

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

THURSDAY, JUNE 27, 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 Kirkpatrick
Pledge of Allegiance – Commissioner Trisch
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
 -Off Road Vehicle Ordinance (See Correspondence #2)
 -Road Commission Discussion Request – Robert Worth
 -Region VII Area Agency on Aging Vacancy (See Correspondence #3)
 -Tuscola County Council on Aging Vacancies – Jerry Gamm
 -Animal Control Update
 -CDBG Place Based Strategy
 -MERS Annual Meeting Delegates (See Correspondence #4)
 -Mosquito Abatement Temporary Seven Day Per Week Compensation
 -Greenway County Park & Recreation Representative
 -Out of State Travel Request
 -Computer Budget Amendment Request (See Correspondence #5)
 -Resolution Regarding Dairy Farmers of America (See Correspondence #6)
- 9:00 A.M. CLOSED SESSION (Section 8h of the Open Meetings Act)
- Old Business
 -Camp Tuscola
 -Wind Energy
 -Dental Clinics
Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

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
Tuscola In Sync

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
Tuscola In Sync

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

TRISCH

Board of Health

Human Development Commission (HDC)

TRIAD

Economic Development Corp/Brownfield Redevelopment

Human Services Collaborative Council

Great Start Collaborative

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 June 11, 2013 Full Board Minutes & Statutory Finance Minutes
- #2 Off Road Vehicle Ordinance Information
- #3 Region VII Area Agency on Aging Vacancy
- #4 MERS Annual Meeting Delegates
- #5 Computer Budget Amendment Request
- #6 Resolution Regarding Dairy Farmers of America
- #7 HDC – Thumb Area Senior Advisory Council
- #8 May 23, 2013 Road Commission Minutes
- #9 May 30, 2013 Special Road Commission Meeting Minutes
- #10 MMRMA – Rap Grant Payment & Approvals
- #11 Tuscola County Plan Review

DRAFT
TUSCOLA COUNTY BOARD OF COMMISSIONERS
June 11, 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 11th day of June, 2013 to order at 7:30 o'clock a.m. local time.

Prayer by Commissioner Bardwell

Pledge by Commissioner Bierlein

Commissioners Present: District 2 – Thomas Bardwell, District 3 – Christine Trisch, District 4 – Craig Kirkpatrick, District 5 – Matthew Bierlein

Commissioner Absent: District 1 – Roger Allen

Also Present: Mike Hoagland, Jodi Fetting, Mary Drier, Steve Erickson, Bill Bushaw, Steve Anderson, Bob Klenk, Brad Barrett, Wendy Falls, Sheriff Lee Teschendorf, Chuck Frost, Kris Reinelt, Pam Stilwell Binder, John Bishop, Duane Lockwood, John Axe, Francis Keating, Ed Smith

13-M-120

Motion by Trisch seconded by Bierlein to adopt the agenda as amended. Motion Carried.

13-M-121

Motion by Kirkpatrick seconded by Trisch to adopt the meeting minutes from the May 30, 2013 meeting. Motion Carried.

Brief Public Comment Period - None

Consent Agenda Resolution – None

New Business

-EDC Liability Insurance Request – Steve Erickson

13-M-122

Motion by Trisch seconded by Bierlein to refer the EDC request to the Committee of the Whole Finance Meeting on June 27, 2013 for review. EDC is requesting to have the EDC liability insurance to be covered under the Tuscola County policy and for Tuscola County to pay for the cost. Motion Carried.

-Vassar Rental Rehabilitation Grant – Brad Barrett and Wendy Falls

13-M-123

Motion by Trisch seconded by Kirkpatrick to approve the resolution for the submission of a pre-application for 2013/2014 Vassar Rental Rehabilitation program (available through the Michigan State Housing Development Authority) to be administered by the Human Development Commission. Also, the Chairperson is authorized to sign all appropriate documents. Roll Call Vote – Bardwell ~ Yea, Trisch ~ Yea, Kirkpatrick ~ Yea, Bierlein ~ Yea. Nay ~ None. Motion Carried.

-Update Thumb Tourism Council - Chuck Frost, Kris Reinelt and Pam Stilwell Binder demonstrated the usefulness of their website www.thumbtourism.org.

-Sheriff Teschendorf presented to the Board regarding the proposed POLC Labor Agreement Modifications and seniority requirements for promotions.

13-M-124

Motion by Kirkpatrick seconded by Bierlein that per the June 10, 2013 letter from the Sheriff, that the letter of understanding with the POAM Corrections Bargaining Unit be approved to enable non-correctional employees in the Sheriff Department the ability to work 10-hour shifts on a temporary basis starting June 1, 2013 to August 30, 2013. Also, appropriate signatures are authorized. Motion Carried.

13-M-125

Motioned by Trisch seconded by Kirkpatrick that per the May 17, 2013 letter from the Sheriff and request from the Police Officers Labor Council, that a letter of understanding be approved with the language as recommended by the County Labor Attorney stating that new employees hired after 5/10/2013 must have a minimum of four (4) years as a Corrections Sergeant, Road Patrol Sergeant or Detective Sergeant within the bargaining unit in order to be eligible for promotion to Lieutenant-Uniformed Commander and Jail Division Lieutenant Jail Administrator. Also, appropriate signatures are authorized. Motion Carried.

13-M-126

Motioned by Bierlein seconded by Kirkpatrick that the Board convenes into a closed session under section 8(h) of the Open Meetings Act to consider the legal opinions and memorandum of our attorneys which are exempt from public disclosure under the Michigan Freedom of Information Act. Roll Call Vote – Bardwell ~ Yea, Trisch ~ Yea, Kirkpatrick ~ Yea, Bierlein ~ Yea. Nay – None. Motion Carried at 8:40 a.m.

13-M-127

Motioned by Kirkpatrick seconded by Trisch to reconvene into a public session as closed session is posted to begin at 9:00 a.m. Motion Carried at 8:40 a.m.

-Steve Anderson and Bob Klenk presented to the Board regarding the possibility of requesting funding from a Homeland Security Grant.

13-M-128

Motioned by Kirkpatrick seconded by Bierlein that the county actively pursue Region 3 Homeland Security Grant carryover funds for equipment and other needs to strengthen emergency service capabilities. Also, authorization is approved to finance the equipment upfront with the understanding that 100% federal/state reimbursement will be received. Also, all required documents are authorized for signature.

Discussion regarding motion 13-M-128 suspended to allow the Board to convene closed session at 9:05 a.m. Discussion regarding Homeland Security Grant continued beginning at 10:17 a.m.

Motion Carried.

13-M-129

Motioned by Bierlein seconded by Trisch that the Board convene into closed session under section 8(h) of the Open Meetings Act to consider the legal opinions and memorandum of our attorneys which are exempt from public disclosure under the Michigan Freedom of Information Act. Roll Call Vote – Bardwell ~ Yea, Trisch ~ Yea, Kirkpatrick ~ Yea, Bierlein ~ Yea. Nay – None. Motion Carried at 9:04 a.m.

Open Session Reconvened at 10:06 a.m.

Commissioner Bardwell recessed at 10:06 a.m.

Regular Meeting reconvened at 10:15 a.m.

-Review of Engagement Letter with Green Thumb Energy Services Consulting LLC

-Budget Amendments for Boundary Commission

13-M-130

Motion by Bierlein seconded by Kirkpatrick that whereas the need for a local boundary commission has been determined and appointments have been made by the Probate Judge, said boundary commission shall be paid a per diem of \$25 per meeting plus mileage. Also, appropriate budget amendments are authorized to properly account for this new expenditure. Motion Carried.

-State Purchase of Private Property – Juanita Township

-Wind Generator Revenue Update Provided

-Emergency Services Budget Amendment Request

13-M-131

Motion by Trisch seconded by Kirkpatrick that per the request of the Emergency Services Director, that the Emergency Services Budget be amended to authorize an internal transfer of \$1,000 from the salary overtime account to the vehicle repair account for higher than anticipated vehicle repair costs. Motion Carried

-Primary Road Millage Transfer Request

13-M-132

Motion by Kirkpatrick seconded by Bierlein to approve the primary road millage transfer request of \$182,936.62 as identified by voucher #01-13 dated May 21, 2013 for the transfer of primary road millage to the Road Commission general fund. Motion Carried.

-Bridge Millage Transfer Request

13-M-133

Motion by Bierlein seconded by Trisch to approve the bridge millage transfer request of \$161,974.18 as identified by voucher #01-13 dated May 21, 2013 for the transfer of bridge millage to the Road Commission general fund. Motion Carried.

Old Business – None

Correspondence/Resolutions

- Digital Mapping Update Provided.
- State Revenue Sharing has been increased by 4.6% from where initially proposed.
- Dental Health Clinic – Timeline to be extended.
- MAC Legislative Information provided to all Department Heads.
- Register of Deeds working on paperwork being recorded by the Wind Companies.
- Mosquito Abatement is showing improvement on services being offered with the extension of work days.
- Board of Commissioners meeting scheduled for June 26, 2013 has been rescheduled to June 27, 2013. The Board of Commissioners meeting will be held in conjunction with the Committee of the Whole meeting. A Closed Session is also scheduled for the June 27, 2013 meeting.

COMMISSIONER LIAISON COMMITTEE REPORTS

BIERLEIN

Thumb Area Consortium/Michigan Works – Meets Friday June 14th
Planning Commission – Meets June 11th
Behavioral Health Systems Board
Tuscola 2020 – Will meet at the Octogan Barn
Recycling Advisory Committee – Will be meeting to discuss building options
Local Emergency Planning Committee (LEPC) – Mock Disaster went well
Multi County Solid Waste
Local Unit of Government Activity Report – Vassar Township preparing Report for the Board
Tuscola In-Sync

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 – Working on appointments to various committees
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 – Monday, June 17th in Huron County
Local Unit of Government Activity Report

TRISCH

Board of Health
Human Development Commission (HDC)
TRIAD
Economic Development Corp/Brownfield Redevelopment
Human Services Collaborative Council
Great 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 – Looking for a Representative to become involved.
Local Unit of Government Activity Report
Tuscola In-Sync

Other Business as Necessary - None

Extended Public Comment –
Ed Smith on behalf of Congresswoman Candice Miller

Meeting Adjourned at 11:27 a.m.

Jodi Fetting
Tuscola County Clerk

CORRESPONDENCE

- #1 May 30, 2013 Full Board Minutes
- #2 Vassar Rental Rehabilitation Grant
- #3 Engagement Letter with Green Thumb Energy Services & Consulting LLC

- #4 Boundary Commission Request
- #5 Proposed POLC Labor Agreement Modifications
- #6 Emergency Services Budget Amendment Request
- #7 Great Lakes Funding Information
- #8 Region VII Area Agency on Aging – Funding Proposal
- #9 May 9, 2013 Road Commission Minutes

**Statutory Finance Committee Minutes
Tuesday, June 11, 2013
HH Purdy Building
125 W. Lincoln St., Caro, MI**

Called to order at 11:27 a.m.

Commissioners present: Bardwell, Trisch, Kirkpatrick and Bierlein

Also present: Jodi Fetting and Mike Hoagland

Claims and per diems were reviewed and approved.

Public Comment - none

Meeting adjourned at 11:31 a.m.

Jodi Fetting
Tuscola County Clerk

Mike Hoagland

From: Mike Hoagland [mhoagland@tuscolacounty.org]
Sent: Wednesday, June 05, 2013 12:17 PM
To: 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)
Cc: Mike Tuckey (mtuckey@tuscolaroad.org); 'Matthew A. Honaman '
Subject: FW: ORV Ordinance
Attachments: MCL 324.81131.pdf; Michigan ORV Statute.pdf; Tuscola County-- Amendment to ORV Ordinance (S1061247).DOC

Commissioners.....please read

Information regarding potential ORV ordinance changes:

1. **Ordinance changes are intended to solve an issue for residents who live on a road closed to ORV use.....a method is needed for these residents to gain access to a road that allows ORV use**
2. **Road Commission has safety concerns with allowing ORV use on roads by people who are not at least 16 with a drivers license or ORV operators permit**
3. **In this situation road commission agreement to ordinance changes is required because they have authority to close up to 30% of the roads to ORV use and we are trying to provide a method for residents on a closed road to gain ORV access**
4. **The question has come up whether the ordinance can be more restrictive than the law.....the attorneys have said the county can have more restrictive provisions than the law.....in other words, the county could require the operator of an ORV to be a minimum age of 16 and have a drivers license or an ORV operators license...if challenged our attorneys believe the county would prevail on this issue**
5. **Attached is a revised ordinance that is intended to solve the land lock problem while satisfying the road commission safety concerns.....proposed changes are in capital letters: page 1 Introduction, section 2b and section 5b**

Matt Honaman (county attorney) could be available by phone if we want him to explain these proposed changes at the June 26, 2013 Board of Commissioners meeting.

27

Mike

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

From: Matthew A. Honaman [mailto:MATHON@BraunKendrick.com]
Sent: Tuesday, June 04, 2013 2:56 PM
To: Mike Hoagland
Cc: Patrick Kaltenbach
Subject: RE: ORV Ordinance

Mike,

Below is our prior correspondence indicating that Tuscola County has the authority to amend the ORV ordinance to prohibit people under age 18 who do not have a driver's license from operating ORVs on county roads for public safety. In our opinion such an amendment would not run afoul of the state statute.

The draft amendment we sent you last week is slightly different for simplicity. It provides that anyone at least 16 years old who has either a driver's license or ORV safety certificate may operate an ORV on a road pursuant to the ordinance. The requirements of the state statute, MCL 324.81131(9), would still apply where the ordinance is silent.

Since the statute distinguishes between adults age 18 and over and children under 18 who are old enough to drive, we may be able to make the amended ordinance less confusing and help avoid questions about superseding provisions by keeping the language regarding adults over 18 and keeping the supervision requirement for 16 and 17 year olds. In other words, we would simply prohibit children under 16 from operating on the roads and keep the license or certification/supervision requirement for 16 and 17 year olds. While the ordinance could still be challenged, we do not think that such an ordinance would conflict with the state statute. A revised ordinance along these lines is attached (See Sections 1(l), 5(b), and 6). The applicable state statute is also attached, along with the full ORV act.

Feel free to give me a call if you have any questions or want to discuss after you review the provisions.



MATTHEW
A.
HONAMAN

Attorney

Tel:

989.399.0267

Fax:

989.799.4666

Email:

mathon@braunkendrick.com

EMAIL CONFIDENTIALITY NOTICE

The information contained in this message may be subject to the attorney-client privilege, constitute attorney work product, or be strictly confidential, and is intended only for the use of the addressee listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited.

From: Matthew A. Honaman
Sent: Wednesday, May 22, 2013 4:14 PM
To: Mike Hoagland
Cc: Patrick Kaltenbach
Subject: ORV Ordinance

Mike,

6/6/2013

Tuscola County's current ORV ordinance provides that an individual under 18 cannot operate an ORV on a road UNLESS they have a driver's license OR are under the direct visual supervision of a parent and have possession of an ORV safety certificate. In no case can anyone under 12 operate an ORV on the roads. These provisions of the current ordinance mirror MCL 324.81131(9), which provides in relevant part:

(9) A person under 18 years of age shall not operate an ORV pursuant to this section unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to this part or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. A person under 12 years of age shall not operate an ORV pursuant to this section.

My initial impression is that the Michigan statute identifies the broadest authorizations allowed by a county ordinance, which means that Tuscola County has the authority to prohibit people under the age of 18 who do not have a driver's license from operating ORVs on county roads for the reason of public safety. Keep in mind that such an amendment could be challenged by a parent who may want to supervise such use by their children over 12 as the ordinance currently allows, but we haven't located any case law to suggest that such an amendment to the ordinance would be found invalid.

An amendment to the county ordinance would require the same notice and time requirements as the passage of the original ordinance. Essentially, the County clerk must send notice of the hearing to the County Road Commission, by certified mail, not less than 45 days prior to a public hearing on the proposed amendment. Such notice must also be provided to the Michigan Department of Natural Resources, if state forestland is located within the county. The ordinance amendment must receive the affirmative vote of the majority of the Board of Commissioners and be signed by the chairperson of the Board of Commissioners. Then the amendment must be certified by the Clerk of the Board of Commissioners, making it effective when notice of the adoption is published in the newspaper. It should be noted that the citizens could try to stop the amendment from becoming effective by petitioning to put it on the ballot for a vote if the enough registered voters signed a petition and met the statutory requirements.

Let us know if you need any clarifications or need us to proceed in drafting language to amend the ordinance.



MATTHEW
A.
HONAMAN

Attorney

Tel:

989.399.0267

Fax:

989.799.4666

Email:

mathon@braunkendrick.com

EMAIL CONFIDENTIALITY NOTICE

The information contained in this message may be subject to the attorney-client privilege, constitute attorney work product, or be strictly confidential, and is intended only for the use of the addressee listed above. If you are not the intended recipient, you are hereby notified that any disclosure,

copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.81131 Ordinance allowing disabled person to operate ORV; notice of public hearing; closure of road to operation of ORVs; operation of ORV with flow of traffic; maintaining road or street not required; immunity from liability; "gross negligence" defined; operator of ORV as prima facie negligent; violation as municipal civil infraction; deposit of fines; definitions.

Sec. 81131. (1) A municipality may pass an ordinance allowing a permanently disabled person to operate an ORV in that municipality.

(2) Subject to subsection (4), the county board of commissioners of an eligible county may adopt an ordinance authorizing the operation of ORVs on the maintained portion of 1 or more roads located within the county. Not less than 45 days before a public hearing on the ordinance, the county clerk shall send notice of the public hearing, by certified mail, to the county road commission and, if state forestland is located within the county, to the department.

(3) Subject to subsection (4), the township board of a township located in an eligible county may adopt an ordinance authorizing the operation of ORVs on the maintained portion of 1 or more roads located within the township. Not less than 28 days before a public hearing on the ordinance, the township clerk shall send notice of the public hearing, by certified mail, to the county road commission and, if state forestland is located within the township, to the department. This subsection does not apply to a township until 1 year after the effective date of the amendatory act that first defined eligible county so as to include the county in which that township is located.

(4) The board of county road commissioners may close a road to the operation of ORVs under subsection (2) or (3) to protect the environment or if the operation of ORVs under subsection (2) or (3) poses a particular and demonstrable threat to public safety. A county road commission shall not under this subsection close more than 30% of the linear miles of roads located within the county to the operation of ORVs under subsection (2) or (3). The township board of a township located in an eligible county may adopt an ordinance to close a road to the operation of ORVs under subsection (2).

(5) The legislative body of a municipality located in an eligible county may adopt an ordinance authorizing the operation of ORVs on the maintained portion of 1 or more streets within the municipality.

(6) Subject to subsection (4), if a local unit of government adopts an ordinance pursuant to subsection (2), (3), or (5), a person may operate an ORV with the flow of traffic on the far right of the maintained portion of the road or street covered by the ordinance. A person shall not operate an ORV pursuant to subsection (2), (3), or (5) at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the road or street.

(7) Unless the person possesses a license as defined in section 25 of the Michigan vehicle code, 1949 PA 300, MCL 257.25, a person shall not operate an ORV pursuant to subsection (2), (3), or (5) if the ORV is registered as a motor vehicle under chapter II of the Michigan vehicle code, 1949 PA 300, MCL 257.201 to 257.259, and either is more than 60 inches wide or has 3 wheels. ORVs operated pursuant to subsection (2), (3), or (5) shall travel single file, except that an ORV may travel abreast of another ORV when it is overtaking and passing, or being overtaken and passed by, another ORV.

(8) A person shall not operate an ORV pursuant to this section without displaying a lighted headlight and lighted taillight.

(9) A person under 18 years of age shall not operate an ORV pursuant to this section unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to this part or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. A person under 12 years of age shall not operate an ORV pursuant to this section. The requirements of this subsection are in addition to any applicable requirements of section 81129.

(10) A township that has authorized the operation of ORVs on a road under subsection (3) does not have a duty to maintain the road in a condition reasonably safe and convenient for the operation of ORVs. A board of county road commissioners, a county board of commissioners, or a municipality does not have a duty to maintain a road or street under its jurisdiction in a condition reasonably safe and convenient for the operation of ORVs, except the following ORVs:

(a) ORVs registered as motor vehicles as provided in the code.

(b) ORVs permitted by an ordinance as provided in subsection (1).

(11) Beginning October 19, 1993, a board of county road commissioners, a county board of commissioners, and a county are, and, beginning on April 25, 1995, a municipality is, immune from tort

liability for injuries or damages sustained by any person arising in any way out of the operation or use of an ORV on maintained or unmaintained roads, streets, shoulders, and rights-of-way over which the board of county road commissioners, the county board of commissioners, or the municipality has jurisdiction. The immunity provided by this subsection does not apply to actions that constitute gross negligence. As used in this subsection, "gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

(12) In a court action in this state, if competent evidence demonstrates that a vehicle that is permitted to operate on a road or street pursuant to the code was in a collision with an ORV required to be operated on the far right of the maintained portion of a road or street pursuant to an ordinance adopted under subsection (2), (3), or (5), the operator of the ORV shall be considered prima facie negligent.

(13) A violation of an ordinance described in this section is a municipal civil infraction. The ordinance may provide for a maximum fine of not more than \$500.00 for a violation of the ordinance. In addition, the court shall order the defendant to pay the cost of repairing any damage to the environment, a road or street, or public property damaged as a result of the violation.

(14) The treasurer of the local unit of government shall deposit fines collected by that local unit of government under section 8379 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8379, and subsection (13) and damages collected under subsection (13) into a fund to be designated as the "ORV fund". The legislative body of the local unit of government shall appropriate revenue in the ORV fund as follows:

(a) Fifty percent to the county sheriff or police department responsible for law enforcement in the local unit of government for ORV enforcement and training.

(b) Fifty percent to the board of county road commissioners or, in the case of a city or village, to the department responsible for street maintenance in the city or village, for repairing damage to roads or streets and the environment that may have been caused by ORVs and for posting signs indicating ORV speed limits or indicating whether roads or streets are open or closed to the operation of ORVs under this section.

(15) As used in this section:

(a) "Eligible county" means any of the following:

(i) Oceana, Newaygo, Montcalm, Gratiot, Saginaw, Tuscola, or Sanilac county or a county lying north thereof, including all of the counties of the Upper Peninsula.

(ii) St. Clair county.

(b) "Local unit of government" means a county, township, or municipality.

(c) "Municipality" means a city or village.

(d) "Road" means a county primary road or county local road as described in section 5 of 1951 PA 51, MCL 247.655.

(e) "Street" means a city or village major street or city or village local street as described in section 9 of 1951 PA 51, MCL 247.659.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2008, Act 240, Imd. Eff. July 17, 2008;—Am. 2009, Act 175, Imd. Eff. Dec. 15, 2009;—Am. 2011, Act 107, Imd. Eff. July 19, 2011.

Popular name: Act 451

Popular name: NREPA

Popular name: Off-Road Vehicle Act

Popular name: ORV

COUNTY OF TUSCOLA

OFF ROAD VEHICLE ORDINANCE - RESTATED

AN ORDINANCE TO AMEND THE OFF ROAD VEHICLE ORDINANCE ADOPTED BY THE COUNTY OF TUSCOLA BOARD OF COMMISSIONERS ON FEBRUARY 14, 2012 BY RESTATING SAID ORDINANCE IN ITS ENTIRETY FOR THE PURPOSE OF PROMOTING THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE INHABITANTS OF TUSCOLA COUNTY; An ordinance adopted AND for the purpose of authorizing and regulating the operation of off road vehicles (ORVs) on roads in Tuscola County, for the purpose of providing penalties for the violation thereof, and for the distribution of public funds resulting from those penalties pursuant to 2011 PA 107, MCL 324.81131.

THE COUNTY OF TUSCOLA ORDAINS:

Section 1. As used in this ordinance, the following definitions shall apply:

- a) "County" means the County of Tuscola.
- b) "Driver license" means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under chapter III of the Michigan vehicle code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- c) "Operate" means to ride in or on, and be in actual physical control of the operation of an ORV.
- d) "Operator" means a person who operates or is in actual physical control of the operation of an ORV.
- e) "ORV" means a motor driven off road recreation vehicle capable of cross country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes, but is not limited to, a multitrack or multiwheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel, or 4-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV or vehicle does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.
- f) "Road" means a county primary road or county local road as described in section 5 of 1951 PA 1951, MCL 247.655.
- g) "Road Commission" means the Board of County Road Commissioners for the

County of Tuscola.

- h) "Safety certificate" means a certificate issued pursuant to 1994 PA 451 as amended, MCL 324.81129, or a comparable ORV safety certificate issued under the authority of another state or a province of Canada.
- i) "Street" means a city or village major street or village local street as described in section 9 of 1951 PA 51, MCL 247.659.
- j) "Township" means an individual township within the County of Tuscola.
- k) "Township board" means a board of trustees of any township within the County of Tuscola.
- l) "Visual supervision" means the direct observation of the operator with the unaided or normally corrected eye, where the observer is able to come to the immediate aid of the operator.

Section 2. An ORV may be operated on the far right of the maintained portion of a road within the County with these exceptions:

- a) ~~Provided however, that~~ In the event that either the Road Commission has CLOSED, or in the event a Township has adopted an Ordinance or Resolution which CLOSED, certain road(s) to ORV use, pursuant to MCL 324.81131(4), operation otherwise permitted under this Ordinance shall not be considered authorized, with respect to such closed road(s).
- B) NOTWITHSTANDING ANYTHING IN THIS ORDINANCE TO THE CONTRARY, AN ORV MAY BE OPERATED ON THE FAR RIGHT OF THE MAINTAINED PORTION OF A COUNTY ROAD FOR THE LIMITED PURPOSES OF INGRESS AND EGRESS, WHERE SUCH ROAD HAS BEEN CLOSED BY THE ROAD COMMISSION AND WHERE SUCH INGRESS AND/OR EGRESS IS NECESSARY TO CONNECT TO A DESTINATION OR THE NEAREST AUTHORIZED ROUTE UPON WHICH ORVS ARE PERMITTED TO TRAVEL.**
- bC) This Ordinance is not intended to authorize the operation of an ORV on a street or highway which is under jurisdiction of a municipality, nor upon a State Trunkline Highway.

Section 3. The Road Commission may close no more than 30% of the total linear miles of roads in the County to protect the environment or if the operation of ORVs pose a particular and demonstrable threat to public safety. The Road Commission may not close a municipal street to ORVs opened under MCL 324.81131 subsection 5.

Section 4. An ORV may not be operated on the road surface, roadway, shoulder or right-of-way of any state or federal highway in the County.

Section 5. Except as set forth herein or otherwise provided by law, an ORV meeting all of the following conditions may be operated on a road or street in the County:

- a) At a speed of no more than 25 miles per hour or a lower posted ORV speed limit.
- b) By a person not less than ~~12~~16 years of age.
- c) With the flow of traffic.
- d) In a manner which does not interfere with traffic on the road or street.
- e) Traveling single file except when overtaking and passing another ORV.
- f) When visibility is not substantially reduced due to weather conditions.
- g) While displaying a lighted headlight and lighted taillight at all hours.
- h) While the operator and each passenger is wearing a crash helmet and protective eyewear approved by the United States Department of Transportation unless the vehicle is equipped with a roof that meets or exceeds standards for a crash helmet and the operator and each passenger is wearing a properly adjusted and fastened seat belt.
- i) With a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- j) While the ORV is equipped with a spark arrester type United States Forest Service approved muffler in good working order and in constant operation.
- k) Pursuant to noise emission standards defined by law.

Section 6. A child less than 18 years of age shall not operate an ORV on a road in the County unless the child is in possession of a valid driver license or under the direct visual supervision of a parent or guardian and the child has in his or her immediate possession a Michigan issued ORV safety certificate or a comparable ORV safety certificate issued under the authority of another state or a province of Canada.

Section 7. Unless a person possesses a valid driver's license, a person shall not operate an ORV on a Road or Street in the County if the ORV is registered as a motor vehicle and is either more than 60 inches wide or has three wheels.

Section 8. The Road Commission, the County Board of Commissioners, and the County are immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation or use of an ORV on maintained or unmaintained roads, streets, shoulders, and rights-of-way over which the Road Commission or the County Board of Commissioners has jurisdiction.

Section 9. In a court action in this state, if competent evidence demonstrates that a vehicle that is permitted to operate on a road or street pursuant to the code was in a collision with an ORV required to be operated on the far right of the maintained portion of a road or street pursuant to this ordinance, the operator of the ORV shall be considered prima facie negligent.

Section 10. Any person who violates this Ordinance is guilty of a municipal civil infraction and may be ordered to pay a civil fine of not more that \$500.00.

Section 11. In addition to the penalties under Section 10 of this Ordinance, a court may order a person who causes damage to the environment, a road or other property as a result of the operation of an ORV to pay full restitution for that damage above and beyond the penalties paid for civil fines.

Section 12. The County Treasurer shall deposit all fines and damages collected under this ordinance into a fund to be designated as the ORV fund. The County Board of Commissioners shall appropriate revenue in the ORV fund as specified in MCL 324.81131 (14):

- a) Fifty percent to the Road Commission for repairing damage to roads and the environment that may have been caused by ORVs, and for posting signs indicating ORV speed limits, or indicating whether roads are opened or closed to the operation of ORVs.
- b) Fifty percent to the County Sheriff for ORV enforcement and training.

Section 13. An ORV may only be operated on Roads between the hours of 5:00 am and 10:00 pm.

Section 14. Should a portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 15. THIS ORDINANCE SUPERSEDES AND/OR REPEALS THE OFF ROAD VEHICLE ORDINANCE ADOPTED ON FEBRUARY 14, 2011.

Section 1516. This ordinance becomes effective after publication and expiration of the time prescribed by law.

This Ordinance is adopted by action of the County of Tuscola Board of Commissioners this
____ day of _____ 2013.

Chairperson
Tuscola County Board of Commissioners

CERTIFICATION

I, _____, Clerk of the County of Tuscola, do hereby certify that this is a true and
correct copy of the Ordinance duly adopted by the County of Tuscola Board of
Commissioners on the ____ day of _____ 2013.

Tuscola County Clerk



REGION VII AREA AGENCY ON AGING

YVONNE CORBAT, CHAIR

ANDREW ORVOSH, EXECUTIVE DIRECTOR

June 3, 2013

Thomas Bardwell, Chair
Tuscola County Board of Commissioners
125 W. Lincoln Street
Caro, MI 48723

Dear Chair Bardwell:

The Region VII Area Agency on Aging received an email last month from Timothy Sochor resigning his seat on the Advisory Council effective immediately (see attached). Please appoint another candidate within your county to fill the unexpired term (term ending March 31, 2014) of Timothy Sochor so Tuscola County will continue to be represented, and so Region VII will continue to be informed of activities and senior concerns within your county.

The role and purpose of the Advisory Council is to provide consumer input to the Area Agency. The AAA recommends the nomination of an individual who reflects one or more of the following:

- Is age 60 or older
- An older person of great social or economic need
- Represents handicapped or minority older persons
- Is active in the community and will be an advocate on behalf of older persons
- Has an interest in, and is committed to learning all aspects of the program and has the willingness to invest his/her time in accomplishing region-wide objectives
- Is willing to study issues affecting seniors of the region and advise the Board of Directors of the Area Agency for action
- Is a local elected official

Two preferred areas where individuals are needed for consumer input, if you have a nominee who is qualified, are the following:

- An older person of great social or economic need and/or represents veteran's organizations
- Represents social service and/or nutrition providers

We would appreciate your prompt attention to this matter. Please inform us of the name, address and phone number of your appointed representative so we can notify him/her of our next meeting date. If you have any questions, please feel free to contact me.

Sincerely,

Andrew Orvosh
Executive Director

AO/sg

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

Sue Gittins

From: Timothy Sochor [sohort@outlook.com]
Sent: Monday, May 20, 2013 4:21 PM
To: gittinss@region7aaa.org
Subject: Resignation

Attn Region VII AAA:

I feel it necessary to resign my position as Advisor for the Tuscola County Senior Dining Centers. I have moved to Helena, Ohio.

Suzanne and I will be married after we go through six weeks of marriage counseling. We are planning to be married in the Methodist church in Gibsonburg July 5 2013, where she has attended for the past 58 years.

It has been a pleasure to work in this capacity for Region VII. I am sorry I could not help longer. Although, I am glad I was able to keep you abreast of the activities and programs the Dining Centers are employing. I am also glad I was capable of informing them of the services Region VII provides.

I feel the Seniors are enjoying making new friends and passing the time in stimulating conversation with each other. They also enjoy playing different games along with engaging in other activities such as quilting, crocheting, walking for exercise and eating.

I have learned many valuable techniques about the care of the elderly for which I am grateful. I will always be indebted to the others, on the board, whose wisdom and insight helped me see many situations from a different perspective.

Sincerely,
Tim Sochor

RECEIVED
MAY 20 2013
REGION VII AREA
AGENCY ON AGING



Municipal Employees' Retirement System of Michigan
 1134 Municipal Way • Lansing, MI 48917
 800.767.2308 • Fax: 517.703.9706
 www.mersofmich.com

#4

2013 Officer and Employee Delegate Certification Form

MERS 67th Annual Meeting | October 1 – 3, 2013 | Grand Traverse Resort | Acme, Michigan

Please print clearly • Retain a copy for your records

IMPORTANT: If you are registering for MERS Annual Meeting as a voting delegate, your registration is not confirmed until this form has been received by MERS.

In order to be a delegate representative to MERS Annual Meeting, you must be a member of MERS defined as an individual on payroll who is enrolled in MERS Defined Benefit Plan, Hybrid Plan, or Defined Contribution Plan.

1. Officer (and alternate) delegate information

The officer delegate (or alternate) shall be a MERS member who holds a department head position or above, exercises management responsibilities, and is directly responsible to the legislative, executive, or judicial branch of government.

Officer Delegate name _____

Officer Alternate name _____

Officer delegate and alternate listed above were appointed to serve at the 2013 MERS Annual Meeting by official action of the governing body (or chief judge for a participating court) on _____, 2013.

2. Employee (and alternate) delegate information

The employee delegate (or alternate) shall be an employee member who is not responsible for management decisions, receives direction from management and, in general, is not directly responsible to the legislative, executive, or judicial branch of government.

Employee Delegate name _____

Employee Alternate name _____

Employee delegate and alternate listed above were elected to serve at the 2013 MERS Annual Meeting by secret ballot election conducted by an authorized officer on _____, 2013.

3. Certification

NOTE: Certification should be signed by a member of the governing body or chief administrative officer, or the chief judge for a participating court, and municipality number provided in space at the bottom of certification box.

I certify that the officer delegate and alternate selections are true and correct, and the secret ballot election results for employee delegate and alternate are true and correct.

Employer/municipality name*		Municipality number*	Email address	
Employer address		Employer city	Employer state	Employer zip code
Signature of authorized authority*		Printed name		
Title of authorized authority*			Date	

* Required field

Mike Hoagland

From: Lee, Eean [elee@zimco.net]
Sent: Monday, June 10, 2013 3:49 PM
To: Mike Hoagland
Subject: budget amendment - switches/workstations

Mike,

Every year we buy an ample amount of network switches to anticipate for hardware failure. We have a scheduled maintenance cycle to take older switches out of production and replace them with newer. Last year, we found a different model of switch that is significantly less expensive and are happy with its performance. We have enough devices to get us through the rest of this year.

In an aggressive effort to replace more of our aging workstations, I would like to amend 2 lines of my budget. Combine our Network Switch budget (244-259-982-003) with our PC Workstations budget (244-259-982-004). This would yield 15 total workstations to replace in departments. Both budgets will be adjusted in the 2014 year, but not as drastically.

Please let me know your thoughts.

Thanks,

 Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of this picture from the Internet.

Eean Lee
IT Director



Phone: 989-652-3476
Fax: 989-652-4959

This E-mail is confidential. It may also be legally privileged. If you are not the addressee you may not copy, forward, disclose or use any part of it. If you have received this message in error, please delete it and all copies from your system and notify the sender immediately by return E-mail. Internet communications cannot be guaranteed to be timely, secure, error or virus-free. The sender does not accept liability for any errors or omissions.

 Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of this picture from the Internet.

6/14/2013

State of Michigan
County of Tuscola
Board of Commissioners

Resolution Supporting the Designation of an Agricultural Processing Renaissance Zone for Dairy Farmers of America

Whereas, the Tuscola County Board of Commissioners desires to expand economic activity, and increase the number of jobs and income available to residents of the area; and

Whereas, certain areas with our County have suffered from depressed economic activity for some time, including low incomes, lack of employment opportunities, and depressed business expansion; and

Whereas, the designation of the selected area (more particularly described below) AS AN AGRICULTURAL Processing Renaissance Zone pursuant to Public Act 376 of 1996, as amended (the "Act") will help attract new business, increase economic development, and expand agricultural business and employment opportunities in the Village of Cass City and surrounding communities for years to come; and

Whereas, the local units of government, local citizens, and local businesses are committed to improving the area, should an Agricultural Processing Renaissance Zone be designated; and

Whereas, the commitment extends to making new investments and marketing of the area to other investors; and

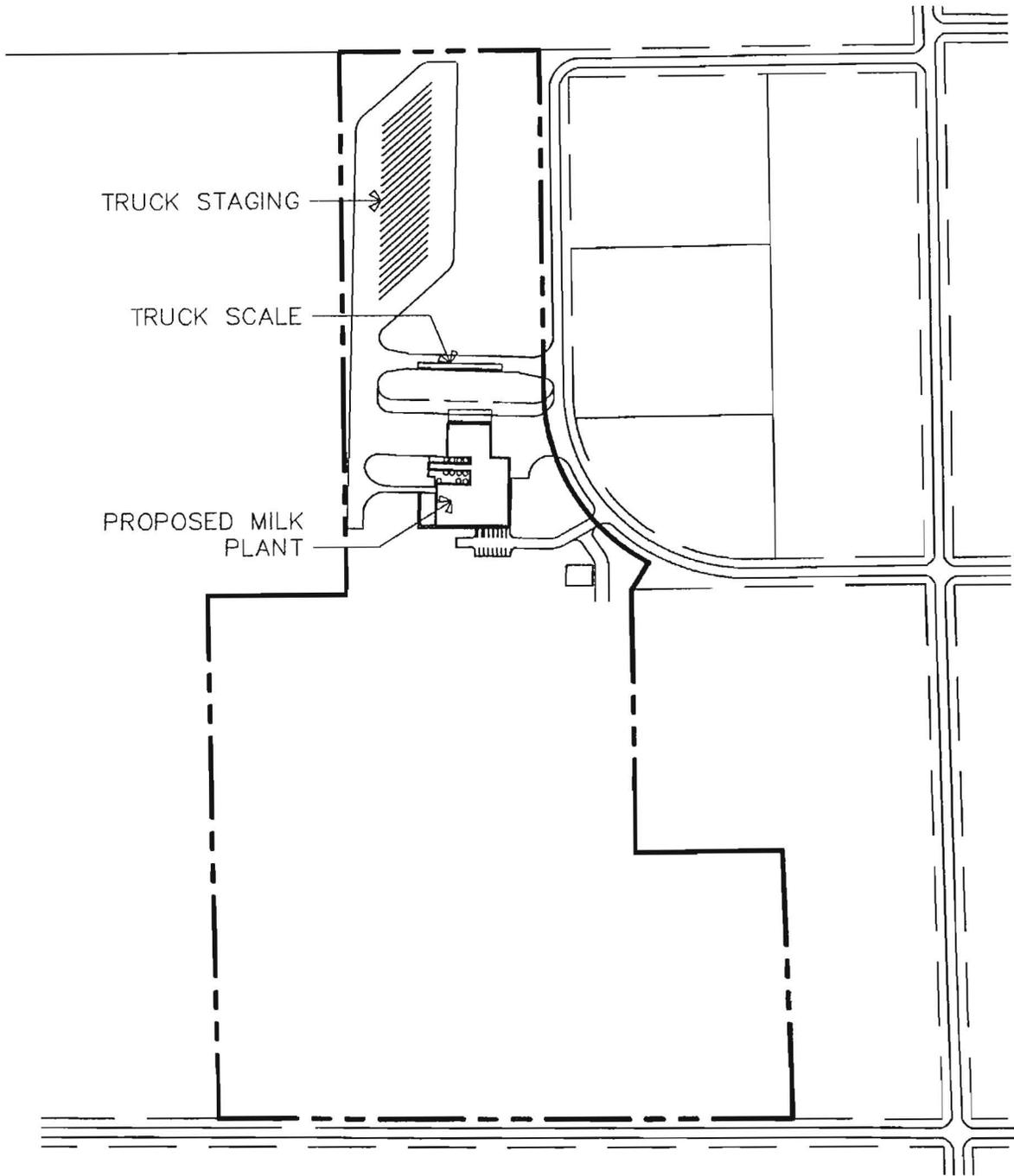
Whereas, should the area be designated an Agricultural Processing Renaissance Zone, persons and property within that zone will be exempt from taxes levied by the township, county, and other units of government as provided by the Act, which will provide a stimulus to development in the area; and

Whereas, no payment in lieu of tax of any kind is being received for support of the proposed Agricultural Processing Renaissance Zone.

See Exhibit A for Agricultural Processing Renaissance Zone Legal Description and Parcel ID

NOW, THEREFORE, BE IT RESOLVED:

That if an Agricultural Processing Renaissance Zone designation is granted to the land described by the parcel number(s) and legal description, then persons and property within the Agricultural Processing Renaissance Zone shall be exempt from taxes levied by the Village as provided in the Act for a period of 15 years beginning June 27, 2013 through December 31, 2027.



TRUCK STAGING

TRUCK SCALE

PROPOSED MILK
PLANT



PROPOSED MILK PLANT, CASS CITY, MI

SCALE: 1"=300'





429 Montague Avenue • Caro, MI 48723
PH. (989) 673-4121 • Fax (989) 673-2031

#7

- BAD AXE PH. (989) 269-9502
Fax (989) 269-6166
- LAPEER PH. (810) 664-7133
Fax (810) 664-2649
- SANDUSKY PH. (810) 648-4497
Fax (810) 648-5422

MEMORANDUM

TO: Thumb Area Senior Services Advisory Council Members
FROM: Leonard Klisz, Chairperson
DATE: June 12, 2013
RE: Next Meeting Date

The next Tri-County Senior Advisory Council meeting is scheduled for:

Wednesday - June 26, 2013

HDC Board Room

1:30 p.m.

If you cannot attend this meeting, please call at least one day prior to the meeting (if possible) to one of the phone numbers listed below:

Shelley Beedle (989) 673-4121
Toni James at (989) 672-1762
Toll free number 1-800-843-6394

Thank you.

tj

THUMB AREA SENIOR ADVISORY COUNCIL

Agenda
June 26, 2013
1:30 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call/Introductions
- IV. Public Comment
- V. Approval of Minutes
- VI. New Business
- VII. Senior Services Report – Units/Program/Fiscal
- VIII. Other Business
- IX. Next Meeting Date – July 24, 2013
- X. Adjournment

**HUMAN DEVELOPMENT COMMISSION
Thumb Area Senior Advisory Council**

May 22, 2013

1:30 p.m.

PRESENT: Leonard Klisz, Larry Schmitt, Andy Lakatos; Carol Dorman; Sandra Williamson; Jim Janowiak, Mary Ann Sugg, Robert Wood

ABSENT: Roger Allen, Pat LaBair, Jeremy Tietz

STAFF: Brian Neuville, Tammy Ewald, Toni James

CALL TO ORDER

Meeting was called to order by Chairman Leonard Klisz at 1:30 p.m. and the Pledge of Allegiance followed. Roll call was taken and a quorum established.

APPROVAL OF MINUTES

Motion was made by Andy Lakatos, seconded by Larry Schmitt, to approve the minutes of the April 24, 2013 meeting as mailed. Motion carried.

NEW BUSINESS

The Fiscal Year 2014 Region VII AAA funding allocation, which was reflective of the new Census Data, was presented. It was noted that the proposal for the continued operation of Senior Services in the upcoming Fiscal Year was due by June 14, 2013.

SENIOR SERVICES REPORT

Brian Neuville, HDC Deputy Director, highlighted the Summary of Tri-County Senior Services for the period October 1, 2012 through April 30, 2013, as well as the April Donation Reports for the three counties. He reported that the agency should be at 58% served and also explained the importance of client contributions.

Adult Day Services	41%	Homemaking Services	55%
Caregiver	42%	In-Home Respite Care	71%
Case Coordination and Support	67%	Outreach	49%
Chore Services	43%	Personal Care	64%
Congregate Meals	51%	Transportation	95%
Home Delivered Meals	58%		
Congregate Meals Served YTD	20,685	Home Delivered Meals Served YTD	100,184.5

Motion by Sandra Williamson, seconded by Andy Lakatos, to approve the Tri-County Senior Services report as presented. Motion carried.

OTHER BUSINESS

Mr. Neuville provided an update on the Sanilac County Central Kitchen. He also explained the agency's request which was submitted to Region VII AAA requesting a transfer of funds from Congregate Meals to the Home Delivered Meals Program, as well as a transfer from Adult Day Services to In-Home Respite Care.

NEXT MEETING DATE

The next Thumb Area Senior Advisory Council meeting is scheduled for June 26, 2013.

ADJOURNMENT

The meeting adjourned at 2:10 p.m.

Respectfully submitted,

Toni R. James
Support Technician

May 23, 2013

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, May 23, 2013 at 8:00 A.M.

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

Also present: County Commissioner Roger Allen.

Motion by Parsell seconded by Matuszak that the minutes of the May 9, 2013 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$91,869.71 and bills in the amount of \$194,900.08 covered by vouchers #13-15 and #13-16 were presented and audited.

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

Brief Public Comment Segment:

(1) Mr. Ted Shunn appeared before the Board regarding the trees at his property along Kirk Road. Mr. Shunn would be willing to remove the trees if the utility company would lower the power line. After discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk that the Road Commission contact the utility company and request to lower the power line in order for Mr. Ted Shunn to remove the trees at his property along Kirk Road. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

(2) Mr. Lawrence Corell appeared before the Board regarding ditching and drainage on Chantiny Road. Superintendent/Manager Jay Tuckey reported that the Dayton Township Board is aware of the drainage issue.

Motion by Sheridan seconded by Parsell that the Tuscola County Road Commission increase the price of mineral brine to \$200.00 per load. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Matuszak that bid item #37b for Elkland Township, and bid items #17 and #40 for Indianfields Township of the 2013 bituminous resurfacing bids be awarded to the low bidder, Albrecht Sand & Gravel Company. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell that bid item #9 for the Caro Garage Stockpile, and bid items #10, #11, #12, #13, #14 and #15 for Koylton Township of the 2013 Furnishing & Placing Crushed Limestone bids be awarded to the low bidder, Burroughs Materials. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan that the agreement between Juniata Sand & Gravel and the Tuscola County Road Commission allowing Designated & Special Designated All-Season loads on Washburn Road from its establishment south to Saginaw Road be extended for two (2) years with the conditions specified in the agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

County Highway Engineer Zaverucha reported to the Board that the Michigan Department of Transportation will be conducting a construction project on M-46 between Vassar Road and Sheridan Road in the year 2014.

Zawerucha also reported that MDOT is requesting a detour route on county roads during the railroad crossing reconstruction portion of this project between Kirk Road and Higgins Road. MDOT Engineer Rachel Phillips was also in attendance and explained the scope of the project which should be completed within two weeks. The Board discussed the proposed detour route, as well as the impact of truck traffic. After further discussion, the following motion was introduced:

Motion by Parsell seconded by Sheridan to approve the request from the Michigan Department of Transportation for a detour route during their construction project on M-46 between Vassar Road and Sheridan Road in the year 2014, and that during the railroad crossing reconstruction portion of this project the designated detour route shall be Vassar Road to M-81 to Ringle Road, and to waive the Class B Load Rating on Ringle Road during the two week duration of this project; all with the understanding that the Michigan Department of Transportation will apply pavement marking and any necessary shoulder repairs on the designated detour route. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board further discussed the Tuscola Wind II Project and the proposed Road Agreement with NextEra Energy Resources. County Highway Engineer Zawerucha presented to the Board the latest revised version of the Road Agreement, along with further recommended revisions. Mr. Mark Trumbauer with NextEra Energy Resources was also in attendance at the meeting. The Board reviewed the proposed agreement and the recommended revisions. After further review and discussion, the following motion was introduced:

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

Management and the Board further discussed the Tuscola County O.R.V. Ordinance. County Commissioner Roger Allen and Tuscola County Controller Mike Hoagland were in attendance at the meeting. Mr. Hoagland reported that the Tuscola County Board requests that the Road Commission revise the section of the ordinance in regards to closing the Primary Road System to O.R.V. traffic. The Tuscola County Board recommends a revision to allow residents who live on a primary road, limited access to that road until reaching a local road allowing O.R.V. traffic. The Board reiterated their motion from the April 25, 2013 regular meeting which stated that the Tuscola County Road Commission would consider reviewing the Primary Road System for O.R.V. traffic if Section 5, Line (b) of the Tuscola County O.R.V. Ordinance was amended to read: By a person not less than 16 years of age with a valid driver's license and/or an O.R.V. safety certificate. After further discussion, the Tuscola County Board will further discuss the recommended revision, and report back to the Tuscola County Road Commission Board.

Director of Finance Michael Tuckey presented to the Board the 2012 Annual Financial Report. After review and discussion, the following motion was introduced:

Motion by Zwerk seconded by Matuszak that the 2012 Annual Financial Report be approved as presented. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board further discussed the State Highway Foreman position. Superintendent/Manager Jay Tuckey reported to the Board that the Michigan Department of Transportation has approved the new job description for the position. Management will report back to the Board regarding filling the position at the next regular meeting.

Motion by Parsell seconded by Sheridan granting Troy Daily a Medical Leave of Absence through July 10, 2013, all in accordance with the Union Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 10:00 A.M. the Board met with various township officials and county commissioners to discuss roadwork completed in 2012 and roadwork to be completed in 2013.

The following township officials were present for the roadwork discussion: Akron Township Supervisor Don Schmuck, Almer Township Supervisor Jim Miklovic, Almer Township Trustee Charles Dennis, Columbia Township Supervisor Ed Spannagel, Elkland Township Supervisor Dan Erla, Ellington Township Supervisor Duane Lockwood, Elmwood Township Supervisor Chris Graff, Juniata Township Supervisor Neil Jackson, Kingston Township Supervisor Jesse Zimba, Koylton Township Supervisor Doug Kramer, and Wisner Township Supervisor James MacFarlane.

The following county commissioners were present for the roadwork discussion: District 1 Commissioner Roger Allen.

Also, the following Road Commission employees were present for the roadwork discussion: Akron Division Foreman David Davidson, Deford Division Foreman Al Jacobs, Vassar Division Foreman Ron Spaulding, and Assistant Engineer Tim Brown.

All in attendance reviewed and discussed the 2012 Annual Financial Report. The following topics were also discussed: 2013 planned primary roadwork, 2013 federal aid projects, Local Road Improvement and Maintenance & Township Allowance Policy, procedures for a successful local road project, Local Road Brush Spray Policy, and current trends of the Michigan Transportation Fund. Other discussion included Old State Road with the M-25 bridge construction project, and the Tuscola County O.R.V. Ordinance.

Motion by Sheridan seconded by Matuszak that the meeting be adjourned at 11:35 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board

May 30, 2013

A special meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, May 30, 2013 at 10:00 A.M.

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

Absent: Road Commissioner Mike Zwerk.

At 10:00 A.M. the Board met with various township officials and county commissioners to discuss roadwork completed in 2012 and roadwork to be completed in 2013.

The following township officials were present for the roadwork discussion: Arbel Township Supervisor Ken Panek, Dayton Township Supervisor Bob Cook, Denmark Township Supervisor Don Petro, Fremont Township Supervisor Henry Wymore, Fremont Township Treasurer Charles Sherwin, Novesta Township Supervisor Ralph Zinnecker, Vassar Township Supervisor Bob Forbes, and Wells Township Supervisor Melvin Witkovsky.

The following county commissioners were present for the roadwork discussion: District 3 Commissioner Christine Trisch.

Also, the following Road Commission employees were present for the roadwork discussion: Akron Division Foreman David Davidson, Deford Division Foreman Al Jacobs, Vassar Division Foreman Ron Spaulding, and Assistant Engineer Tim Brown.

All in attendance reviewed and discussed the 2012 Annual Financial Report. The following topics were also discussed: 2013 planned primary roadwork, 2013 federal aid projects, Local Road Improvement and Maintenance & Township Allowance Policy, procedures for a successful local road project, Local Road Brush Spray Policy, and current trends of the Michigan Transportation Fund. Other discussion included: local road dust control, competitive bidding, contracting roadwork, and permit violations.

Motion by Parsell seconded by Sheridan that the meeting be adjourned at 12:15 P.M. Sheridan, Matuszak, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board



10

MICHIGAN MUNICIPAL
RISK MANAGEMENT
A U T H O R I T Y

May 29, 2013

Undersheriff Glen Skrent
Tuscola County Sheriff's Office
420 Court Street
Caro, MI 48723

RE: RAP

Dear Undersheriff Skrent:

In accord with your RAP application and documentation for your Security Camera System project, I am pleased to enclose our payment in the amount of \$27,707.

I commend Tuscola County and yourself for taking this risk management initiative.

Sincerely,

A handwritten signature in black ink, appearing to be "CS" with a flourish.

Charles Schwab
Director of Risk Management

CS/ks

cc: Mike Hoagland, Tuscola County ✓
Ibex Insurance Agency

Enclosure



MICHIGAN MUNICIPAL
RISK MANAGEMENT
AUTHORITY

June 10, 2013

Glen Skrent
Tuscola County Sheriff's Office
420 Court Street
Caro, MI 48723

RE: RAP

Dear Mr. Skrent:

I am pleased to inform you that the RAP application for your In Car Camera project was approved. The Committee authorized 1/3 funding up to a maximum of \$1,008 for your project.

RAP funds are issued on a reimbursement basis. Payment will be based upon confirmation from Tuscola County of their payment of the project in full. **Please send proof of payment along with invoice copies or other documentation of the expenditure.** Such documentation is needed in order to verify that the grant allotted is being used for the project described in your application.

Payment of RAP funds is contingent upon Tuscola County remaining a Member of MMRMA and in compliance with the Joint Powers Agreement. Your reimbursement is valid for six months from the date of this letter.

Sincerely,

Charles Schwab
Director of Risk Management

CS/clk

cc: Mike Hoagland, Tuscola County
Ibex Insurance Agency

BOARD OF DIRECTORS

MICHAEL BOSANAC Chair Monroe County	FABIAN KNIZACKY Vice Chair Mason County	KATHY REVELS Secretary City of Mason	RICHARD BURKE City of Ishpeming	CURTIS HOLT City of Wyoming	DOUGLAS JOHNSON Otsego County	PHIL LAJOY Charter Township of Canton	RICHARD REAUME Charter Township of Plymouth	JAMES SCHARRET City of Southfield	WILLIAM WILD City of Westland
---	---	--	------------------------------------	--------------------------------	----------------------------------	---	---	--------------------------------------	----------------------------------

MICHAEL L. RHYNER, Executive Director



MICHIGAN MUNICIPAL
RISK MANAGEMENT
A U T H O R I T Y

June 10, 2013

Glen Skrent
Tuscola County Sheriff's Office
420 Court Street
Caro, MI 48723

RE: RAP

Dear Mr. Skrent:

I am pleased to inform you that your RAP application was approved. The Committee authorized 50% funding up to \$400 based upon the review of your taser project by Risk Consultant Mike Bertha.

RAP funds are issued on a reimbursement basis. Payment will be based upon confirmation from Tuscola County of their payment of the project in full. **Please send proof of payment along with invoice copies or other documentation of the expenditure.** Such documentation is needed in order to verify that the grant allotted is being used for the project described in your application.

Payment of RAP funds is contingent upon Tuscola County remaining a Member of MMRMA and in compliance with the Joint Powers Agreement. Your reimbursement is valid for six months from the date of this letter.

Sincerely,

Charles Schwab
Director of Risk Management

CS/clc

cc: Mike Hoagland, Tuscola County
Ibex Insurance Agency

BOARD OF DIRECTORS

MICHAEL BOSANAC
Chair
Monroe County

FABIAN KNIZACKY
Vice Chair
Mason County

KATHY REVELS
Secretary
City of Mason

RICHARD BURKE
City of Ishpeming

CURTIS HOLT
City of Wyoming

DOUGLAS JOHNSON
Otsego County

PHIL LAJOY
Charter Township
of Canton

RICHARD REAUME
Charter Township
of Plymouth

JAMES SCHARRET
City of Southfield

WILLIAM WILD
City of Westland

MICHAEL L. RHYNER, Executive Director

Tuscola County Plan Review

The following summarizes relevant goals, objectives and other information from regional and county-wide plans.

Tuscola County General Development Plan (2008)

General Goals and Policies

1. All land use and development decisions shall be based on sound land planning principles that will ensure the continued health, safety and general welfare of the residents of Tuscola County.
2. All the positive elements of the general environment in Tuscola County – those items that comprise the character of this area/ community – will be maintained and preserved, keeping Tuscola County a desirable place in which to live.
3. Decision-makers at all levels throughout Tuscola County will strive for a well-balanced pattern of land uses. These land uses shall be grouped in a compact fashion, in proper relationship to each other, and capable of meeting present and future community needs, in an efficient, economical and environmentally practical fashion.
4. Sound and imaginative redevelopment will be encouraged, consistent with other County goals supporting orderly, planned and well-organized land use.
5. Growth is to be managed, not to inhibit it but rather to coordinate it as a function of the ability of a given community to accommodate it in terms of the availability and adequacy of public safety services, public utilities, streets, community facilities and other requirements.
6. The Tuscola County General Development Plan will serve to establish a decision-making framework for the coordinated development of the County and achieve a fiscally, socially and environmentally responsible land use pattern consistent with local and County objectives.

The General Development Plan Map is provided on the next page.

Eastern Michigan Council of Governments Comprehensive Economic Development Strategy (CEDS)

Economic Growth Strategy Objectives, Policies and Actions

Regional Collaboration and Leveraging of Assets

- Objective: Work toward creating a more positive image of the Region by leveraging our Regional Assets.
 - Policy: All local governments shall use appropriate tools to place greater emphasis on containing urban growth to existing urban centers and those areas already fully serviced within the Region. Growth and redevelopment in existing developed areas with full services will be supported prior to supporting growth and development elsewhere.

Facilitate a Globally Competitive and Positive Business Environment

- Objective: Encourage & promote entrepreneurs to ensure the Region's future economic growth and stability
 - Policy: Develop Regional food systems infrastructure that will support economic development initiatives and other EMCOG programs.
 - Actions: Advocate and educate for actions to allow for a deep sea port within the Region.

Support Educational Institutions and Programs to Attract, Train and Educate a Workforce to Support the Region's Economy

(No relevant information)

Quality of Life

- Objective: Improve the quality of life through enhancement of the arts, culture, tourism, and recreation opportunities within the Region and by raising the standard of living.
- Objective: Promote our vibrant cities and towns.
- Objective: Strengthen the Regional economy, including but not limited to improving opportunities for entrepreneurs, by expanding and incentivizing the economic base of the Region's towns and rural communities.
- Objective: Direct development towards and strengthen existing communities.
- Objective: Create distinctive and attractive walkable communities and neighborhoods with a strong sense of place.
- Objective: Preserve and protect open green and blue space, farmland, natural beauty and critical environmental areas; including sustainable management of the same.
- Objective: Promote our waterways and waterfronts.

- Objective: Create and improve the range of housing opportunities and choices to meet the social and economic needs of the Region.
- Objective: Improve Regional air and water quality and promote development that sustains and enhances the environment including protection of our great asset of the Lake Huron shoreline; a part of the Great Lakes system.
 - Policy: Urban development is to be directed away from hazardous areas, sensitive environmental areas, resource extraction areas, and farmlands, to reduce land use conflicts and development encroachments.
 - Policy: Proposals for new growth areas, major plan amendments and major infrastructure projects shall assess the following:
 - The impact on existing services and facilities and the ability of local governments and agencies to provide services in a timely, affordable, and effective manner; and
 - The short and long-term fiscal impact of the development on the community.
 - Policy: Residential development in existing or new urban areas should include a range of housing type, density, and affordability options.
 - Action: Provide and/or facilitate the following place making and economic development educational workshop opportunities for the Region:
 - Utilization of land banks for redevelopment of downtowns
 - Market benefits of a downtown development district
 - Beautification strategies
 - Rental rehab and facade programs availability and opportunities

Maintain and Responsibly Expand Infrastructure Necessary for Both Economic and Community Development

- Objective: Coordinate future economic growth with the provision of adequate and affordable infrastructure.
- Objective: Improve transportation systems and related infrastructure by reducing traffic congestion and encouraging more transportation choices, including regional transit systems.
- Objective: Establish and maintain a vision of and goals for the Region's broadband infrastructure and related services.
 - Policy: The efficiency of the transportation system should be maximized by:
 - Integration of land use and transportation planning;
 - Make more efficient use of the existing infrastructure;
 - Invest in transit and other travel demand management programs;
 - Provide safe and convenient places to walk, bike, and access transit;4
 - Support initiative which reduce the need to travel and support other modes of travel such as telecommuting, pedestrian-friendly communities, mixed-use developments;

6/10/2013

- Oversee and coordinate the Rural Task Forces transportation planning public participation.
- Action: Continue to pursue and extend broadband connectivity throughout the Region.
- Action: Advocate and educate for actions to allow for a deep sea port within the Region.

Place	Square Miles (Land Area)	Population	Housing Units	H.U./Mile ²	% Greater Than County H.U./Mile ²	Median Gross Rent	M.G.R. % of County Median Income	Median Home Value	% of County M.H.V.	Median Income
Tuscola County	803.13	55,729	24,451	30.44	0%	\$610	17%	\$106,300	100%	\$43,315
Akron township	52.75	1,503	775	14.69	-52%	\$645	18%	\$83,800	79%	\$40,125
Akron village	0.94	402	182	193.21	535%	\$630	17%	\$68,500	64%	\$22,454
Almer township	34.09	3,101	1,334	39.13	29%	\$850	24%	\$119,200	112%	\$59,643
Arbela township	33.46	3,070	1,220	36.46	20%	\$986	27%	\$110,000	103%	\$43,984
Caro city	2.79	4,229	1,987	712.49	2240%	\$570	16%	\$89,400	84%	\$25,734
Cass City village	1.78	2,428	1,177	662.31	2075%	\$564	16%	\$88,400	83%	\$38,500
Columbia township	35.98	1,284	553	15.37	-50%	\$655	18%	\$90,900	86%	\$48,750
Dayton township	35.60	1,848	1,042	29.27	-4%	\$809	22%	\$107,900	102%	\$36,815
Denmark township	35.27	3,068	1,368	38.78	27%	\$555	15%	\$117,300	110%	\$42,269
Elkland township	35.00	3,528	1,624	46.40	52%	\$563	16%	\$91,500	86%	\$37,050
Ellington township	35.44	1,332	551	15.55	-49%	\$1,006	28%	\$118,000	111%	\$50,391
Elmwood township	35.40	1,207	527	14.89	-51%	\$758	21%	\$101,800	96%	\$47,083
Fairgrove township	35.27	1,579	715	20.28	-33%	\$804	22%	\$84,900	80%	\$41,824
Fairgrove village	1.12	563	257	229.18	653%	\$688	19%	\$71,000	67%	\$38,958
Fostoria CDP	3.86	694	273	70.73	132%	\$569	16%	\$104,900	99%	\$52,321
Fremont township	35.02	3,312	1,434	40.95	34%	\$730	20%	\$111,000	104%	\$48,935
Gagetown village	0.98	388	171	174.26	472%	\$756	21%	\$71,700	67%	\$39,125
Gilford township	34.82	741	342	9.82	-68%	\$850	24%	\$106,300	100%	\$52,667
Indianfields township	33.75	6,048	2,678	79.35	161%	\$490	14%	\$107,000	101%	\$46,862
Juniata township	34.76	1,567	719	20.68	-32%	\$678	19%	\$115,100	108%	\$41,875
Kingston township	34.82	1,574	671	19.27	-37%	\$641	18%	\$102,300	96%	\$42,102
Kingston village	1.02	440	180	176.62	480%	\$594	16%	\$77,500	73%	\$33,304
Koylton township	34.91	1,585	669	19.16	-37%	\$723	20%	\$113,200	106%	\$43,477
Mayville village	1.13	950	432	380.90	1151%	\$578	16%	\$96,900	91%	\$37,135
Millington township	35.44	4,354	1,835	51.78	70%	\$619	17%	\$116,400	110%	\$51,151
Millington village	1.35	1,072	464	344.34	1031%	\$536	15%	\$92,700	87%	\$37,841
Novesta township	35.28	1,491	652	18.48	-39%	\$534	15%	\$96,400	91%	\$43,393
Reese village	1.35	1,454	690	512.19	1582%	\$554	15%	\$121,100	114%	\$40,781
Tuscola township	32.79	2,082	868	26.47	-13%	\$834	23%	\$121,700	114%	\$49,013
Unionville village	0.94	508	236	251.32	725%	\$668	19%	\$78,200	74%	\$50,089
Vassar city	2.12	2,697	1,154	543.94	1687%	\$499	14%	\$96,900	91%	\$40,833
Vassar township	35.05	4,093	1,668	47.60	56%	\$574	16%	\$106,600	100%	\$39,290
Watertown township	32.53	2,202	935	28.74	-6%	\$629	17%	\$115,700	109%	\$53,000
Wells township	34.26	1,773	749	21.86	-28%	\$592	16%	\$118,200	111%	\$42,500
Wisner township	19.32	690	368	19.05	-37%	\$783	22%	\$82,200	77%	\$46,397