan Program* payments are provided as a one-time lump sum payment to the lender/servicer.
 - *Principal Curtailment Program* payments are provided as a one-time lump sum payment to the lender/servicer.
- 24. What are the terms of the assistance?**
For all programs, homeowners must sign a mortgage lien document and note. The loan note is zero percent interest, requires no monthly payments, is a non-amortizing loan, and is forgivable over a five-year period at a forgiveness rate of 20 percent per year as long as you are occupying the property as your principal residence. The balance of the loan is due upon sale or transfer of the property, or when the property ceases to be your principal residence.

25. When do I have to pay back the Hardest Hit Funds® loan?

The terms of the Hardest Hit Funds® zero percent interest loan, requires no monthly payments, and the amount borrowed is forgivable as long as you continue to occupy the property as your principal residence for five years. At the end of the five years, our mortgage lien will be removed. If you stop occupying the property as your principal residence prior to the end of the five years, the remaining balance is no longer forgivable. When you sell or transfer ownership of the property the remaining balance is due. Contact our office for payoff instructions 866-946-7432.

26. Will this program impact my credit?

Your existing lender/servicer must continue to report factual information to the credit bureaus regarding the standing of your mortgage. If you are approved for the Michigan Hardest Hit Funds® program, we do not report any information to the credit bureaus.

27. Can I still refinance my primary mortgage if I am approved for this program?

Yes. We will consider subordinating our mortgage lien if you have been approved by a lender/servicer for a new mortgage. If we are still actively paying toward your existing mortgage, our assistance will end once that existing mortgage is paid off by the new refinance mortgage. Our assistance does not transfer to the new mortgage. The lender/servicer that is offering the new mortgage will need to contact us with their subordination request after they have approved you for the new mortgage.

28. Am I eligible if I have filed bankruptcy?

Homeowners who have filed for bankruptcy protection may be eligible for assistance if you receive authorization from the Bankruptcy Court or Trustee or if the case has already been dismissed or discharge, and if your lender/servicer agrees to accept Hardest Hit Funds® toward your mortgage during the bankruptcy. (See attached Notice For Bankruptcy Clients for specific instructions)

29. How are Hardest Hit Funds® assistance reported to the IRS?

The amount of assistance paid to the mortgage lender/servicer on your behalf is reported on IRS Form 1098 annually. A copy of IRS Form 1098 will be mailed to you by January 31st in the year following our disbursement(s). Hardest Hit Funds® are issued in the form of a loan and are not considered to be taxable income. Contact the IRS or your tax preparer directly with any questions related to IRS codes, regulations, or guidance.

30. What assistance is available to homeowners who don't qualify for Michigan's Hardest Hit Funds® programs?

You can call your lender/servicer or county directly for assistance or call the Michigan State Housing Development Authority's Foreclosure Prevention hotline at 1-866-946-7432 to be referred to a non-profit counseling agency in your area. Their services are free and you should never be asked to pay a fee in exchange for a counseling service or modification of a delinquent loan. Foreclosure "rescue" scammers promise to save homeowners from foreclosure, but instead convince homeowners to do things that are not in their best interest. Go to <http://www.preventloanscams.org/states?id=0022> for more information on avoiding rescue scams.

31. Where can I find more information about Michigan's Hardest Hit Funds® programs?

More information can be found by visiting the Michigan State Housing Development Authority Web site at www.michigan.gov/HardestHit or by calling toll-free 1-866-946-7432.

Helping Michigan's Hardest-Hit Homeowners
A Step Forward Michigan Program

Notice For Bankruptcy Clients

This is a general letter for applicants seeking assistance from Michigan's Helping Hardest Hit Homeowners program, otherwise known as Step Forward Michigan. If an applicant is currently in an active bankruptcy, this letter may be provided to the Bankruptcy Court to offer information regarding the Step Forward Michigan program.

The State of Michigan was awarded 498.6 million dollars from the US Treasury's Hardest Hit Funds® program to develop a statewide strategy aimed at helping homeowners who are at high risk of default or foreclosure.

Through the Michigan State Housing Development Authority (MSHDA), the State developed the *Michigan Homeowner Assistance Nonprofit Housing Corporation (MHA)* to implement several programs for homeowners who have experienced an involuntary hardship affecting their ability to pay their mortgage.

Homeowners begin their application for Hardest Hit Funds® online at www.stepforwardmichigan.org. Homeowners do **not** have to be delinquent on their mortgage to apply. Further program details and a list of participating mortgage lenders/servicers can be found online.

If approved, the awarded funds **must** be paid directly to the mortgage lender and applied to the mortgage account receiving assistance. Hardest Hit Funds® may be paid in one lump sum or over a twelve month period.

Homeowners **must** be able to execute a subordinate Mortgage and Note in favor of the MHA. The Note will have a 0% interest rate, require no payments, and the principal amount of assistance is forgivable over a 5-year term at 20% per year. During that time, any non-forgiven portion of the principal is due only if there is a transfer of the property or if the property ceases to be the homeowner's principal residence.

Homeowners who have filed for bankruptcy protection **may** be eligible for Hardest Hit Funds® assistance in Michigan if their lender/servicer agrees to accept Hardest Hit Funds® and the following is provided:

- 1) Acknowledgement from the Bankruptcy Court that the bankruptcy case has been dismissed or discharged, or
- 2) Authorization from the Bankruptcy Court or Trustee permitting the debtor to:
 - a) Execute the MHA Note (terms outlined above)
 - b) Execute and record a MHA Mortgage Lien on the principal residence
 - c) Accept Hardest Hit Funds® assistance that will be paid directly to the mortgage lender

After receipt of the necessary Court documentation, the MHA will proceed with the homeowner's eligibility review. If the homeowner is determined eligible, the MHA will contact the mortgage lender/servicer to confirm the lender/servicer's ability to accept the homeowner into the program. Some lenders/servicers may not be able to accept a debtor into the program. Once accepted, the anticipated time needed for the debtor to execute the required MHA lien documents and for the MHA to release Hardest Hit Funds® assistance to the lender is 14 to 45 days.

If a homeowner is considering filing for bankruptcy protection after they have been approved for Hardest Hit Funds® the mortgage lender/servicer will need to be contacted to determine the impact of the bankruptcy filing on the lender/servicer's ability to accept and apply Hardest Hit Funds® to the debtor's mortgage loan.

12/01/12

Michigan Homeowner Assistance Nonprofit Housing Corporation (MHA) is acting through the Michigan State Housing Development Authority

Step Forward Michigan Applicant Matrix

Updated 8/6/2012

	A	B	C	D	E	F
	APPLICANT CATEGORIES					
	Individual(s) That Signed The Lenders Note <u>And</u> Are Currently On Title To Property*	Individual(s) That Did <u>Not</u> Sign Or Are No Longer Obligated On The Lenders Note <u>And</u> Are Currently On Title To Property*	Spouse of Individual "A" or "B"	Individual(s) That Signed The Lenders Note, But Are Currently <u>Not</u> On Title To The Property*	Spouse of Individual "D"	Individual(s) That Have <u>Not</u> Signed The Lenders Note And Are <u>Not</u> Currently On Title To The Property
↓ REQUIREMENT ↓	<i>(Obligated To Repay The Debt and Have Ownership Interest In the Property)</i>	<i>(Not Obligated To Repay The Debt But Have Ownership Interest In the Property)</i>	<i>(Have Marital Interest In the Property, But No Obligation To Lender)</i>	<i>(Obligated To Repay The Debt, But No Interest In Property)</i>	<i>(Not Obligated To Repay The Debt And No Interest In Property)</i>	<i>(Not Obligated To Repay The Debt And No Interest In Property)</i>
Sign Application Documents (Including Dodd-Frank Certification)	YES	YES	YES	YES	NO	NO
Explanation:	Receiving Assistance Toward Their Debt and A Property They Own	Receiving Assistance Toward A Property They Own	Receiving Assistance Toward Property In Which They Have A Marital Interest	Receiving Assistance Toward Their Debt	Not Receiving Assistance Toward Their Debt Or Property	Not Receiving Assistance Toward Their Debt Or Property
Provide Income for Eligibility Review	YES	YES	YES	YES	NO	NO
Explanation:	Receiving Assistance Toward Their Debt and A Property They Own	Receiving Assistance Toward A Property They Own	Receiving Assistance Toward Property In Which They Have A Marital Interest	Receiving Assistance Toward Their Debt	Not Receiving Assistance Toward Their Debt Or Property	Not Receiving Assistance Toward Their Debt Or Property
Provide Assets for Eligibility Review	YES	YES	YES	YES	NO	NO
Explanation:	Receiving Assistance Toward Their Debt and A Property They Own	Receiving Assistance Toward A Property They Own	Receiving Assistance Toward Property In Which They Have A Marital Interest	Receiving Assistance Toward Their Debt	Not Receiving Assistance Toward Their Debt Or Property	Not Receiving Assistance Toward Their Debt Or Property
Execute MHA Note	YES	YES	YES	YES	NO	NO
Explanation:	Receiving Assistance Toward Their Debt and A Property They Own	Receiving Assistance Toward A Property They Own	Receiving Assistance Toward Property In Which They Have A Marital Interest	Receiving Assistance Toward Their Debt	Not Receiving Assistance Toward Their Debt Or Property	Not Receiving Assistance Toward Their Debt Or Property
Execute MHA Mortgage Lien	YES	YES	YES	NO	NO	NO
Explanation:	Required To Authorize MHA Mortgage Lien On A Property They Own	Required To Authorize MHA Mortgage Lien On A Property They Own	Required To Authorize MHA Mortgage Lien Because Of Marital Interest In Property	Not Authorized To Sign MHA Mortgage Lien Because No Ownership Or Marital Interest In Property	Not Authorized To Sign MHA Mortgage Lien Because No Ownership Or Marital Interest In Property	Not Authorized To Sign MHA Mortgage Lien Because No Ownership Or Marital Interest In Property

* Application May Not Be Considered If All Required Applicants Do Not Participate

PARTICIPATING PARTNERS LIST

1st Source Bank
21st Mortgage Corporation
Alden State Bank
Alpena Alcona Area Credit Union
Amera Mortgage Corporation
America's Servicing Company (ASC), Division of Wells Fargo
AmeriFirst Financial Corporation
AmeriHome Mortgage Corporation
AMS Servicing, LLC
Astera Credit Union
Bank of Alpena
Bank of America
Battle Creek Area Habitat for Humanity
Bay County Habitat for Humanity
Baybank
Bayview Loan Servicing, LLC
Besser Credit Union
Blissfield State Bank
Branch Banking and Trust Company
BSI Financial Services, Inc
Calcite Credit Union
Capital Blueprints, LLC
Carrington Mortgage Services, LLC
CASE Credit Union
CCO Mortgage, division of RBS, Citizens NA (Charter One Bank)
Cenlar, FSB
Central Macomb Community Credit Union
Central Mortgage Company
Central State Bank
Century Bank and Trust
Charlevoix State Bank
Chase Home Finance, LLC
Chelsea State Bank
Chemical Bank
Chippewa Valley Bank
ChoiceOne Bank
CitiMortgage, Inc
Citizens National Bank of Cheboygan
Citizens Republic Bank
Clinton County Federal Credit Union
Coastal States Mortgage Corporation
Commercial Bank
Communicating Arts Credit Union
Community First Federal Credit Union
Community Mortgage Funding, LLC
Community Schools Credit Union
Community State Bank
Co-op Services Credit Union
Copoco Credit Union
CP Federal Credit Union
Credit Union One
Credit Union Plus
CSB Bank
Dart Bank
Delta County Credit Union
DeTour Drummond Community Credit Union
Directions Credit Union
Dort Federal Credit Union
Dow Chemical Employees' Credit Union
Downriver Community Federal Credit Union
Dyck-O'Neal, Inc.
Eastern Michigan Bank
Eaton Area Habitat for Humanity
Eaton Federal Savings Bank
Educational Community Credit Union
EECU Community Credit Union
ELGA Credit Union
EMC Mortgage Corporation
EverBank & Affiliates (EverHome Mortgage)
Exchange State Bank
Family First Credit Union
Farmers State Bank of Munith
Fay Servicing, LLC
FCI Lender Services, Inc
Fedcom Credit Union
Fidelity Bank
Fifth Third Bank
Filer Credit Union
Financial Plus Federal Credit Union
Financialedge Community Credit Union
First Bank, Upper Michigan
First Community Federal Credit Union
First Federal Bank of the Midwest
First Federal of Northern Michigan
First Federal Savings Bank
First Merchants Bank, NA
First Mortgage Strategies Group, Inc
First National Bank & Trust of Iron Mountain
First National Bank of St. Ignace
First Place Bank
First State Bank Mortgage Company, LLC
First State Bank
Firstbank Corporation
 Affiliates: Firstbank Alma Mortgage Co.
 Firstbank Mt. Pleasant Mortgage Co.

PARTICIPATING PARTNERS LIST

Firstbank Corp Affiliates Cont:

Firstbank West Branch Mortgage Co.
Firstbank Mortgage Company
ICNB Mortgage Co. (West MI & Ionia)
Keystone Mortgage Services

Flagstar Bank

Frankenmuth Credit Union

Genisys Credit Union

Gerber Federal Credit Union

Glass City Federal Credit Union

GMAC

Gogebic Range Bank

Grand Rapids Family Credit Union

Green Planet Servicing, LLC

Green Tree Servicing, LLC

GreenStone Farm Credit Services, FLCA

Guaranty Bank

Guardian Mortgage Company

Habitat for Humanity Michigan Fund

Habitat for Humanity Oakland County

Habitat for Humanity of Huron Valley

Harbor Habitat for Humanity, Inc

Hastings City Bank

Hillsdale County National Bank

Home Servicing, LLC

Homestead Savings Bank

Homeward Residential, Inc.

Honor Bank

HSBC Consumer Lending (USA) Inc

Subsidiaries: Household Beneficial Company LLC

HSBC Bank USA, N.A.

HSBC Mortgage Services, Inc.

Huntington National Bank

Independent Bank

Iron Workers Local 25 Pension Fund

Isabella Bank

Isabella Community Credit Union

Jackson Community Federal Credit Union

James B. Nutter & Co

JCM I, LLC

JP Morgan Chase Bank, NA

Kellogg Community Federal Credit Union

Kondaur Capital Corporation

Lake Huron Credit Union

Lake Michigan Credit Union

Lake Osceola State Bank

Lakewood Habitat for Humanity

Lansing Automakers Federal Credit Union (LAFUCU)

Lapeer County Bank and Trust Company

Leelanau County

LenderLive Network, Inc

Limestone Federal Credit Union

LoanCare, a Division of FNF Servicing, Inc.

M & T Bank

Macatawa Bank

Macomb County Habitat for Humanity

Madison Management Services, LLC

Magna Bank

Marquette County Habitat for Humanity

Marshall Community Credit Union

Mason State Bank

Mayville State Bank

mBank

Member First Mortgage, LLC

Members Credit Union

Members First Credit Union

Mercantile Bank of Michigan

MetLife Home Loans

Michigan Catholic Credit Union

Michigan Educational Credit Union

Michigan Schools and Government Credit Union

Michigan State Housing Development Authority (MSHDA)

Michigan Tech Employees Federal Credit Union

Midland Mortgage, a Division of MidFirst Bank

Midwest Loan Services, Inc

MMS Mortgage Services, Ltd

Monarch Community Bank

Monroe Bank & Trust

Mortgage Center LC

Mortgage Investors Corporation

MSU Federal Credit Union

Munising Community Credit Union

MVB Mortgage Corporation

Nationstar Mortgage, LLC

Nationwide Advantage Mortgage Co

Navy Federal Credit Union

Neighborhoods Inc. of Battle Creek

New Buffalo Savings Bank

Northern Michigan Bank & Trust

Northern Ohio Investment Company

Northland Area Federal Credit Union

Northpointe Bank

Northstar Bank

Northwestern Bank

Oak Mortgage, LLC

Ocwen Loan Servicing, LLC

Old Mission Bank

Onaway Community Federal Credit Union

PARTICIPATING PARTNERS LIST

Option 1 Credit Union	Statebridge Company, LLC
Oxford Bank	Stonecrest Income & Opportunity Fund, LLC
PAC Federal Credit Union	Straits Area Federal Credit Union
Parkway Federal Credit Union	Summit Community Bank
Peninsula Federal Credit Union	Sunrise Family Credit Union
PennyMac Loan Services, LLC	SunTrust Bank
Peoples Federal Savings Bank of Dekalb County	Superior National Bank & Trust Company
Peoples State Bank of Munising	T & I Credit Union
PHH Mortgage	TBA Credit Union
PNC Bank	TCF National Bank
Portland Federal Credit Union	Telcom Credit Union
Provident Funding	The First National Bank of Wakefield
Public Service Credit Union	Thumb National Bank & Trust Company
Quicken Loans	TLC Community Credit Union
Range Bank	Towne Mortgage Company
Real Time Resolutions, Inc	Tradewinds Credit Union
Remington Financial servicing agent for Family Equity, Inc	Traverse City State Bank
Residential Credit Solutions	Tri-County Bank
Resurgent Mortgage Servicing	U.P. Catholic Credit Union
River Valley Bank	U.P. State Credit Union
RoundPoint Mortgage Servicing Corporation	U.S. Bank N.A.
RRP I, LLC	Ukrainian Future Credit Union
Rushmore Loan Management Services, LLC	Union Bank Mortgage Company
RWLS	United Bank & Trust
Sagelink Credit Union	United Bank Mortgage Corporation
Saxon Mortgage Services, Inc.	United Bay Community Credit Union
Seaway Community Bank	United Educational Credit Union
Security Credit Union	United Federal Credit Union
Select Portfolio Servicing, Inc.	United Financial Credit Union
Selene Finance, LP	Upper Peninsula State Bank
Seterus, Inc.	Urban Partnership Bank
Shelby State Bank	USDA Rural Development Centralized Servicing Center
Shore Mortgage	Vantium Capital, Inc dba Acqura Loan Services
Shoreline Federal Credit Union	Vericrest Financial
Signature Bank	Wachovia, Division of Wells Fargo
Siwell Inc, dba Capital Mortgage Services of Texas	Wanigas Credit Union
SN Servicing, Corp.	Washington Mutual
Soo Co-op Credit Union	Wells Fargo, NA
Southern Michigan Bank & Trust	West Michigan Savings Bank
Spartan Equities Capital Management, Inc	West Shore Bank
Specialized Loan Servicing, LLC	Wildfire Credit Union
Spot Realty, Inc. Profit Sharing Plan	Wolverine Bank
Springleaf Financial Services, inc	
SSB Bank	
St. Francis X Federal Credit Union	
St. James Mortgage Corporation	
Star Financial Bank	
State Bank of Ewen	
State Bank of Florence	

PARTICIPATING PARTNERS LIST

PARTICIPATING COUNTY TREASURERS

Alger County Treasurer's Office
Bay County Treasurer's Office
Calhoun County Treasurer's Office
Crawford County Treasurer's Office
Delta County Treasurer's Office
Genesee County Treasurer's Office
Gogebic County Treasurer's Office
Grand Traverse Treasurer's Office
Kalamazoo County Treasurer's Office
Lake County Treasurer's Office
Menominee County Treasurer's Office
Midland County Treasurer's Office
Missaukee County Treasurer's Office
Muskegon County Treasurer's Office
Newaygo County Treasurer's Office
Oakland County Treasurer's Office
Saginaw County Treasurer's Office
Tuscola County Treasurer's Office
Van Buren County Treasurer's Office
Wexford County Treasurer's Office

Mike Hoagland

From: Mike Hoagland [mhoagland@tuscolacounty.org]
Sent: Friday, January 25, 2013 7:55 AM
To: Bierlein Matthew (votebierlein@gmail.com); Kirkpatrick Craig (kirkpatrick_craig@sbcglobal.net); Roger Allen (beetman95@yahoo.com); Tom Bardwell (tbardwell@hillsanddales.com); Trisch Christine (christinetrish@gmail.com)
Cc: 'mark@ransfordcollon.com'; Renee Ondrajka
Subject: FW: Agreement Termination for Niland Building
Commissioner

Please see the information below.....**GREAT NEWS !**

Long story made short.....the county no longer has to make lease payments for a building we stopped using after a fire several years ago.....**THE COUNTY WILL SAVE \$21,905** by not having to pay the remaining 22 lease payments.....**KUDOS TO MARK RANSFORD FOR FINDING AN OWNER**

Mike

Michael R. Hoagland
Tuscola County/Controller Administrator
125 W. Lincoln
Caro, MI. 48723
989-672-3700
mhoagland@tuscolacounty.org

From: Mark Ransford [mailto:mark@ransfordcollon.com]
Sent: Thursday, January 24, 2013 3:53 PM
To: mhoagland@tuscolacounty.org
Subject: Agreement Termination for Niland Building

Dear Mike Hoagland and Tuscola County Commissioners,
Please accept this email as a notice of termination regarding our Lease Surrender and Termination Agreement dated November 1, 2011, by and between Tuscola County and H. H. Purdy Property, LLC. The members of H. H. Purdy Property, LLC do hereby waive right to any future payments from Tuscola County for the property located at 243-245 North State Street, Caro, MI 48723, commonly known as the Niland Building, Jankowski Building and Adult Probation Building. By our calculations, this termination will save Tuscola County \$21,904.96 over the period from this date to November 30, 2014. The members of H. H. Purdy Property also wish to extend their deep gratitude to the Tuscola County Board of Commissioners for their willingness to place in trust and good faith the aforementioned property with our company. As ever, we strive to serve the interests of Tuscola County by finding areas of saving while advancing properties in Caro's downtown. If ever we may be of service again, I hope you will feel comfortable calling upon us.

Yours Truly,
Mark Ransford
H. H. Purdy Property, LLC

#7

Mike Hoagland

From: Mike Hoagland [mhoagland@tuscolacounty.org]
Sent: Monday, February 04, 2013 12:06 PM
To: Jim Mcloskey (mculoskey@charter.net); (terrybrown@house.mi.gov); Senator Mike Green (senmgreen@senate.michigan.gov); (johnmcquillan@att.net); Day Mike (pioneer1072000@yahoo.com); Goodchild Karen (karenrg1@centurytel.net); Hadeway Dennis (dhadeway@att.net); Keith Aeder; Keith Kosick (keith@tssfinc.com); Kirkpatrick Craig (kirkpatrick_craig@sbcglobal.net); Krafft Dennis (dkrafft@agingenriched.org); McFarland Jim (wisnertwp@avci.net); Pierce Gene (gpierce@tuscolalSD.org); R. Schmuck Donald (dons@airadvantage.net); Reinbold Wes (wc48601@aol.com); Spannagel Edward (spinner@airadvantage.net); Stockmeyer Jim (gilfordtwp@airadv.net); Tod Fackler (tuscolatowship@tds.net); Walt Schlichting (Walt Schlichting); Bishop John (jbishop@tuscolacounty.org); Bob Mantey (drain-commissioner@tuscolacounty.org); Brian Nueville (briann@hdc-caro.org); Charles Walker (walkerca@michigan.gov); Curtis Stowe (ces95@fastmail.fm); Eean Lee (elee@zimco.net); Erickson Steve (edcdirector@yahoo.com); Erickson Steve (tuscolacountyedc@yahoo.com); Fraczek Donna (dfraczek@tuscolacounty.org); Gierhart Amy (agierhart@yahoo.com); Glaspie Judge (d71bglaspie@gmail.com); Glen Skrent (undersheriff@tuscolacounty.org); Gretchen Tenbusch (Gretchen Tenbusch); Hal Hudson (Hal Hudson); jfetting@tuscolacounty.org; Jim Matson (scac@avci.net); Joseph Bixler (bixlerj@anr.msu.edu); Kim Green (kgreen@tuscolacounty.org); Lee Teschendorf (sheriff@tuscolacounty.org); Long Sheila (slong@tuscolacounty.org); Margot Roedel (Margot Roedel); Mark Reene; Mark Reene (mreene2011@gmail.com); Mike Miller (Mike Miller); Mike Tuckey (mtuckey@tuscolaroad.org); Nancy Thane Judge (Nancy Thane); Patricia Gray; Richard Colopy; Robert Klenk; Robert Klenk (Robert Klenk); Ronald Amend (ramend@tchd.us); Zawerucha Michell (mzawerucha@tuscolacounty.org); Bowden Dawn (dbowden@tuscolacounty.org); Clayette Zechmeister (Clayette Zechmeister); Renee Ondrajka; Bierlein Matthew (mbierlein@tuscolacounty.org); Roger Allen (beetman95@yahoo.com); Tom Bardwell (tbardwell@hillsanddales.com; Trisch Christine (christinetrisch@gmail.com)
Cc: 'Carl Osentoski (carl@huroncounty.com)'; Mike Krause (krause.michaelp@gmail.com); Dorman Kathy (kdorman@sanilaccounty.net); 'fknizacky@masoncounty.net'
Subject: Wind Energy Assessing /Taxation Article
Attachments: Wind Article 2-2-2013.pdf; Wind Energy Study.xls; Tuscola wind revenue old multipliers vs new multipliers.xls

Good morning

Attached is an article from the 2/2/13 Tuscola County Advertiser that discusses the tremendous revenue lost with the recent State Tax Commission change in the multiplier schedule for assessing wind generators. At issue over 15 years on just the Gilford Township Nextera project is more than \$8 million. Based on the current projection of 208 wind generators in Tuscola County more than \$24 million is at stake.

This unjustified change negatively impacts: township, intermediate school district, county operating, county special millage, school capital improvement/sinking funds, libraries and Delta College. Communities were told wind generators would be assessed and taxed under the old multiplier schedule then after many of the projects were already started the STC unilaterally changed the schedule without even conducting a study.

This change is unfair and unacceptable. It needs to be corrected so that our communities and citizens can receive the financial benefit from hosting wind generators that they were lead to believe they would receive when these projects were started.

Mike

2/5/2013

Leaders hopeful about wi

By MARY DRIER
Staff Writer

LANSING — There is a glimmer of hope to have the way wind farms are taxed re-addressed.

In 2011, the State Tax Commission (STC) reduced taxes on wind farms by 27 percent. While it may not sound like much of a reduction, it can be when applied to multi-million dollar projects.

"One person at STC changed the (taxing) multiplier with the stroke of a pen without reason or rationale. The department has been FOIA'ed (Freedom of Information Act request), but has not responded to anyone of why the changes were made," said county Controller Mike Hoagland.

Senator Mike Green's aid, Jim McLoskey, gave an update on the issue during Wednesday's county meeting.

"Lt. Gov. Calley hopes to promote legislation and/or procedures within the STC that will allow appropriate review or study of the facts, timely input by interested parties, notice and hearings," said McLoskey. "Regardless of how the new multiplier tables might turn out, the process requires change. Lt. Gov. Calley suggested that wind systems might be the first to go through the new approach once it is adopted."

Currently, there is only one operational wind farm in Tuscola County which is NextEra Energy Resources' Tuscola - Bay Wind Farm. It has 68 turbines in Tuscola County's Gilford Township and seven in Saginaw County's Blumfield Township. Each turbine is valued at \$3.2 million.

"We made our pitch for a revamped (STC) process and our need to be included in that process. We were able to show the magnitude of tax losses (from the multiplier change)," said McLoskey. "Based upon prior communications and statements made, we believe that Lt. Gov. Calley will move forward with more communications with STC regarding issues raised and a legislative approach to ensure a fair process in



Revenue that would be gained on the taxation of wind farms was addressed by local leaders at a recent county meeting. Leaders are optimistic that the taxation rate that changed in 2011 may be refigured.

the future."

McLoskey noted if a multiplier change is made the plan is to have it be made retroactive.

"We were able to draw favorable comparisons to the old chart and numbers used in the MPSC (Public Service Commission) files," said McLoskey. "We asked for a study. We were able to document a real sales with real numbers that should get discussions going. We suggested that an assessment system that uses cost - historical or replacement - makes the most sense for this type of property."

Using the old STC multiplier on the 68 turbines the tax is about \$23,900 over 15 years, and with the new multiplier the tax is \$15,821.

"That's a loss of over \$8 million on just that wind farm. That impacts all of the taxing entities where there is a wind farm," said Hoagland.

The STC's new depreciation schedule for turbines takes off 27 percent of its value as soon as it is completed and then decreases its value to 30 percent in seven years.

Previously, turbines started out at a 100 percent taxable value and then gradually depreciated to 30 percent over 15 years. The taxing change means a substantial loss of revenue for all entities in the wind from district from the county, to townships, to schools.

That change in taxing multiplier means that: Gilford Township will receive \$1,577,435 less, Tuscola

Intermediate School District will receive \$1,536,495 less, Tuscola County operating will receive \$1,418,094 less, Akron - Fairgrove School District will receive \$870,595 less, the Reese Schools' debt - sinking fund will receive \$626,040 less, the Tuscola Medical Care Facility debt will receive \$362,304, the primary road and street will receive \$349,877 less,

sheriff road patrol will receive \$326,074 less, mosquito abatement will receive \$228,831 less, the Fairgrove Library will receive \$181,359 less, bridges will receive \$174,160 less, the Reese Unity Library will receive \$132,734 less, Blumfield Township will receive \$90,830 less, medical care operating will receive \$90,576 less, Delta College will receive \$76,184 less, senior citizens services will receive \$72,461 less, and recycling will receive \$54,347 less.

"That equals out to a lot of money so a 27 percent reduction adds up to a big loss of revenue to each taxing entity," noted Hoagland.

"With that kind of money at stake from just the turbines in Gilford it makes fighting the STC worth it."

Because of that, the Michigan Renewable Energy Coalition, which is a grassroots organization, was formed to fight against STC's changes and to share information on wind development.

The coalition hired an attorney to represent them in fighting to get the STC's multiplier changed. The coalition wants to have a study done on tax development methodology as part of making their case against STC's change. The estimated cost for that is \$50,000 to \$100,000. The cost would be shared by the counties in the coalition, which includes Tuscola, Sanilac, Huron, Gratiot and

nd taxation rate

Mason; which in turn can be divided out to the townships and taxing entities in each of those counties that benefit.

"Each county involved is expected to share in the cost of the study, which in turn they can ask those in their counties that benefit to help share in the cost... their participation is voluntary," explained Tuscola County Board Chair Thom Bardwell.

The breakdown for a \$50,000 study for Tuscola County that would benefit would cost: Gilford Township about \$1,559, the Intermediate school district \$1,519, Tuscola operating 1,402, Akron - Fairgrove Schools \$861, Reese Schools \$619, medical care \$358, roads \$346, sheriff road patrol \$322, mosquito \$226, Fairgrove Library \$179, bridge \$172, Reese Library \$131, Blumfield \$90, medical care operating \$90, Delta College \$75, senior citizen \$72, and recycling \$54.

"While it will cost some to do this, the (amount) of money at stake that could be generated is significant," said Commissioner Craig Kirkpatrick. "If that amount of revenue is received, the amount of tax (levied) would go down. When I first got involved with this I was skeptical about spending the money, but that is offset by the amount that can be gained. I support it."

"There seems to be momentum for change with Lt. Gov. Calley involved now."

McLoskey noted once the process is started the state might pick up the cost of the study from the coalition.

Plus, getting the STC's

multiplier changed would have a long-range impact on finances for all those involved.

"There are a couple of other wind farms being developed. It's estimated within a few years, there will be 208 turbines operating in just Tuscola County. The total difference over 15 years between the old tax and new tax multiplier is a loss of \$24,380,928 for the county plus others who levy a millage.

"We have to fight for what we think is right. There is a tremendous amount of money at stake here... for the county, township and others who have millages," said Commissioner Roger Allen who participated in the meeting by Internet using Skype.

Mury Drier is a staff writer for the Tuscola County Advertiser. She can be reached at drier@tcadvertiser.com.

WANTED

HOMES THAT NEED ROOFING™

A select number of homeowners in **Caro** and the surrounding areas will be given the opportunity to have a lifetime **Erie Metal Roofing System** installed on their home at a reasonable cost.

Call today to see if you qualify and you will receive attractive pricing. You will also have access to our special low interest unsecured bank financing.

An **Erie Metal Roof** will keep your home warmer in the winter and cooler in the summer.

Unlike other roofing materials, an **Erie Metal Roof** can be installed even in the Winter Months.

DON'T MISS THIS OPPORTUNITY TO SAVE.
Call Now!

1-877-990-5258

www.ErieMetalRoofs.com

ThumbWorks

Business, Training & You Spotlight

ATTACHMENT 2

Cost Distribution - Wind Energy Assessing Study of \$50,000 and \$100,000

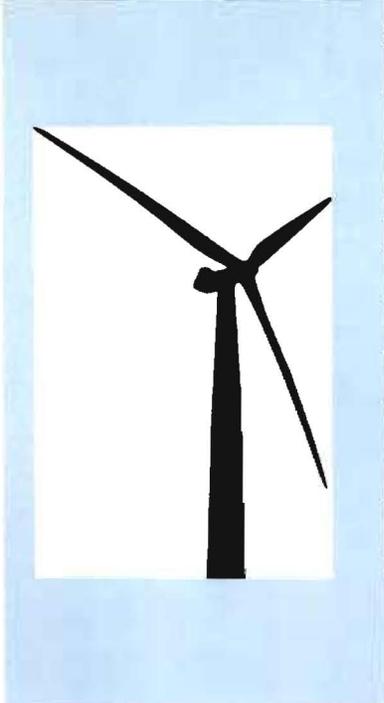
Entity Benefit and Millage	Millage Levied	Estimated Generators	15 Year Revenue OLD STC Multiplier	15 Year Revenue NEW STC Multiplier	Difference Stake Holder Dollar Share	Stake Holder Percentage	Share of \$8,075 for \$50,000 Study	Share of \$16,150 for \$100,000 Study
Gilford Township	4.3539	68	\$4,632,828	\$3,055,393	\$1,577,435	19.3%	\$1,559	\$3,119
Tuscola Intermediate School	4.2409	68	\$4,512,589	\$2,976,094	\$1,536,495	18.8%	\$1,519	\$3,038
Tuscola County Operating	3.9141	68	\$4,164,853	\$2,746,759	\$1,418,094	17.4%	\$1,402	\$2,804
Akron School Fairgrove Debt	3.8000	43	\$2,556,883	\$1,686,288	\$870,595	10.7%	\$861	\$1,721
Reese School Debt/Sinking Fund	4.7000	25	\$1,838,640	\$1,212,600	\$626,040	7.7%	\$619	\$1,238
Medical Care Facility Debt	1.0000	68	\$1,064,064	\$701,760	\$362,304	4.4%	\$358	\$716
Primary Roads and Streets	0.9657	68	\$1,027,567	\$677,690	\$349,877	4.3%	\$346	\$692
Sheriff Road Patrol	0.9000	68	\$957,658	\$631,584	\$326,074	4.0%	\$322	\$645
Mosquito Abatement	0.6316	68	\$672,063	\$443,232	\$228,831	2.8%	\$226	\$452
Fairgrove Library	0.7916	43	\$532,639	\$351,280	\$181,359	2.2%	\$179	\$359
Bridge	0.4807	68	\$511,496	\$337,336	\$174,160	2.1%	\$172	\$344
Reese Library	0.9965	25	\$389,831	\$257,097	\$132,734	1.6%	\$131	\$262
Blumfield Township	2.3452	7	\$266,742	\$175,912	\$90,830	1.1%	\$90	\$180
Medical Care Facility Operating	0.2500	68	\$266,016	\$175,440	\$90,576	1.1%	\$90	\$179
Delta College	2.0427	7	\$223,749	\$147,565	\$76,184	0.9%	\$75	\$151
Senior Citizen	0.2000	68	\$212,813	\$140,352	\$72,461	0.9%	\$72	\$143
Recycling	0.1500	68	\$159,610	\$105,263	\$54,347	0.7%	\$54	\$107
TOTAL			\$23,990,041	\$15,821,645	\$8,168,396	100%	\$8,075	\$16,150

Based on Nextera Wind Project in Gilford Township (68 generators) and Blumfield Township (7 generators)

Commercial Wind Generator - Estimate of Potential Revenue --

Comparing Valuation using old wind energy multipliers and new multipliers

Total Cost Each Generator	\$3,200,000	enter cost				
# of Generators^^	208	enter # of				
Total Cost, All Generators	\$665,600,000			enter mills v		
Total Year 1 Taxable Value	\$332,800,000			22.0000		
Estimated Revenue in Year		Old Multiplier** Wind	New Multiplier** Wind	Revenue Old Multipliers	Revenue New Multipliers	Difference
1	1.00	0.80	\$7,321,600	\$5,857,280	-\$1,464,320	
2	0.95	0.75	\$6,955,520	\$5,491,200	-\$1,464,320	
3	0.90	0.70	\$6,589,440	\$5,125,120	-\$1,464,320	
4	0.85	0.60	\$6,223,360	\$4,392,960	-\$1,830,400	
5	0.80	0.50	\$5,857,280	\$3,660,800	-\$2,196,480	
6	0.76	0.40	\$5,564,416	\$2,928,640	-\$2,635,776	
7	0.70	0.30	\$5,125,120	\$2,196,480	-\$2,928,640	
8	0.65	0.30	\$4,759,040	\$2,196,480	-\$2,562,560	
9	0.60	0.30	\$4,392,960	\$2,196,480	-\$2,196,480	
10	0.56	0.30	\$4,100,096	\$2,196,480	-\$1,903,616	
11	0.50	0.30	\$3,660,800	\$2,196,480	-\$1,464,320	
12	0.45	0.30	\$3,294,720	\$2,196,480	-\$1,098,240	
13	0.40	0.30	\$2,928,640	\$2,196,480	-\$732,160	
14	0.36	0.30	\$2,635,776	\$2,196,480	-\$439,296	
15	0.30	0.30	\$2,196,480	\$2,196,480	\$0	
Total, 15 Years			\$71,605,248	\$47,224,320	-\$24,380,928	



**STC Value Trending Multiplier from Form 4565 (Rev 11-09) and Form 4565 (Rev 11-11)

^^Number of generators based on 68 in Gilford Township (NextERA 1), 80 in Consumer's Power Project, and 60 in NextERA 2 Project

Millage based on 3.9141 County operating, 4.5780 special funds

Anmarie Kwiatkowski
911 Dispatcher
Tuscola County Central Dispatch
1303 Cleaver Rd
Caro MI 48723

Feb. 4, 2013

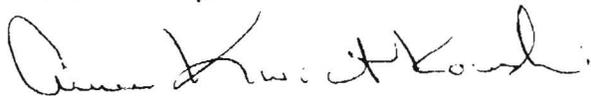
Dear Mr. Klenk,

Please accept my two week notice from the position of full-time 911 dispatcher
My last day of full-time employment at Tuscola County Central Dispatch
will be Feb. 18, 2013.

I would be happy to stay on as occasional part-time and will work as needed.

While I believe that I am moving for good reasons, I am sorry to leave
and thank you for your support during my time with the center, which
I have found enjoyable and fulfilling.

Yours Sincerely,



Anmarie Kwiatkowski

Snyder: Suggests Action On Renewable Energy, Dredging

(GRAND RAPIDS) -- Lakeshore communities struggling with dropping water levels at their harbors and marinas could see aid from Lansing based on comments made by Gov. Rick **SNYDER** this afternoon during the annual Michigan Press Association (MPA) convention.

"That's an issue that many people are just becoming aware of," Snyder said when asked about the issue. "One of the things to do is are we going to have to take some emergency actions to help with harbors. We are looking hard at that, so that's something you might see come up in the budget period."

Following the luncheon, Snyder was asked why he would wait to talk about emergency harbor funding until he presents the Fiscal Year (FY) 2014 budget since any such spending would come in the current fiscal year. He simply replied that's when he wanted to address it.

The Governor also made news by informing the MPA of a few items he didn't get to in his State of the State Address last week. Perhaps the most significant being the state's 10 percent renewable energy portfolio requirement.

Recall that last year's Proposal 3 would have put into place a 25 percent renewable energy portfolio standard by 2025. Snyder told the MPA that proposal was flawed because it attacked the issue through a constitutional amendment. That doesn't mean the conversation isn't one that shouldn't be had.

"We do need a thoughtful discussion and we do need a new goal," Snyder said. "But let's do it as a state." He suggested to the MPA that Michigan have some new goals by December to be put in place in 2014 and beyond.

Snyder also suggested that state government look at dividing itself into regions based on economic basins.

"What regions should really be the focus in our state?" he asked the audience. The Governor suggested that if one were to take a map and draw out all the various regions state government deals with "I'm not sure you'd see the map because there'd be so many lines."

Fielding two questions from student journalists on Right to Work (RTW), Snyder suggested studies showing lower wages in right to work states aren't something to be concerned about.

"This is clearly people taking political positions again," Snyder said, noting that 90 percent of the jobs in the state aren't even impacted by RTW. "So, I wouldn't dwell on that issue. Don't spend your time thinking about freedom to choose, just work on getting out there."

Metro and State

Snyder considers emergency measures for low lake levels

BY CHAD LIVENGOOD

COMMENTS



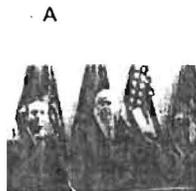
Grand Rapids -- Gov. Rick Snyder said Friday his administration is developing plans to take "emergency" action to deal with Great Lakes harbors plagued by record-low water levels that threaten to keep large pleasure boats docked next summer.

With lake levels at their lowest point since the mid-1960s, Snyder said the specter of recreational and commercial fishing boats being unable to get in and out of harbors requires an "urgent or emergency kind of option." A likely option is dredging harbors, canals and waterways that connect to the lakes, some of which haven't been dredged in decades.

"A lot of Michiganders don't realize that lake levels are extremely low," Snyder said at the Michigan Press Association conference in Grand Rapids. "It is critically important to tourism and other things in Michigan, in terms of normal business and commerce."

Snyder would not say Friday what his funding plan for dredging is or how much he believes needs to be spent immediately and in the long term.

As the Snyder administration formulates its plan -- to be unveiled Feb. 7 as part of the governor's 2013-14 fiscal year budget presentation -- legislation



This portion of the requested page has been blocked.
[Click here for details.](#)

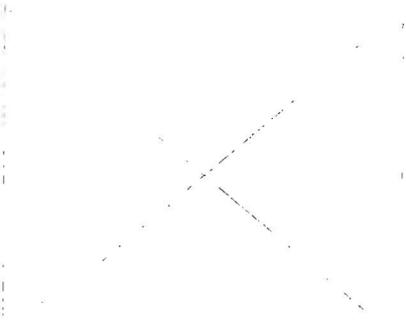
Most Popular

Government audit criticizes exec pay at GM, Ally, AIG after bailouts

Land deals suggest new Reef Wings arena may land north of Fox Theatre

With NFL ranking, Michigan shows how far it's come

Fighters' Brennan Boesch ignores trade talk, keeps working to get better



Interactive map: Major crimes

We show where Detroit's homicides and shootings occur, with details on each crime



was introduced Thursday that could provide state funding for dredging harbors that serve recreational boats.

House Bill 4106 would allow municipalities and harbor authorities to apply for funding through the \$500 million Natural Resource Trust Fund, which is normally used for buying state recreation and hunting land.

Local governments would have to cover at least 10 percent of the dredging costs to get a grant.

Rep. Bob Genetski, the bill sponsor, said Lake Kalamazoo in his Allegan County district is dangerously low at the mouth of Lake Michigan.

"Right now, if you've got a boat with a keel, you're not going to get up in the lake at all," said Genetski, R-Saugatuck. "You'd be scraping bottom, easily."

Lake Huron and Lake Michigan, which sit at the same level, set record December lows last month and are on their way to an all-time January low. For the first 24 days of this month, their mean level was 576.03 feet, according to the U.S. Army Corps of Engineers, which monitors water levels

The previous January low was 576.10 feet, set in 1965.

Those two lakes are significantly below typical marks, but lakes Superior, Erie, Ontario and St. Clair all trail their long-term averages after 2012 precipitation in the Great Lakes basin fell far below normal.

"We're just keeping our fingers crossed for a bunch of snow — as much as I hate to say it," said Chris Button, owner of Rose Harbor along Woodchuck Creek south of Monroe.

The Natural Resources Trust Fund consists of mineral royalties the state collected from 1976 to 2011, when the revenue source was diverted to a fund for state parks. The fund is restricted to spending \$25 million to \$35 million in annual interest earnings on land acquisitions and recreational development projects, fund manager Steve DeBrabander said.

Dredging harbors may not qualify for trust fund grants under constitutional guidelines, DeBrabander said.

"I think it needs to be resolved whether dredging is development or maintenance," he said. "If it's maintenance, then it's not eligible under the Michigan Constitution."

House Speaker Jase Bolger, who also attended the Michigan Press Association convention, said he would favor tapping the Natural Resources Trust Fund for harbor dredging projects "instead of simply buying more land."

Pete Beauregard Sr., owner of Algonac Harbor in Algonac, said Friday the state should create a low-interest loan program for private harbors to borrow money for dredging projects and fast-track the permit approval process, which normally takes three to six months.

"It would have to have the Gov. Snyder approach of let's get it done — don't let the bureaucracy kill it," said Beauregard, who is having his docks along the St. Clair River lowered 2 feet this spring to account for the lower water level.

Since calling for \$1.2 billion more in new revenue for roads and bridges in his State of the State address last week, Snyder has included harbors, freight rail and passenger rail as infrastructure projects that would benefit from the extra funds.

Commercial harbors for freight and shipping canals are dredged by the U.S. Army Corps of Engineers, Genetski said.

This spring, the corps plans to dredge Grand Haven Harbor on Lake Michigan, according to the corps' Detroit district office.

Snyder also has made Great Lakes water management a top priority this year.

See Also

Snyder eyes mental health makeover, GOP skeptical

Join the Conversation



Caro Arrest Records



1 Strange Tip for White Teeth



7 Alzheimer's Triggers

He's planning a summit of Great Lakes governors and Canadian premiers in June on Mackinac Island to talk about the health of the lakes and combating invasive species like Asian carp.

"I think it's time to make a big deal over the Great Lakes," Snyder said Tuesday.

livengood@detroitnews.com

(517) 371-3660

[Twitter.com/ChadLivengood](https://twitter.com/ChadLivengood)

Snow in forecast could boost Lakes' levels

Water levels in Lakes Huron, Michigan head for record lows

This portion of the requested page has been blocked. [Click here for details.](#)

More From Metro and State

New bets are off at horse racing tracks



Michigan

Lawmakers and horse track owners are scrambling to find common ground with Gov. Rick Snyder after he blocked a new form of wagering they hoped would revitalize harness racing in

Prosecution paints case against Ferguson using piles of cash

Hathaway expected to plead guilty to bank fraud charge

Panel's stalling may delay vote on Belle Isle lease

Pontiac shows off \$20M restoration of historic site

After messy mix — today could see rain, flooding and warmer temps

Police, FBI seek tips in Oakland County armed bank robberies



Sign up

Follow @detnews

Stay up to date on the go with the latest from The Detroit News apps



paid app - yes

New NRTF Proposal 'Dredging' Up Old Issue

Rep. Bob **GENETSKI** (R-Saugatuck) has introduced a bill to allow for the use of Natural Resources Trust Fund (NRTF) money for dredging harbors -- something he says requires a statutory change, but others say is a constitutional issue.

"I'm of the belief that it is just a thing we can do with a simple majority, through a statutory change," said Genetski.

HB 4106 adds a sentence in the Natural Resources and Environmental Protection Act allowing the interest of the trust fund in any fiscal year to be expended on dredging of recreational harbors.

That would make harbor dredging one of three authorized uses for the money, the other two being land acquisition and the development of public recreation facilities.

But some point to the constitution, which states: "The interest and earnings of the trust fund shall be expended for the acquisition of land or rights in land for recreational uses or protection of the land because of its environmental importance or its scenic beauty, for the development of public recreation facilities, and for the administration of the trust fund. . ."

Count Samuel **CUMMINGS**, chair of the NRTF Board, as among those who think the change isn't just statutory.

"I think he [Genetski] should check the constitution," said Cummings.

As the owner of a 1968 Chris Craft, which he notes is based out of Saugatuck in Genetski's district, Cummings would benefit from seeing harbors dredged. But he isn't ready to see the NRTF raided to pay for it.

"I'm one of those people that thinks we should find a solution to dredge the harbors, but I'm not sure that's the best expenditure of Natural Resource money," said Cummings.

To some, it seems as if the Legislature has continually tried to come up with more ways to spend the NRTF's money -- last session, for road funding (See "Natural Resources Trust Fund, Smaller And Still Targeted," 11/18/2011).

But Genetski said that what separates his proposal from others is that his proposal only affects the interest from the NRTF, where as some proposals in the past have tried to get at the principal. The fund carries up to \$500 million, mainly from the leases of the state's mineral and oil rights.

To some in the Natural Resources realm, the use for harbors seems like a constitutional stretch.

"We think that using the Natural Resources Trust Fund for dredging projects is a bad idea. Dredging is an ongoing and required expense in harbors and should be budgeted for as such," said Hugh **McDIARMID**, communications director with the Michigan Environmental Council

(MEC).

Jack **SCHMITT**, political director for the Michigan League of Conservation Voters (MLCV), said he would anticipate a legal challenge if the bill were passed.

"Our perspective is that the only way to change what funding is going for is to open up the constitution," said Schmitt.

In 2011, the NRTF spent \$39.7 million, leaving \$5 million in its coffers for 2012. The numbers for last year aren't available yet.

It's a sizeable amount of money, but Cummings said that in the grand scheme of how many harbors in the state need consistent dredging, it's not enough.

"You would run out of money pretty quickly. Last time I checked dredging was very expensive," said Cummings.

But Genetski isn't alone on this issue. The House GOP's 2013-14 Action Plan listed as one of their priorities an intent to "explore a Natural Resources Trust Fund constitutional amendment," specifically mentioning "more accessible waterways" as a potential use.

In the Senate, Natural Resources Committee Chair Sen. Tom **CASPERSON** (R-Escanaba) said that he's interested in broadening what the NRTF could be used for. He said he didn't think that road funding was a proper use, but dredging was "absolutely" one.

"If we can't get into the harbors then fishing is done, recreational boating is done . . . it's just all intertwined," said Casperson.

He sponsored a land cap law that put the NRTF in a bit of a quandary. The fund is constitutionally mandated to spend at least 25 percent of the interest on land acquisition -- but what to do now that there's only so much land to be legally acquired?

"The way this fund is set up, their hands are tied. They're almost forced into buying more and more land," said Casperson.

Cummings said there's more desirable land out there -- for instance, pieces that would allow connectors between the state's very successful rails to trails program.

"While *prima facie* you might say that because the state owns X amount of land that absolutely we shouldn't buy anymore, it could be a matter of do we own the right land," said Cummings.

He pointed to a land use study being conducted by the Department of Natural Resources (DNR).

Casperson said some of the more favorable changes could be accomplished by the NRTF Board changing some of its procedures, and considering harbor dredging proposals. He wants to keep the board in place, but expand what their fund might be used for.

He mentioned possibly giving a little of the fund's money to the Department of Natural

Resources (DNR) and Department of Environmental Quality (DEQ) for specifically resource-related activities they undertake, saying it's all part of keeping the state Pure Michigan.

"I think if it were explained that way to the public, I can't imagine where the public would have a problem with that," said Casperson.

But others can. Schmitt said that this constitutional amendment was overwhelmingly popular with voters.

"We've seen repeated attempts throughout the years to raid the Natural Resources Trust Fund. None of them have worked, and that's because I think the public is on our side," said Schmitt.

Brownfield TIF programs (Act 381) as well as improvements to the MDEQ grant and loan program. Municipal representatives with substantial experience on brownfield matters will provide practical advice to municipalities dealing with brownfield programs, including TIF accounting, reporting to the State, development of work plans, TIF schedules and reimbursement agreements, and other issues. The speakers will also discuss the current status of Michigan's Community Revitalization Program and what we can expect from the MEDC and the MDEQ in connection with brownfield redevelopment in 2013. A complete Agenda can be found [here](#).

Registration is \$50 for NBA members, \$125 for non-members, and \$75 for non-members who are government employees. Registration space is limited to the first 75 who register. The program will be held from 9:00 to 3:30 on February 21, with registration commencing at 8:00. Additional information regarding registration can be found [here](#).

[Back to top](#)

The Local Governmental Summit on Efficiency Creation and Cost Savings has been Rescheduled

The Local Governmental Summit on Efficiency Creation and Cost Saving has a new date of Thursday, February 28, 2013!

Participants previously registered for the December program will be automatically transferred to the February date.

The highly-specialized needs of governmental accounting and auditing require constant upkeep. Get primed for a day that helps you understand the prioritization, operational and financial modeling, restructuring, and related issues associated with design and implementation of intergovernmental collaboration... you won't want to miss it!

To get more information and to download the [Brochure Click here](#).

Partner Organizations Include:

- * Michigan Association of Certified Public Accountants
- * Michigan Association of Counties
- * Michigan Association of School Administrators
- * Michigan Association of School Boards
- * Michigan Government Finance Officers Association
- * Michigan Municipal League
- * Michigan School Business Officials
- * Michigan Township Association

Sponsored in part by the TM Group
Facility sponsored by the Lansing Center

January 17, 2013

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, January 17, 2013 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.

Motion by Parsell seconded by Matuszak that the minutes of the January 3, 2013 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$114,248.59 and bills in the amount of \$243,887.98 covered by voucher #13-02 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.

Vassar Township Supervisor Bob Forbes appeared before the Board to discuss local road winter maintenance. Mr. Forbes asked the Board if Vassar Township's local roads could be salted during winter maintenance operations. Superintendent/Manager Jay Tuckey explained the Road Commission's winter maintenance policies and procedures on the local road system, including the use of brine and chloride sand for de-icing the local roads. Tuckey also reported the estimated costs for salting roads during winter maintenance. The Board tabled the discussion until after the scheduled bid opening.

At 8:15 A.M. the following bids were opened for 2013 Cold Patch:

<u>Bidder</u>	<u>Specified Material</u>	<u>Price</u>
Unique Paving Materials Corporation	UPM – to Caro	\$ 93.33 p/ton
Unique Paving Materials Corporation	UPM – to Vassar	92.40 p/ton
Unique Paving Materials Corporation	UPM – to Deford	94.25 p/ton
Unique Paving Materials Corporation	UPM – to Akron	93.02 p/ton
Ace-Saginaw Paving Company	CP-6	85.27 p/ton
Ace-Saginaw Paving Company	QPR	93.75 p/ton

Motion by Parsell seconded by Zwerk that the bids for 2013 Cold Patch be accepted, reviewed by Management, and tabled until the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

The Board further discussed local road winter maintenance with Vassar Township Supervisor Bob Forbes. Management and the Board will further review the Road Commission's local road winter maintenance operations and table the topic until the next regular meeting of the Board.

At 8:30 A.M. the following bids were opened for 2013 Portland Cement Concrete:

<u>Bidder</u>	<u>Concrete-3500</u>	<u>Concrete-4500</u>	<u>Cement</u>
Superior Materials, LLC	\$78.00 / cyd	\$86.00 / cyd	\$6.00 per 94 lbs.
Rock Products Company	\$91.00 / cyd	\$97.00 / cyd	\$6.50 per 94 lbs.

Motion by Zwerk seconded by Parsell that the bids for 2013 Portland Cement Concrete be accepted and awarded to the low bidder, Superior Materials, LLC. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board further discussed Old State Road and the Michigan Department of Transportation's M-25 bridge project. The Board reviewed the press releases from MDOT urging motorists to use the posted detour on state highways and not Old State Road. County Highway Engineer Zawerucha also reported to the Board the recent repairs and inspections conducted on the Old State Road Bridge.

At 8:45 A.M. the following bids were opened for 2013 Liquid Calcium Chloride:

<u>Bidder</u>	<u>Continuous</u>	<u>Intermittent</u>	<u>Livingston Storage</u>
Liquid Calcium Chloride Sales	\$.475 p/gal	\$.485 p/gal	\$.375 p/gal
The Wilkinson Corporation	alternate bid	alternate bid	alternate bid
Michigan Chloride Sales	alternate bid	alternate bid	alternate bid

Motion by Parsell seconded by Matuszak that the bids for 2013 Liquid Calcium Chloride be accepted and awarded to Liquid Calcium Chloride Sales. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell to approve the request from the Akron Township Board for the installation of a Truck Crossing Specialty Sign on Liken Road, all in accordance with the Road Commission's policy for specialty signs. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 9:00 A.M. the following bids were opened for one (1) Tandem Axle Truck Cab & Chassis:

<u>Bidder</u>	<u>Make/Model</u>	<u>Engine</u>	<u>Total Price</u>
Diesel Truck Sales	Freightliner 114SD	Detroit Diesel	\$ 97,947.00
* Optional Automatic Transmission		Allison 4500	\$ 10,513.00 add
Grand Traverse Diesel	Western Star 4700	Detroit Diesel	\$ 99,841.00
* Optional Automatic Transmission		Allison 4500	\$ 11,272.00 add

Motion by Sheridan seconded by Matuszak that the bids for one (1) Tandem Axle Truck Cab & Chassis be accepted, reviewed by Management, and tabled until the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 9:15 A.M. the following bids were opened for one (1) Tandem Axle Truck Equipment:

<u>Bidder</u>	<u>Total Price</u>
Truck & Trailer Specialties	\$ 94,630.00

Motion by Sheridan seconded by Zwerk that the bids for one (1) Tandem Axle Truck Equipment be accepted, reviewed by Management, and tabled until the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak to approve the Labor Agreement between the Board of Tuscola County Road Commissioners and the Tuscola County Road Commission Hourly Employees Association (affiliated with Teamsters Local 214) which expires June 30, 2015. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan to cast a ballot approving to amend the County Road Association of Michigan Constitution and Bylaws by inserting Article VIII Subdivision VIII regarding a special assessment to provide necessary advocacy resources. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak to grant Denise Hutchinson three (3) years and ten (10) months of credited governmental service toward the required eighty-five (85) points at the Road Commission. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to approve the request from Saginaw Asphalt Paving Company to modify the asphalt mix for the Ormes Road Federal Aid Project, as recommended by the County Highway Engineer. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Almer Township Supervisor Jim Miklovic appeared before the Board to discuss winter maintenance on the state highways. Superintendent/Manager Jay Tuckey explained MDOT's policies and procedures for state highway winter maintenance.

Motion by Parsell seconded by Matuszak that the meeting be adjourned at 10:40 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board