

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
MEETING AGENDA**

**FRIDAY, AUGUST 16<sup>TH</sup>, 2013 – 7:00 A.M.\*\***

**\*\*Please Note Time Change\*\***

**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

**7:00 A.M.** Call to Order – Chairperson Bardwell  
Prayer – Commissioner Trisch  
Pledge of Allegiance – Commissioner Bardwell  
Roll Call – Clerk Fetting  
Adoption of Agenda  
Action on Previous Meeting Minutes (See Correspondence #1 and 2))  
Brief Public Comment Period  
Consent Agenda Resolution (See Correspondence #3)  
New Business  
    -Grant Application for Emergency Services Plan Update (See  
        Correspondence #4)  
    -Primary Road and Bridge Millage Transfer Requests  
    -Dispatch Group Purchasing

**7:30 A.M. Closed Session Labor Negotiations**

Old Business  
Correspondence/Resolutions

**COMMISSIONER LIAISON COMMITTEE REPORTS**

**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 7<sup>th</sup> 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

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

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 July 25, 2013 Full Board Minutes
- #2 July 19, 2013 Full Board Minutes
- #3 Consent Agenda Resolution
- #4 Emergency Services Plan Update Grant Application
- #5 July 18, 2013 Road Commission Minutes
- #6 Industrial Facilities Tax Exemption Request
- #7 Michigan Utility Scale Wind Farms
- #8 Lake County Resolution Opposing HB 4785 Public Health Code
- #9 July 30, 2013 Medical Care Commissioner's Report
- #10 July 17, 2013 Senior Advisory Council Minutes
- #11 Denmark Township Legal Case
- #12 Oceana County Resolution Regarding the Healthy Michigan Plan
- #13 Vassar Resolution Regarding Advanced Utility Meters
- #14 EPA Review of Request for Injection Permit Renewal
- #15 Affordable Care Act – Limit on Consumer Costs Delay
- #16 August 13, 2013 Committee of the Whole Minutes
- #17 Huron County Resolution Supporting SB 395 Amending Public Funded Health Insurance Contribution Act

*DRAFT*  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
July 25, 2013 Minutes  
H. H. Purdy Building

Commissioner Matthew Bierlen 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 25th day of July, 2013 to order at 7:33 o'clock a.m. local time.

Prayer – Commissioner Bierlein

Pledge of Allegiance – Commissioner Kirkpatrick

Roll Call - Clerk Fetting

Commissioners Present: District 1 – Roger Allen, District 3 – Christine Trisch,  
District 4 – Craig Kirkpatrick, District 5 – Matthew Bierlein

Commissioner Absent: District 2 – Thomas Bardwell

Also Present: Mike Hoagland, Jodi Fetting, Mary Drier, Mike Miller, Eean Lee, Steve Anderson, Bob Klenk, John Bishop, Tisha Jones, Dawn Bowden, Dan Skiver.

13-M-159

Motion by Kirkpatrick seconded by Trish to adopt the agenda as amended.  
Motion Carried.

13-M-160

Motion by Trish seconded by Kirkpatrick to adopt the meeting minutes from the July 13, 2013 and July 19, 2013 meetings. Motion Carried.

Brief Public Comment Period -

Bob Klenk - Updated Board regarding storm on Friday, July 19th and the number of calls received and handled.

John Bishop - Made the Board aware that letters are being sent by a third party company charging excessive fees to receive paperwork that can be obtained directly from the Register of Deeds office at a nominal cost.

Consent Agenda Resolution - None

New Business

-Off Road Vehicle Ordinance

13-M-161

Motion by Kirkpatrick seconded by Trisch that the Off Road Vehicle Ordinance amendment procedures as specified by corporate council be implemented including giving notice to appropriate parties and conducting a public hearing prior to voting to amend the ordinance. Motion Carried.

-Health Dept. Fee Schedule

13-M-162

Motion by Trisch seconded by Kirkpatrick that per the recommendation from the Health Officer and Board of Health that the immunization fee be changed as explained in the July 2013 Monthly Report from the County Health Officer. Motion Carried.

-Step 2 Request for Sheriff Records Clerk

13-M-163

Motion by Allen seconded by Kirkpatrick that per the July 18, 2013 letter of request from the Sheriff that Shannon Gwizdala be authorized to start at step 2 of the wage schedule which is \$14.11 per hour based on her length of service with the county. (Currently, she is earning \$15.06 per hour with no benefits and will now qualify for benefits as a full-time employee). Motion Carried.

-AFSCME Deputies Contract Extension Request

13-M-164

Motion by Trisch seconded by Allen that based on correspondence from union representatives for AFSCME deputies requesting a contract extension until December 31, 2013 be accepted without any other changes and all appropriate signatures are authorized. (Same contract extension is being provided to AFSCME deputies as was already provided to other union contracts settled for the December 31, 2012 to December 31, 2013 period.) Motion Carried.

-Medical Examiner Annual Report

13-M-165

Motion by Kirkpatrick seconded by Allen that the 2012 Medical Examiner Annual Report be received and placed on file. Motion Carried.

-MREC and Appraisal Study Update on Wind Energy

13-M-166

Motion by Kirkpatrick seconded by Allen that authorization is given to continue membership in the Michigan Renewable Energy Collaborative and continue paying the county's share of legal costs above the previous motion limiting expenses to \$15,000 (previous motion 12-M-212 limited county legal expenses to \$15,000).

-Behavioral Health Systems Vacancy

13-M-167

Motion by Trisch seconded by Allen that per the recommendation of Behavioral Health that Susan McNett be appointed to Tuscola Behavioral Health Systems to fill the remaining vacant term of Donald McLane which expires March 31, 2016. Motion Carried.

-Health Insurance Brown & Brown - Dan Skiver presented to the Board

- Bids
- 2013 BC/BS Renewal
- Affordable Care Act

-Brown & Brown Business Associate Agreement

13-M-168

Motion by Kirkpatrick seconded by Allen that having completed the required health insurance bidding process and per the recommendation of Brown and Brown, the county maintain health insurance coverage through Blue Cross Blue Shield and that Schedule A of the 2013/2014 Blue Cross Blue Shield Administrative Services Contract be approved and all appropriate signatures are authorized. Motion Carried.

13-M-169

Motion by Trisch seconded by Kirkpatrick that the Agent Processing Fee Agreement of \$750 per month with Brown and Brown be approved and all appropriate signatures are authorized. Motion Carried.

13-M-170

Motion by Allen seconded by Trish that the Business Associate Agreement with Brown and Brown as revised April 3, 2013 to comply with law changes be approved and all appropriate signatures are authorized. Motion Carried.

- Homeland Security 2011 and 2012 grant funds - Steve Anderson

13-M-171

Motion by Kirkpatrick seconded by Allen that per the recommendation of the Emergency Services Director, the county pursue Region 3 Homeland Security 2011 and 2012 grant funds (Estimated at \$80,000) for the items explained by the Director at the July 25, 2013 Board meeting. Also, per the purchasing requirements of Homeland Security, authorization is given for the county to finance upfront the cost of the emergency services equipment purchased with the understanding that 100% federal/state reimbursement will be received. Also, all required documents are approved for signature. Motion Carried.

Meeting Recessed at 8:50 a.m.

Meeting Reconvened at 9:00 a.m.

- Panic Button System - Eean Lee and Mike Miller

13-M-172

Motion by Trisch seconded by Allen that the out-dated panic button system in the County Courthouse be replaced with a new system that is Internet able with notification capabilities to departments in the Courthouse and the Sheriff's department. Also, this purchase be awarded to Midstate Security Company, LLC for an amount of \$31,323. In addition, the capital improvement fund budget be amended to account for this purchase. Motion Carried.

-FOC Drop Ceiling - Mike Miller

13-M-173

Motion by Kirkpatrick seconded by Allen that the budgeted drop ceilings for the Friend of the Court be awarded to Great Lakes Construction who was sole bidder for an amount of \$8,707. Motion Carried.

Old Business - None

Correspondence/Resolutions

-Kennel Licenses

-Sanilac Animal Control Employee Benefits

## **COMMISSIONER LIAISON COMMITTEE REPORTS**

### 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 7<sup>th</sup> District

Local Unit of Government Activity Report

### TRISCH

Board of Health

Human Development Commission (HDC)

TRIAD - meets in August

Economic Development Corp/Brownfield Redevelopment - Golf Outing in August

Human Services Collaborative Council

Great Start Collaborative

Local Unit of Government Activity Report

### KIRKPATRICK

Attended NACo Conference - Conference provided many educational opportunities.

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 - Meets August 7th

Local Unit of Government Activity Report

Tuscola In Sync

BIERLEIN

Thumb Area Consortium/Michigan Works - July 31st employment conference  
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 - Riverfest August 3rd and 4th  
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

Closed Session - None

Other Business as Necessary - Denmark Township lawsuit moving forward

Extended Public Comment - None

Meeting Adjourned at 9:41 a.m.

Jodi Fetting  
Tuscola County Clerk

*DRAFT*  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
July 19, 2013 Minutes  
H. H. Purdy Building

Vice Chairman Roger Allen 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 19th day of July, 2013 to order at 7:30 o'clock a.m. local time.

Prayer – Commissioner Allen

Pledge of Allegiance – Commissioner Bierlein

Roll Call - Clerk Fetting

Commissioners Present: District 1 – Roger Allen, District 3 – Christine Trisch (by phone),  
District 5 – Matthew Bierlein

Commissioners Absent: District 2 – Thomas Bardwell, District 4 – Craig Kirkpatrick

Also Present: Mike Hoagland, Jodi Fetting, Steve Erickson, Bill Bushaw

13-M-157

Motion by Bierlein seconded by Allen to adopted the agenda. Motion carried.

Brief Public Comment - None

New Business

-Agricultural Renaissance Zone Designation Cass City Dairy Farmers of America

13-M-158

Motion by Bierlein seconded by Allen that per the request of the Village of Cass City, that the County make application to the State of Michigan to establish an agricultural renaissance zone in the Village of Cass City. Motion Carried.

Old Business - None

Correspondence/Resolutions - None

Extended Public Comment - None

Meeting Adjourned at 7:36 a.m.

Jodi Fetting

Tuscola County Clerk

**'DRAFT'**

**COUNTY OF TUSCOLA**

**STATE OF MICHIGAN**

**RESOLUTION TO ADOPT CONSENT AGENDA**

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the Village of Caro, Michigan, on the 16<sup>th</sup> day of August, 2013 at **7:00 a.m.** local time.

COMMISSIONERS PRESENT:

\_\_\_\_\_

COMMISSIONERS ABSENT:

\_\_\_\_\_

It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following Consent Agenda Resolution be adopted:

**CONSENT AGENDA**

**Agenda Reference:** A

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that \$100,000 of 2013 general fund wind revenue from the 68 turbines in Gilford Township be escrowed pending the outcome of the appeal being made by Nextera Energy and appropriate 2013 general fund budget amendments are authorized.

**Agenda Reference:** B

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that per the July 11, 2013 letter from Sanilac County, staff be authorized to offer to pay 50% of new wage/fringe costs (including unemployment if employee applied and was approved) as part of the Animal Control agreement for an employee who works at Sanilac County Animal Control but not to exceed \$5,000.

**Agenda Reference:** C

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that the following individuals be reappointed to the Construction Code Board of Appeals for the two year term of 2012 and 2013 and be reappointed for the 2014 and 2015 year term:

1. Marv Klein
2. Ken Martin
3. Bill Campbell
4. Bob Eremia
5. Keith Kosik

**Agenda Reference:** D

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that the Municipal Employees Retirement System resolution regarding Uniform Transfer Provisions be approved so employees transferring to different jobs within county departments can maintain the same retirement system coverage levels.

**Agenda Reference:** E

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that per the request of Helen Grifka that authorization is given to purchase up to five years of service credit in the Municipal Employees Retirement System with the understanding that the

employee is responsible to pay both the employee and employer costs. Also, all appropriate paper work is approved for signature.

**Agenda Reference:** F

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that per the 8/1/13 correspondence from attorney Bill Horton that of the total \$9,243 recovered for the McKesson class action lawsuit that 10% be approved for legal costs by Bill Horton and the balance be paid to the county.

**Agenda Reference:** G

**Entity Proposing:** COMMITTEE OF THE WHOLE 8/13/13

**Description of Matter:** Move that the County Clerk be requested to advertise to fill the vacancy on the County Planning Commission created by the resignation of Keith Kosik.

**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:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

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Thomas Bardwell, Chairperson  
Tuscola County Board of Commissioners

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Jodi Fetting  
Tuscola County Clerk



# Michigan State Police

## Emergency Management and Homeland Security Division

### *Informational Bulletin*

Issue: 13-04

July 29, 2013

#### Pre-Disaster Mitigation (PDM) Program Funds Available for FY 2013 Flood Mitigation Assistance (FMA) Program Funds Available for FY 2013 Hazard Mitigation Grant Program (HMGP) Funds Available for Disaster DR-4121-MI

#### Time Sensitive - Respond ASAP Notices of Intent Due No Later than August 23, 2013

FEMA opened the application period for **Fiscal Year (FY) 2013 FMA and PDM** on July 19, 2013. Additionally, the application period is now open for **DR-4121-MI HMGP**. Extensive program details can be found in FEMA's Hazard Mitigation Assistance (HMA) Unified Guidance document.

#### **PURPOSE:**

Hazard mitigation activities are intended to reduce or eliminate future property damages and/or loss of life from natural hazards, such as floods, tornadoes, and storms. FEMA's HMA programs (i.e., FMA, HMGP, and PDM) provide funds for hazard mitigation planning activities and implementation of mitigation projects. Each of the programs under the HMA umbrella is distinct and has separate eligibility criteria and program rules; however, because these programs share some common characteristics, the federal guidance document and application periods are combined. Although cost sharing requirements vary by program, most grants are funded with a 75 percent federal share and a 25 percent local match.

Some examples of eligible mitigation project activities include: development of a community all-hazards mitigation plan (or update of an existing hazard mitigation plan); voluntary acquisition or elevation of flood prone structures; construction of safe rooms (for protection from severe winds); retrofit of structures for wind protection; protective measures for utility infrastructure; storm water management projects that reduce flood risk; and vegetation management for dune restoration or wildfire prevention.

Project eligibility varies by grant program, so refer to the HMA Unified Guidance document for program-specific requirements. For all programs, it must be demonstrated that a project is cost beneficial for it to be considered eligible, meaning the anticipated costs savings from avoided future damages must outweigh the cost of implementing the project.

#### **ELIGIBILITY:**

Eligible subapplicants for HMA programs include: state agencies and institutions; federally-recognized Indian tribal governments; local governments; and public colleges and universities. Applicant eligibility varies by program, so refer to the HMA Unified Guidance document for specific program requirements.

**NOTE: Subapplicants must have a FEMA-approved hazard mitigation plan to apply for project grants.**

#### **Funding:**

- The FMA program has \$120 million available on a nationally competitive basis.
- The PDM program has \$23 million available on a nationally competitive basis.
- Funding for the DR-4121-MI HMGP will be available on a statewide competitive basis. The amount of available funds is not yet known but will be based on a percentage of FEMA disaster recovery expenditures. The range of available funds for Michigan is expected to be approximately \$2-\$3 million.

**Hazard Mitigation Assistance Grants**  
**Page 2**

**APPLICATION PROCESS:**

In order to be considered for funding, an applicant must submit a Notice of Intent (NOI) to the Michigan State Police, Emergency Management and Homeland Security Division (MSP/EMHSD). To receive the NOI form, please contact Mr. Joel Pepper at (517) 336-2039 or Mr. Matt Schnepf at (517) 336-2040. The MSP/EMHSD will review the NOIs to determine if the activities described are eligible for grant funding. If so, the applicant will be invited to complete a grant application through FEMA's eGrants system.

**NOTE: The eGrants system will be used for all three HMA programs (Michigan's separate HMGP application form will not be used for DR-4121-MI HMGP applications).**

**DEADLINES:**

- **NOIs must be submitted to the MSP/EMHSD by no later than August 23, 2013.**
- eGrants applications (initial draft) are due to the MSP/EMHSD for review by September 20, 2013.
- After review and revision, eGrants applications are due to FEMA by October 18, 2013, for FMA and PDM.
- A final submission deadline to FEMA for HMGP applications has not yet been established but will be after October 18, 2013.

**DO NOT DELAY:**

NOIs will be evaluated on an ongoing basis, so the sooner the completed NOI form is submitted, the more time there will be for an applicant to develop an application.

**CONTACT INFORMATION:**

Mr. Matt Schnepf – (517) 336-2040, State Hazard Mitigation Officer  
Mr. Joel Pepper – (517) 336-2039, Assistant State Hazard Mitigation Officer



July 18, 2013

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, July 18, 2013 at 8:00 A.M.

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

Absent: Road Commissioner Gary Parsell and Road Commissioner Julie Matuszak.

Motion by Zwerk seconded by Sheridan that the minutes of the July 2, 2013 regular meeting of the Board be approved. Sheridan, Zwerk, Laurie --- Carried.

Payroll in the amount of \$95,098.06 and bills in the amount of \$309,300.67 covered by vouchers #13-22 and #HRA-07 were presented and audited.

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

Brief Public Comment Segment:

None.

Motion by Zwerk seconded by Sheridan that bid item #43 for Denmark Township of the 2013 bituminous resurfacing bids be awarded to the low bidder, Pyramid Paving Company. Sheridan, Zwerk, Laurie --- Carried.

Michigan Department of Transportation Engineer Rachel Phillips appeared before the Board regarding their M-25 road construction project this season. MDOT is requesting a detour route including Dickerson Road during the new alignment at Bay Park Road portion of this project. County Highway Engineer Zaverucha reported to the Board that there is a bridge on Dickerson Road that is currently posted with a load limit. Ms. Phillips reported that MDOT will further review the plans for this portion of the project. Also, Chairman Laurie asked Ms. Phillips if the Road Commission's state maintenance budget will be made whole with the expenses incurred on Old State Road during the M-25 bridge closure. Furthermore, Chairman Laurie reported to Ms. Phillips that the Tuscola County Board of Road Commissioners opposes the re-design plans of the intersection of Old State Road at M-25 for safety concerns in consideration of the truck and farm equipment traffic at that intersection. Ms. Phillips will follow up regarding the concerns.

Director of Finance Michael Tuckey presented to the Board a proposed policy for Non-Union Employee's Grievance Procedures. Tuckey reported that the Road Commission's Labor Attorney has reviewed the policy and the recommendations have been amended. After review and discussion, the following motion was introduced:

Motion by Sheridan seconded by Zwerk to approve the Non-Union Employee's Grievance Procedures Policy as proposed and amended. Sheridan, Zwerk, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan approving the request from the Kingston Days Committee to temporarily re-route a portion of M-46 passenger vehicle traffic only detouring to Phillips Road, Rossman Road, and Cemetery Road for the Kingston Days Parade held on August 24, 2013, all in compliance with the Michigan Department of Transportation's short M-Route closure procedures. Sheridan, Zwerk, Laurie --- Carried.

Motion by Sheridan seconded by Zwerk to approve the request from Mr. Tom Haag to open cut Ringle Road for the installation of a farm tile, all in accordance with the permit provisions. Sheridan, Zwerk, Laurie --- Carried.

Motion by Sheridan seconded by Zwerk that the structure on Sheridan Road south of Hoover Road over the Main Hover Drain in Akron Township be posted for a maximum gross weight of thirty-two (32) tons for a straight truck, fifty-five (55) tons gross weight for a semi, and seventy-six (76) tons gross weight for a double-bottom, as recommended by Rowe Engineering. Sheridan, Zwerk, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan that the agreement between L. Walther & Sons, Inc. and the Tuscola County Road Commission allowing Designated and Special Designated All-Season loads on Wilsie Road from its westerly end east to Cemetery Road be extended for two (2) years with the conditions specified in the agreement. Sheridan, Zwerk, Laurie --- Carried.

Motion by Sheridan seconded by Zwerk to authorize Michael Tuckey to sign the ACH Origination Agreement for Payroll Direct Deposit with Team One Credit Union. Sheridan, Zwerk, Laurie --- Carried.

Management and the Board further discussed the proposed revisions of the Tuscola County O.R.V. Ordinance.

Motion by Zwerk seconded by Sheridan to approve the signing of the title sheet for the East Dayton Road Federal Aid Project, and to proceed with the Michigan Department of Transportation letting the project. Sheridan, Zwerk, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan that the meeting be adjourned at 9:30 A.M. Sheridan, Zwerk, Laurie --- Carried.

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Chairman

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Secretary-Clerk of the Board

July 23, 2013

Tuscola County Board of Commissioners  
125 W Lincoln  
Caro MI 48723

Re: Hearing on a Proposed Resolution for the Approval of one Industrial Facilities Exemption Certificate in the Village of Cass City.

Dear Mr. Mike Hoagland, Controller,

MI Tech Tooling, Inc. has requested that Village of Cass City approve an Industrial Facilities Exemption Certificate (tax abatement) Transfer for its property, pursuant to Act 198 of the Michigan Public Acts of 1974, as amended.

A public hearing on the resolution will be held on Monday, October 15, 2012, at 6:40 p.m. in the Village of Cass City Municipal Building, 6506 Main Street, Cass City.

Since the tax collected by the Cass City Public Schools Board of Education may be reduced if the Industrial Facilities Exemption Certificate is approved, the Cass City Public Schools Board of Education is entitled to appear and be heard.

Sincerely,



Nanette Walsh  
Cass City Village Clerk

cc: MI-Tech Tooling, Inc.  
enc. Public Notice

#7

Michigan Utility Scale Wind Farms**								
Project Name	County	Capacity (MW)	Turbine Size (MW)	Number of Turbines	Turbine Manufacturer	Developer/Owner	Power Purchaser	Commercial Operation Date
Beebe	Gratiot	81	2.4	34	Nordex	Exelon & Great Lakes Wind	Consumers Energy	December 2012
Echo	Huron	110	1.6	68	GE Energy	Detroit Edison	N/A	Expected 2013
Cross Winds	Tuscola	105.4	1.7	62	GE Energy	Consumers Energy	N/A	Expected 2014
Garden I	Delta	20	2.0	14	Gamesa	Heritage Sustainable Energy	Consumers Energy	September 2012
Gratiot County	Gratiot	212.8	1.6	133	GE Energy	Invenergy & Detroit Edison	Detroit Edison	June 2012
Harvest	Huron	52.8	1.65	32	Vestas	Exelon	Wolverine Power Cooperative	2008
Harvest II	Huron	59.4	1.8	33	Vestas	Exelon	Consumers Energy	November 2012
Lake Winds	Mason	100.8	1.8	56	Vestas	Consumers Energy	N/A	November 2012
McKinley	Huron	14.4	1.6	9	GE Energy	Detroit Edison	N/A	December 2012
Mackinaw City	Emmet	1.8	0.9	2	NEG Micon	Mackinaw Power	Consumers Energy	2001
Michigan Wind I	Huron	69	1.5	46	GE Energy	Exelon	Consumers Energy	2008
Michigan Wind II	Sanilac	90	1.8	50	Vestas	Exelon	Consumers Energy	January 2012
Minden	Sanilac	32	1.6	20	GE Energy	Detroit Edison	N/A	December 2012
Sigel	Huron	64	1.6	40	GE Energy	Detroit Edison	N/A	December 2012
Stoney Corners	Missaukee & Osceola	60	2 - 2.5	29	Repower, Fuhrlander, Northern Power Systems	Heritage Sustainable Energy	Consumers Energy, Detroit Edison, Traverse City Light & Power	October 2012
Tuscola Bay Wind	Tuscola, Bay & Saginaw	120	1.6	75	GE Energy	NextEra Energy	Detroit Edison	December 2012
Tuscola Wind II	Tuscola & Bay	100.3	1.7	59	GE Energy	NextEra Energy	Detroit Edison	Expected 2013
Pheasant Run Wind	Huron	74.8	1.7	44	GE Energy	NextEra Energy	Detroit Edison	Expected 2014
Pheasant Run Wind II	Huron	74.8	1.7	44	GE Energy	NextEra Energy	Detroit Edison	Expected 2014
<b>Totals</b>		<b>1,469.3</b>	<b>1.74</b>	<b>850</b>				

**Bold text indicates the wind farm is operational.**

\* Prepared by MPSC Staff and includes all wind farms operational, planned or under contract with an MPSC-rate-regulated electric provider.

Number of Turbines by County:

Gratiot - 167

Huron - 316

Delta - 14

Mason - 56

Emmet - 2

Sanilac - 70

Tuscola - 189

Missaukee - 29

Osceola

Saginaw - 7

TOTAL - 850

**LAKE COUNTY BOARD OF COMMISSIONERS  
Resolution Opposing HB 4785 Public Health Code  
Resolution #07/24/2013 1293**

**WHEREAS**, HB 4785 would amend the Public Health Code regarding Emergency Medical Services; and

**WHEREAS**, these proposed amendments would inhibit local ambulance services in rural communities by increasing fees and imposing new (additional) fines; and

**WHEREAS**, these proposed amendments will be the decline, or possible elimination, of volunteer EMS services; and

**WHEREAS**, volunteer EMS services are crucial to Lake County and other rural communities; and

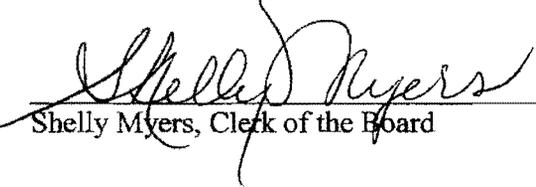
**THEREFORE BE IT RESOLVED** that the Lake County Board of Commissioners opposes HB 4785 due to the adverse effects it will have on volunteer EMS services in Lake County and other rural communities ; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to all Michigan counties, Representative John Bumstead, Senator Darwin Booher, and Michigan Association of Counties.

**STATE OF MICHIGAN)**  
**COUNTY OF LAKE ) SS**

I, Shelly Myers, Clerk of the Board of Commissioners for the County of Lake, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the Lake County Board of Commissioners at a regular meeting held on July 24, 2013.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan, this 24th day of July, 2013.

  
\_\_\_\_\_  
Shelly Myers, Clerk of the Board

# Tuscola County Medical Care Community

Your Care Partner in Skilled Nursing and Rehabilitation Therapy

#9

1285 CLEAVER ROAD ♦ CARO, MICHIGAN 48723

PHONE (989) 673-4117 ♦ FAX (989) 673-6665

## Administrative Staff

Margot Roedel, R.N., N.H.A. – Administrator  
Arshad Aqil, M.D. – Certified Medical Director  
Brenda Kretzschmer, R.N. – Director of Nursing



Tuscola County DHS Board of Directors  
Robert Hirn - Chairman  
Kelly Whittaker – Co-Chair  
Mike Bearden – Member

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## TUSCOLA COUNTY COMMISSIONER'S REPORT JULY 30, 2013

- **We have made a change in attorneys working with us on our CON. This one seems a little more optimistic and has achieved an additional extension for us. We now have through 9/2/13 to resolve this issue. Will keep you posted.**
- **We now have our very own dietician on staff. (We previously were sharing him with the hospital) Greg Harrington Resigned from CCH and asked if we would be his primary employer. He does an excellent job for us so we were more than happy to make that change.**
- **We recently had a situation with a family member that prompted us to seek a contract with a security company. We now have a contract that allows us to use them on an “as needed” basis. I believe that is a “good” thing in this day and age.**
- **CMS (Centers for Medicare and Medicaid Services) has been issuing many updates on their standards recently. These are the Rules we must be compliant with during our annual survey. It takes a lot of our time trying to digest and implement these changes.**

TUSCOLA COUNTY SENIOR ADVISORY COUNCIL  
CARO DINING CENTER

JULY 17, 2013

Meeting Called to order by Chairman Jerald Gamm with  
the Pledge to the Flag.

Minutes of the June meeting were read, motion to accept by  
Beatrice Hool seconded by Sandra Williamson, motion  
carried.

Treasurers report: Savings: \$1,513.51 Checking \$774.35

Motion to accept the report by Sandra Williamson  
seconded by Beatrice Hool, motion carried.

Reported the deposit of \$200.00 for the use of the Polish-  
American Hall was made. <sup>\$150.00</sup> Deposit ~~to~~ <sup>for</sup> ~~Care~~ <sup>Center</sup>

H.D.C. Report by Shelley Beedle:

Twelve serving days in June

Dining Center 592 Home Delivered 3905 at 72%

Average Donation per county: Congregate \$2.41

Home Delivered \$;80

Units Served on other Programs on Goal.

NEW Business;

Senior ball: Ticket distributed. Each meal site given 3  
tickets. The Polish-American Club 2 ( these are the free  
tickets)

Nest meeting will be August 19, 11:00 a.m. in Vassar

*Margaret Winters*



**BRAUN KENDRICK**

ATTORNEYS AT LAW

**FRANCIS J. KEATING**

Attorney

TEL: 989.399.0203

FAX: 989.799.4666

EMAIL: frakea@braunkendrick.com

August 7, 2013

Mr. Mike Hoagland, Controller  
Tuscola County Controller/Administrator  
Tuscola County  
125 W. Lincoln Street  
Caro, MI 48723

Re: Tuscola County v. Denmark Township  
Case No: 13-27843-CK

Dear Mr. Hoagland:

As you know, the Complaint in this matter was filed on July 26, 2013. Denmark Township was personally served with the Summons and Complaint on July 31<sup>st</sup>, making its response due on or before August 21, 2013.

If you have any questions regarding this matter, please contact me.

Very truly yours,

FRANCIS J. KEATING

FJK/dar

cc: John R. Axe  
C. Patrick Kaltenbach

{S1078940.DOCX.1}



**Oceana County  
BOARD OF COMMISSIONERS**  
County Building  
100 S. State Street, Suite M-4  
Hart, Michigan 49420



RESOLUTION URGING THE STATE OF MICHIGAN TO PARTICIPATE  
IN THE PASSAGE OF THE HEALTHY MICHIGAN PLAN (Medicaid Expansion)

Moved by Mr. Dykema and seconded by Mrs. Kolbe to adopt the following Resolution:

WHEREAS, under the provisions of the Patient Protection Affordable Care Act, a State can expand its Medicaid program to cover individuals and families earning up to 133% of the Federal Poverty Line. It is estimated that an additional 500,000 adults in Michigan will be covered under such expansion.

WHEREAS, Oceana County has approximately 17.6% of its population between 18-64 not covered by health insurance based upon MDCH, Behavioral Risk Factor Surveillance System data from 2006-2011.

WHEREAS, approximately 2,041 adults between 18-64 in Oceana County have an annual income under 133% of the poverty level and could be covered by the Healthy Michigan Plan if approved by Michigan's Legislature.

WHEREAS, without the expansion, approximately 2,132 Tencon Health Plan members in the District Health Department #10 service area will have no coverage options at all because their income is below 100% of poverty, thus, by law, these individuals cannot buy subsidized coverage through the insurance exchange; and

WHEREAS, individuals who have access to healthcare coverage miss fewer days of work, develop healthier lifestyles, and cost less when they get sick.

WHEREAS, opting out of the Medicaid Program expansion will continue to place an economic burden on hospitals and other health care providers who will not be reimbursed for services they may provide.

THEREFORE, BE IT RESOLVED: that in order to protect the health of all its citizens, especially those most in need, and to strive to improve the health outcomes of residents, the Oceana County Board of Commissioners strongly urges the State of Michigan to participate in the passage of the Healthy Michigan Plan.

Roll call vote: Dykema, yes; Kolbe, yes; Brown, yes; Byl, yes; Walker, yes; Powers, yes; and, Van Sickle, yes. Motion carried.

**CERTIFICATION:**

The undersigned, being the Clerk of Oceana County, does hereby certify that on the 8th day of August, 2013, the Oceana County Board of Commissioners did adopt the above Resolution at its Regular Meeting.

  
Rebecca J. Griffin, Clerk  
Oceana County  
Board of Commissioners

RESOLUTION 2013-24

A RESOLUTION SUPPORTING THE ABILITY OF CITY RESIDENTS AND PROPERTY OWNERS TO ELECT TO OPT -OUT OF RECEIVING ADVANCED UTILITY METERS (SMART METERS)

The following preamble and resolution were offered by Councilmember Wade and supported by Mayor Hornung with modifications.

WHEREAS, DTE Energy SMART meters (SMART meters) are modern electric meters which send electric meter readings automatically by using a radio frequency network rather than a traditional on-site meter reading method, and

WHEREAS, DTE Energy is actively installing SMART meters throughout southeastern Michigan and has recently mailed a letter to the City of Vassar pertaining to the ability of City residents to opt-out of receiving a SMART meter, and

WHEREAS, a number of City residents have expressed concerns regarding negative health conditions that may result from the use of SMART meters, the accuracy of SMART meters, and the possibility that the use of SMART meters may contribute to a loss of personal privacy, and

WHEREAS, the Michigan Public Service Commission has recently decided to investigate several aspects pertaining to the use and installation of SMART meters, and

WHEREAS, the Michigan Public Service Commission, as a component of this investigation, is requesting that utility companies disclose information regarding the potential adverse health effects associated with the use of smart meters, and

WHEREAS, the Vassar City Council is charged with securing and defending the overall health, safety, and welfare of the residents of the City and their guests,

NOW, THEREFORE BE IT RESOLVED, that the Vassar City Council hereby supports the ability of its residents and property owners to elect to opt-out of receiving SMART meters installed. *Utility customers who opt out of the smart meter installation should be able to opt out with no economic penalty.*

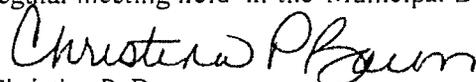
BE IT FURTHER RESOLVED that the Vassar City Council supports the investigation by the Michigan Public Service Commission of SMART meters.

AYES: Councilor Wade, Councilor Gamet, Councilor Hembling, Mayor Hornung and Mayor Pro-Tem Stedry

NAYS: None

ABSENT: None

THIS RESOLUTION DECLARED ADOPTED THIS 5<sup>th</sup> DAY OF August 2013. I, Christina P. Bacon, City Clerk, City of Vassar, State of Michigan, do hereby certify that the forgoing Resolution No. 2013-24 was duly adopted by the Vassar City Council during its regular meeting held in the Municipal Building in the City of Vassar on August 5, 2013.

  
Christina P. Bacon



# EPA Reviewing Request for Injection Permit Renewal

Michigan Ethanol LLC (Poet Biorefining-Caro)

Caro, Michigan

July 2013

### Comments welcome

EPA encourages comments on its proposal to renew permit that would allow Michigan Ethanol LLC to continue injecting non-hazardous waste deep underground. The comment period closes August 30.

To request a public hearing on this proposal, submit your request in writing on or before August 30, stating the issues to be raised. Submit comments and hearing requests in writing to:

**Stephen Jann**  
Water Division (WU-16J)  
EPA Region 5  
77 W. Jackson Blvd.  
Chicago, IL 60604-3590  
[jann.stephen@epa.gov](mailto:jann.stephen@epa.gov)  
(312) 886-2446

Documents related to this decision are available at:

**Caro Area District Library**  
840 W. Frank St.  
Caro, Michigan

### More information

You may view the Administrative Record, including all data submitted by Michigan Ethanol, at the EPA's Chicago regional office or you may visit:

[www.epa.gov/region5/water/uic/uicpub.htm](http://www.epa.gov/region5/water/uic/uicpub.htm). If you wish to visit the Chicago office, contact Stephen Jann for an appointment.

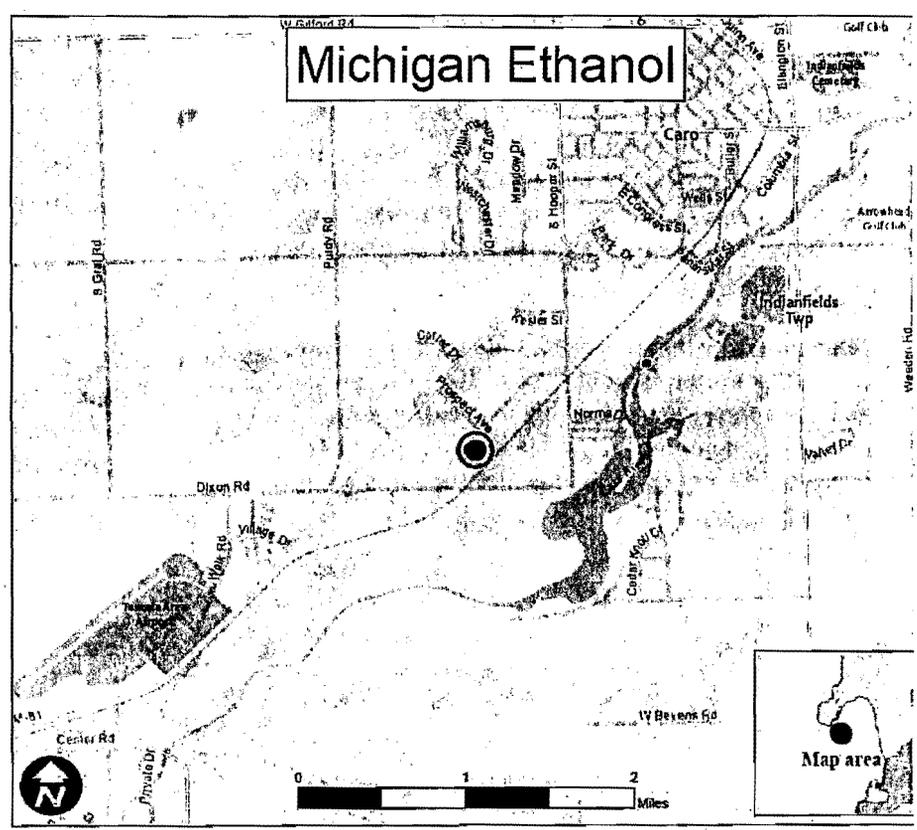
**Call EPA toll-free,**  
**800-621-8431**  
**weekdays, 9:30 a.m. to 5:30 p.m.**

Michigan Ethanol LLC, which operates under the name Poet Biorefining-Caro, would be allowed to continue injecting non-hazardous liquid waste deep beneath the earth's surface if the U.S. Environmental Protection Agency approves the company's request for a permit renewal.

The company has one injection well operating at 1551 Empire Drive in Caro. This well injects wastewater from processes related to the production of ethanol.

The Safe Drinking Water Act (SDWA) requires Michigan Ethanol to have an underground injection control permit for its well. The company is seeking renewal of its existing permit. Under the SDWA, EPA can issue a permit when it concludes that the injection will not threaten an underground source of drinking water (USDW).

After reviewing Michigan Ethanol's request, EPA has tentatively found that the company had shown that injected waste will not threaten any underground sources of drinking water. Therefore, EPA proposes to renew the company's permit. It would be valid for 10 years.



Map of the area where underground injection well is located.

## Technical information

### *Injected Waste*

The injected fluid consists primarily of waste water from reverse osmosis reject, cooling tower blow down, and wet scrubber water. This waste stream is characterized by relatively high levels of sulfate, calcium, magnesium, and sodium. When the injection well is operating Michigan Ethanol expects a maximum daily volume to be 100,800 gallons.

### *Geologic Suitability*

Wells of this type must be in areas that are geologically suitable. The injection zone must have sufficient permeability, porosity, thickness, and areal extent to prevent migration of fluids into the USDW. The confining zone needs to be laterally continuous and free of faults and fractures, that would allow fluid movement, over an area sufficient to prevent fluid movement into a USDW.

Michigan Ethanol provided geologic, hydrologic, geochemical and earthquake risk information, in addition to test data from the existing well, to show that the facility is located at a geologically suitable site.

The well is injecting waste water into rock layers known as the Detroit River Group and Bois Blanc Formation. This injection zone is between 3,738 and 4,216 feet below the surface. The top of the injection zone is separated from the lowermost underground source of drinking water by approximately 3,078 feet of sedimentary rock composed of shale, limestone, sandstone and dolomite that are part of the confining zone. EPA expects that these rocks will confine the fluid in the injection zone. The Detroit River Group and Bois Blanc Formation extend laterally for hundreds of square miles.

Michigan is an area of low earthquake risk. Midwestern earthquakes are infrequent, generally of low magnitude and have epicenters far below the injection zone. There is virtually no possibility of damage to the well or leakage of waste from the injection zone as a result of an earthquake.

### *Underground Sources of Drinking Water*

An USDW is any aquifer or part of an aquifer that is being used, or can be used, as a source of drinking water or contains less than 10,000 mg/L of dissolved solids. The base of the lowermost underground source of drinking water at Michigan Ethanol's well is approximately 660 feet below the surface.

### *Area of Review*

Michigan Ethanol looked to see if there are other wells which reach the injection zone. The purpose was to see if waste under pressure could contaminate supplies of drinking water by moving up through a well near the injection site, or through an abandoned well that was improperly plugged. Michigan Ethanol's renewal application shows one well within this area of review. The well has been properly plugged and abandoned. Therefore, a corrective action plan is not required.

### *Periodic Tests*

Under the existing permit the injection well must pass a pressure test every year and a temperature survey every five years to confirm that injected fluids cannot move upward and out of the injection zone. These tests demonstrate the mechanical integrity of a well.

Michigan Ethanol's well passed the annual test in January 2013 and the five-year test in September 2009.

## Well operational parameters

### *Maximum Injection Pressure*

In order to prevent the possibility of creating fractures in the injection zone and the confining zone, a maximum injection pressure is set. The maximum permitted injection pressure is proposed to be 2,083 pounds per square inch gauge. This value is based on a step-rate test performed in 2004.

### *Financial Assurance*

Michigan Ethanol has demonstrated adequate financial resources to plug and abandon the well by a state bond. This financial assurance must be updated and submitted to EPA on an annual basis.

RECEIVED

AUG 05 2013

WU-16)  
United States  
Environmental Protection  
Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Official Business  
Penalty for Private Use  
\$300

*125 W. Jackson St.  
Caro, MI 48723  
LTP*

RECEIVED

AUG 05 2013

Tuscola County Board of Commissioners  
207 East Grant Street  
Caro, Michigan 48723

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07/29/2013  
05/25/2013

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NIXIE 482 7E 1009 0007/50/13

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Mike Hoagland

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**From:** Skiver, Daniel [dskiver@bbcmich.com]  
**Sent:** Wednesday, August 14, 2013 9:41 AM  
**To:** Skiver, Daniel  
**Subject:** FW: Administration Delays ACA's Limit On Out-Of-Pocket Costs  
**Importance:** High

### Administration Delays ACA's Limit On Out-Of-Pocket Costs.

In what a front-page [New York Times](#)  (8/13, A1, Pear, Subscription Publication) story describes as "another setback" for the ACA, the Administration "has delayed until 2015" the limit on out-of-pocket costs. The limit "was not supposed to exceed \$6,350 for an individual and \$12,700 for a family," but Federal officials "have granted a one-year grace period to some insurers, allowing them to set higher limits, or no limit at all, in 2014." The development "is likely to fuel continuing Republican efforts this fall to discredit the president's health care law."

## A Limit on Consumer Costs Is Delayed in Health Care Law

By ROBERT PEAR

Published: August 12, 2013 836 Comments

STEVE CARELL  
TOMI COLLETTE

WASHINGTON — In another setback for President Obama's health care initiative, the administration has delayed until 2015 a significant consumer protection in the law that limits how much people may have to spend on their own health care.

The limit on out-of-pocket costs, including deductibles and co-payments, was not supposed to exceed \$6,350 for an individual and \$12,700 for a family. But under a little-noticed ruling, federal officials have granted a one-year grace period to some insurers, allowing them to set higher limits, or no limit at all on some costs, in 2014.

The grace period has been outlined on the Labor Department's Web site since February, but was obscured in a maze of legal and bureaucratic language that went largely unnoticed. When asked in recent days about the language — which appeared as an answer to one of 137 "[frequently asked questions about Affordable Care Act implementation](#)" — department officials confirmed the policy.

The discovery is likely to fuel continuing Republican efforts this fall to discredit the president's [health care law](#).

Under the policy, many group health plans will be able to maintain separate out-of-pocket limits for benefits in 2014. As a result, a consumer may be required to pay \$6,350 for doctors' services and hospital care, and an additional \$6,350 for prescription drugs under a plan administered by a pharmacy benefit manager.

Some consumers may have to pay even more, as some group health plans will not be required to impose any limit on a patient's out-of-pocket costs for drugs next year. If a drug plan does not currently have a limit on out-of-pocket costs, it will not have to impose one for 2014, federal officials said Monday.

The health law, signed more than three years ago by Mr. Obama, clearly established a single overall limit on out-of-pocket costs for each individual or family. But federal officials said that many insurers and employers needed more time to comply because they used separate companies to help administer major medical coverage and drug benefits, with separate limits on out-of-pocket costs.

In many cases, the companies have separate computer systems that cannot communicate with one another.

A senior administration official, speaking on condition of anonymity to discuss internal deliberations, said: "We knew this was an important issue. We had to balance the interests of consumers with the concerns of health plan sponsors and carriers, which told us that their computer systems were not set up to aggregate all of a person's out-of-pocket costs. They asked for more time to comply." a

Health plans are free to set out-of-pocket limits lower than the levels allowed by the administration. But many employers and health plans sought the grace period, saying they needed time to upgrade their computer systems. "Benefit managers using different computer systems often cannot keep track of all the out-of-pocket costs incurred by a particular individual," said Kathryn Wilber, a lawyer at the American Benefits Council, which represents many Fortune 500 companies that provide coverage to employees.

Last month the White House announced a one-year delay in enforcement of another major provision of the law, which requires larger employers to offer health coverage to full-time employees. Valerie Jarrett, Mr. Obama's senior adviser, said that the delay of the employer mandate showed "we are listening" to businesses, which had complained about the complexity of federal reporting requirements.

Although the two delays are unrelated, together they underscore the difficulties the Obama administration is facing as it rolls out the health care law.

Advocates for people with chronic illnesses said they were dismayed by the policy decision on out-of-pocket costs.

"The government's unexpected interpretation of the law will disproportionately harm people with complex chronic conditions and disabilities," said Myrl Weinberg, the chief executive of the

National Health Council, which speaks for more than 50 groups representing patients.

For people with serious illnesses like cancer and multiple sclerosis, Ms. Weinberg said, out-of-pocket costs can total tens of thousands of dollars a year.

Despite the delay, consumers in 2014 will still have many new protections. They cannot be denied health insurance or charged higher premiums because of pre-existing conditions, and many will qualify for subsidies intended to lower their costs.

In promoting his health care plan in 2009, Mr. Obama cited the limit on out-of-pocket costs as one of its chief virtues. “We will place a limit on how much you can be charged for out-of-pocket expenses, because in the United States of America, no one should go broke because they get sick,” Mr. Obama told a joint session of Congress in September 2009.

Advocates for patients said the promise of the law was being deferred. “We have wonderful new drugs, the biologics, to treat rheumatoid arthritis, but they are extremely expensive,” said Dr. Patience H. White, a vice president of the Arthritis Foundation. “In the past, patients had to live in constant pain, often became disabled and had to leave their jobs. The new drugs can make a huge difference, and we were hoping that the cap on out-of-pocket costs would make them affordable. But now many patients will have to wait another year.”

¶ The American Cancer Society shares the concern and noted that some new cancer drugs cost \$100,000 a year or more.

¶ “If a prescription drug plan does not currently have a limit, then it will not have to have one in 2014,” said Molly Daniels, deputy president of the lobbying arm of the American Cancer Society. “Patients who require expensive drugs could continue to have enormous financial exposure, despite the clear intent of the law to limit a patient’s total out-of-pocket exposure.”

¶ Federal officials said they were offering transition relief to certain health plans in 2014. But, they said, by 2015, health plans must comply with the law and must have an overall limit on out-of-pocket costs for medical, drug and other benefits combined.

¶ Theodore M. Thompson, a vice president of the National Multiple Sclerosis Society, said: “The promise of out-of-pocket limits was one of the main reasons we supported health care reform. So we are disappointed that some plans will be allowed to have multiple out-of-pocket limits in 2014.”

¶ The law also requires coverage of dental care for children, but these benefits can be offered in a separate health plan with its own limit on out-of-pocket costs.

¶ Federal rules say that a free-standing dental plan must have “a reasonable annual limitation on cost-sharing.” In states where the new health insurance marketplace will be run by the federal government, the limit on out-of-pocket costs for pediatric dental benefits can be no more than \$700 for coverage of one child and \$1,400 for a plan covering two or more children in the same family.

Daniel R. Skiver, MPA, LIC  
Vice President  
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dba Public Employee Benefits Solutions  
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(866) 421-0478 (Toll Free)  
(989) 277-6410 (Cell)  
(989) 607-2233 (Direct Fax)  
(989) 249-5966 (Main Fax)  
[dskiver@BBCMich.com](mailto:dskiver@BBCMich.com)



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**DRAFT – Agenda**  
**Tuscola County Board of Commissioners**  
**Committee of the Whole**  
**Tuesday, August 13, 2013 - 7:00 A.M.**  
**HH Purdy Building - 125 W. Lincoln, Caro, MI**

Commissioners Present: Roger Allen, Thomas Bardwell, Christine Trisch, Craig Kirkpatrick, Matthew Bierlein

Others Present: Mike Hoagland, Jodi Fetting, Mike Miller and Mary Drier

**Finance**

Committee Leaders-Commissioners Kirkpatrick and Trisch

**Primary Finance**

1. **County Financial Assessment** - Mike Hoagland provided an update
2. **Schedule Future Closed Session Discussion for Labor Negotiations** - Closed Session to be scheduled for Friday, August 16, 2013 during the Board of Commissioners Regular Meeting
3. **Medical Examiner** - Matter Discussed, Commissioner Trisch to follow-up

**Meeting Recessed at 8:06 a.m.**

**Meeting Reconvened at 8:10 a.m.**

4. **Digital Parcel Mapping Saginaw Valley State University** - Matter Discussed, To be presented to the InSync Committee
5. **Nextera Tax Appeal Status – Escrow County Funds** - Matter Discussed, To be placed on the Consent Agenda
6. **Letter to send to State Tax Commission** - Matter Discussed, Letter to be drafted
7. **Animal Control Agreement** - Matter Discussed, Mike Hoagland to continue to work with Sanilac County in negotiating the contract
8. **Workers Compensation**
9. **Potential Re-Use of former Camp Tuscola**
10. **MAC Summit Meetings Update**

**On-Going Finance**

1. Dentist Legal Cost – Request for County Cost Sharing
2. Denmark Township Litigation Update
3. Register of Deeds Land Transaction Recordings Regarding Wind Energy
4. Medical Care Facility Certificate of Need for Small House Project Update
5. Prepare Bids for the 2013 County Comprehensive Annual Financial Report (Audit)
6. BC/BS Access Fees Lawsuit
7. Tuscola "In Sync"
8. Fixed Asset Inventory
9. Health Insurance Affordable Care Act

## **Personnel**

Committee Leader-Commissioners Kirkpatrick and Trisch

### **Primary Personnel**

1. **Construction Code Board of Appeals** - Matter Discussed, To be placed on the Consent Agenda
2. **MERS Uniform Transfer Provisions** - Matter Discussed, To be placed on the Consent Agenda
3. **Employee Request to Purchase MERS Service Time** - Matter Discussed, To be placed on the Consent Agenda
4. **Equalization Waiver Request** - Matter Discussed
5. **Class Action Lawsuit Settled** - Matter Discussed, To be placed on the Consent Agenda
6. **Farm Bureau Annual Meeting** - Friday, August 22, 2013 at Zwerk & Sons Farms

### **On-Going Personnel**

1. Court Personnel Policy Revisions
2. Preservation of the Joint Tuscola/Huron Equalization Director
3. MERS Employee Delegate - Bryan Hemerline elected as employee delegate

## **Building and Grounds**

Committee Leader-Commissioners Allen and Bierlein

### **Primary Building and Grounds**

1. **Jail Bed Addition Project Update** - Mike Miller provided update and project is progressing as planned
2. **State Police Post Update** - Mike Miller provided update
3. **Completion of 2013 Budget Equipment/Capital Improvement Projects** - Mike Miller provided update
4. **Dead Ash Trees Roadway Problems/Concerns** - Matter Discussed

Commissioner Bardwell excused at 9:05 a.m.

### **On-Going Building and Grounds**

1. Update to the County Solid Waste Management Plan – EDC - Update Provided
2. Cass River Greenway - Update Provided
3. State Purchase of Private Land in Tuscola County

**Other Business as Necessary**

- Emergency Services Plan has been updated and is available on disk
- County Planning Commission regrestfully accepted the resignation of Keith Kosik – To be placed on the Consent Agenda to post position

**Public Comment Period - None**

**Closed Session – None**

**Other Business as Necessary - None**

Meeting Adjourned at 9:31 a.m.

Jodi Fetting  
Tuscola County Clerk

**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, SB 395 would amend the Publicly Funded Health Insurance Contribution Act by clarifying certain requirements of PA 152 of 2011; and

WHEREAS, some of these proposed amendments would:

- Clarify that payments in lieu of insurance benefits are excluded from the dollar and percentage limits on a public employer's total contributions,
- Clarify that contributions into a fund solely for health care benefits are also excluded, and
- Set realistic hard caps for individual-and-spouse coverage; and

WHEREAS, this Board supports these proposed changes; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners supports SB 395 as it strives to clarify certain requirements of PA 152 of 2011 for which this Board is appreciative; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan counties, Representative Terry Brown, Senator Mike Green, and Michigan Association of Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE

Absent  
David G. Peruski, Chairman

Steve Vaughan  
Steve Vaughan, Vice Chairman

John L. Bbdis  
John L. Bbdis, Member

Dated: August 13, 2013

Roll Call Vote:

Tietz	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Peruski	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Elftman	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Vaughan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>

Bodis	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Wruble	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Nugent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Absent	<input type="checkbox"/>



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 395 (as introduced 5-28-13)  
Sponsor: Senator Bruce Caswell  
Committee: Reforms, Restructuring and Reinventing

Date Completed: 5-28-13

**CONTENT**

**The bill would amend the Publicly Funded Health Insurance Contribution Act (which limits the amount State and local employers may contribute toward employees' medical benefit plans) to do the following:**

- **Exclude payments to an employee in lieu of medical coverage, and amounts paid for health insurance claims assessments, from the dollar and percentage limits on a public employer's total contributions.**
- **Specify that "medical benefit plan" would not include a public employer's contributions to a fund used solely for health care benefits available to public employees or elected officials only upon retirement or separation.**
- **For purposes of the dollar-amount limit based on the number of employees receiving coverage, include individual-plus-1-nonspouse-dependent coverage in family coverage, and increase the multiplier for individual-and-spouse coverage from \$11,000 to \$13,455.**
- **Require an annual election before the start of a medical benefit plan coverage year, for a public employer to choose an 80% limit on its contributions, rather than the dollar-amount limit.**
- **Require a local unit's vote on opting out of the Act to be held before the beginning of the medical benefit plan coverage year.**

The bill states, "The changes in this amendatory act to sections 3 and 4 clarify the original intent of the legislature that payments to employees in lieu of medical benefit plan coverage are not included in the costs of a public employer's medical benefit plan, and those changes shall be applied retroactively."

**Dollar Limit on Contributions**

Under Section 3, except as otherwise provided by the Act, if a public employer offers or contributes to a medical benefit plan for its employees or elected public officials, the public employer is subject to a limit on the total dollar amount it may pay toward the annual costs or illustrative rate and any payments for reimbursement of co-pays, deductibles, or payments into health savings accounts, flexible spending accounts, or similar accounts used for health care costs.

For a medical benefit plan coverage year beginning on or after January 1, 2012, the limit is the sum of the following (subject to annual adjustments based on the medical care component of the U.S. consumer price index):

- \$5,500 times the number of employees with single-person coverage.

- \$11,000 times the number of employees with individual-and-spouse coverage.
- \$15,000 times the number of employees with family coverage.

The bill states that the family coverage would include individual-plus-1-nonspouse-dependent coverage.

For a medical benefit plan coverage year beginning on or after the bill's effective date, the multiplier would be \$13,455 for employees with individual-and-spouse coverage.

For purposes of calculating the limit on a public employer's total annual expenditures, the bill provides that "employee" would not include a public employee who declined the medical benefit plan offered or contributed to by the public employer.

#### Optional 80/20 Limit

Section 4 allows a public employer to elect to comply with a percentage limit on its medical benefit plan contributions, instead of complying with the requirements in Section 3, for a medical benefit plan coverage year. (Although this applies to a public employer other than the State, the designated State official for employees of the judicial branch, Senate, House, Legislative Council, State classified service, or executive branch, may elect to comply with Section 4 instead of Section 3 as to medical benefit plans for State employees and officers.) Under Section 4, a public employer may not pay more than 80% of the total annual costs of all of the medical benefit plans it offers or contributes to for its employees and elected public officials.

The Act requires a vote of the public employer's governing body for this election. The bill would require a vote each year before the beginning of the medical benefit plan coverage year.

#### Exclusions from the Total

In Section 3, the bill provides that a public employer's total annual costs of its medical benefit plan would not include either of the following:

- A payment of the public employer to an employee in lieu of medical benefit plan coverage.
- Any amount that the public employer paid directly or indirectly for the assessment levied under the Health Insurance Claims Assessment Act.

For the purposes of Section 4, the total annual costs of all of the medical benefit plans a public employer offered or contributed to for its employees and public officials and the employer's share of those costs would not include the payment or amount described above.

#### Medical Benefit Plan Exclusion

Currently, the term "medical benefit plan" does not include benefits provided to individuals retired from a public employer. The bill also would exclude a public employer's contributions to a fund used for the sole purpose of funding health care benefits available to public employees or elected public officials only upon retirement or separation from service.

#### Local Unit Exemption

The Act allows a local unit of government, by a two-thirds vote of its governing body each year, to exempt itself from the requirements of the Act for the next year. The bill would refer to the next medical benefit plan coverage year, and would require the vote before the beginning of that year.

A two-thirds vote of a local unit's governing body also is required to extend this exemption to a new year. The bill would require a two-thirds vote before the beginning of each succeeding medical benefit plan coverage year.

#### Collective Bargaining Agreement

Under the Act, if a collective bargaining agreement or other contract that was inconsistent with Sections 3 and 4 was in effect for a group of employees of a public employer on the Act's effective date, the requirements of those sections do not apply to that group of employees until the contract expires.

The bill would refer to one or more employees, and an employee covered by the contract, rather than a group of employees.

MCL 15.562

Legislative Analyst: Suzanne Lowe

#### **FISCAL IMPACT**

Based on 2011 data, there are an estimated 49,500 employees enrolled in a State health plan. Of that number, an estimated 7,900 employees are enrolled in an individual-and-spouse health care plan. The bill would increase the cap on the State's portion for those individuals enrolled in an individual-and-spouse plan from the current \$11,000 annually to \$13,455 annually. Although the State's currently negotiated contracts require the State to pay up to a maximum of 20% of an employee's health care costs instead of the capped dollar amount, if the State and employee unions negotiate to pay the capped dollar amount in the future, the State would incur higher costs.

Using the estimated figure of 7,900 employees currently enrolled in an individual-and-spouse plan, the proposed change would increase the State's contribution by \$2,455 per employee or a total of \$19.4 million annually. For the State, the GF/GP cost is estimated at 53% of the gross cost, or \$10.3 million annually.

Comprehensive data do not exist to accurately calculate the potential cost to local government, school districts, and public higher education employers from this bill. However, for a unit of government that has chosen to pay the capped dollar amount instead of the 80% of premium cap, the bill would increase the costs for the public employer by \$2,455 per employee enrolled in an individual-and-spouse plan.

Additionally, the proposed change to exclude payments to an employee in lieu of medical coverage from the dollar and percentage limits on a public employer's total contributions could result in a higher amount paid by the employer. The exclusion of these payments from the employer's dollar and percentage limits could result in the employer having to pay a higher amount for health care coverage for its employees. The amount of these higher payments is indeterminate and dependent on the number of affected employees and the amount of the payments in lieu of medical benefits.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.