

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
MEETING AGENDA**

**THURSDAY, OCTOBER 15, 2015 – 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 Allen  
Pledge of Allegiance – Commissioner Bardwell  
Roll Call – Clerk Fetting  
Adoption of Agenda  
Action on Previous Meeting Minutes (See Correspondence #1)  
Brief Public Comment Period  
Consent Agenda Resolution (See Correspondence #2)  
New Business  
    -Primary Road and Bridge Millage Transfer Requests  
    -2016 Budget Development  
    -MAC 7<sup>th</sup> District  
    -Presumptive Parole Bill HB4138 (See Correspondence #3)  
    -Michigan Renewable Energy Collaborative Newsletter (See  
Correspondence #4)  
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  
Parks & Recreation  
Local Unit of Government Activity Report

KIRKPATRICK

Board of Health  
Community Corrections Advisory Board  
Dept. of Human Services/Medical Care Facility Liaison  
Land Acquisition  
MI Renewable Energy Coalition  
MEMS All Hazards  
MAC-Environment Energy Land Use  
Oil/Shale Work Group  
Cass River Greenways Pathway  
Local Unit of Government Activity Report  
Tuscola In Sync  
NACO- Energy, Environment & Land Use

BARDWELL

Economic Development Corp/Brownfield Redevelopment  
Caro DDA/TIFA  
MAC Economic Development/Taxation  
MAC 7<sup>th</sup> District  
Local Unit of Government Activity Report  
TRIAD  
Human Services Collaborative Council

BIERLEIN

Thumb Area Consortium/Michigan Works  
Human Development Commission (HDC)  
Tuscola 2020  
Recycling Advisory Committee  
Local Emergency Planning Committee (LEPC)  
Great Start Collaborative Council  
Local Unit of Government Activity Report  
Tuscola In-Sync  
MAC Board of Directors  
Human Services Collaborative Council  
Region VI Economic Development Planning  
MAC-Economic Development & Taxation

TRISCH

Board of Health  
Planning Commission  
Economic Development Corp/Brownfield Redevelopment  
Local Unit of Government Activity Report  
Behavioral Health Systems Board  
Animal Control  
Solid Waste Management  
Thumb Works

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 October 1, 2015 Full Board Minutes
- #2 Consent Agenda Resolution
- #3 Presumptive Parole Bill HB4138
- #4 Michigan Renewable Energy Collaborative Newsletter
- #5 September 24, 2015 Road Commission Minutes
- #6 October 12, 2015 Committee of the Whole Minutes

*Draft*  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
October 1, 2015 Minutes  
H. H. Purdy Building

Commissioner 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 1st day of October, 2015 to order at 7:30 o'clock a.m. local time.

Prayer – Commissioner Kirkpatrick

Pledge of Allegiance – Commissioner Bierlein

Roll Call – Clerk Jodi Fetting

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

Commissioner Absent: District 1 - Roger Allen, District 3 - Christine Trisch

Also Present: Mike Hoagland, Clerk Jodi Fetting, Mary Drier, Tisha Jones, Mike Miller, Eean Lee, Sandy Nielsen, Register John Bishop, Laura Nowlen, Steve Anderson, Sheriff Lee Teschendorf

*Adoption of Agenda -*  
15-M-156

Motion by Kirkpatrick, seconded by Bierlein to adopt the agenda. Motion Carried.

*Action on Previous Meeting Minutes -*  
15-M-157

Motion by Bierlein, seconded by Kirkpatrick to adopt the meeting minutes from the September 17, 2015 meeting. Motion Carried.

*Brief Public Comment Period -*

-Register John Bishop questioned if there would additional training expenses incurred with the hiring of additional Medical Examiners. Mike Hoagland stated there is already a line item in the budget for training which he expects will cover that cost.

*Consent Agenda Resolution -*  
15-M-158

Motion by Kirkpatrick, seconded by Bierlein that the following Consent Agenda Resolution be adopted. Motion Carried.

**CONSENT AGENDA**

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/28/15
- Description of Matter:** Move that per the recommendation of the Recycling Coordinator that the 2016 Clean Sweep Grant Contract in the amount of \$25,000.00 be approved and all appropriate signatures are authorized.
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/28/15
- Description of Matter:** Move that per the recommendation of the Board of Health that the revised Health Department Organizational Chart be approved and placed on file.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/28/15
- Description of Matter:** Move that the Medical Care Facility millage transfer request of \$24,515.00 from the voted to the general Medical Care Facility Fund be approved for the items explained in the September 18, 2015 letter of request.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/28/15
- Description of Matter:** Move that per the recommendation of corporate council that the American Institute of Architects Contract for the Mosquito Abatement Building Construction be approved and all appropriate signatures are authorized.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/28/15
- Description of Matter:** Move that the county hiring freeze be temporarily lifted and the Sheriff be authorized to refill the vacancy created by the resignation of Road Patrol Deputy Matt Meisel who is leaving employment September 30, 2015.

- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/28/15
- Description of Matter:** Move that per the recommendation of the Board of Health to approve the wage ban for the new Veteran's Affairs Assistant position which will be filled in 2016 using the new Voted Veteran's Millage fund.

New Business -

-Independent Contractor Agreement for Services to Families with Probate/Family Court Foster Care Cases - Laura Nowlen explained the need to have the agreement revised as the contract cannot have Department of Health and Human Services included.

15-M-159

Motion by Kirkpatrick, seconded by Bierlein that the revised Independent Contract Agreement Template (reviewed by Judges and other entities) for contractor services to families with families with Probate/Family Court Foster Care cases be approved. Also, the Chairperson has authority to sign this agreement for current and future independent contractors as recommended by Judges and staff involved in overseeing programs.

Discussed if the contract would have to be brought before the Board each time the Contractor changes. Mike Hoagland stated he did not believe it would as the motion included future contractors.

Motion Carried.

-Sheriff Request to Refill Vacant Corrections and Road Patrol Positions - There have been recent resignations at the Department due to employees finding other employment.

15-M-160

Motion by Bierlein, seconded by Kirkpatrick that per the September 29, 2015 memo of request from the Sheriff that the hiring freeze be temporarily lifted and the Sheriff be authorized to refill vacant budgeted correction officer and road patrol positions. Motion Carried.

-House Bill 4904 February/March County Elections -

15-M-161

Motion by Kirkpatrick, seconded by Bierlein that a communication be forwarded to Senator Green and Representative Canfield asking for their support to gain approval of House Bill 4904 that would re-establish the ability of counties and local units of government to conduct millage elections in the March 2016 election. Motion Carried.

-County Park Ordinance - Ordinance has been reviewed.

15-M-162

Motion by Kirkpatrick, seconded by Bierlein that the County Park Ordinance concerning vehicle parking be adopted and take immediate effect. Also, ordinance adoption procedures as explained in correspondence from corporate council be implemented.

-MSU-e/4-H Ballot Language - Matter was discussed and the Board decided to table the approval of the language for the possible passage of HB4904.

-Register Request to Amend Automation Fund - Register Bishop explained the need to amend the Automation Fund Budget. He also updated the Board on the back filing of documents and e-filing within his office.

15-M-163

Motion by Bierlein, seconded by Kirkpatrick that per the recommendation of the Register of Deeds the Automation Fund Budget (258) contractual line be amended and increased from \$15,000 to \$130,000 to account for invoices that were expected to be paid in 2014 but were not paid until 2015. Motion Carried.

-Homeland Security Funding of Mobile Data Terminals - Steve Anderson opened the two bids received - Howard Technology Services \$14,502.92 and Advanced Wireless Telecom \$13,373.97.

15-M-164

Motion by Bierlein, seconded by Kirkpatrick that the contract for the FY2015 Homeland Security LETPA Patrol Unit in car laptop computers be awarded to Advanced Wireless Telecom the lowest bidder in the amount of \$13,373.97. Motion Carried.

-Agreement for Communications at Caro Community Hospital - Steve Anderson explained the agreement.

15-M-165

Motion by Kirkpatrick, seconded by Bierlein that per the recommendation of the Emergency Services Coordinator, Tuscola County enter into an agreement with Caro Community Hospital for the Amateur Radio antenna and radio equipment placed at the hospital for back up communications should the need arise. The agreement will be in place to provide what equipment will be at Caro Community Hospital, the guidelines and procedures for the use of this equipment, who will have access, and maintenance on the equipment. Also, the use agreement between Caro Community Hospital, Tuscola County, and Tuscola County Amateur radio be authorized for signature. Motion Carried.

-2016 Budget Development Update - First draft is close to being completed. Mike is looking to have to have the draft copy available at the first Committee of the Whole meeting in October.

- Old Business
- Based on the Road Commission minutes, they are looking at their MERS program.
- Mike Hoagland and Clayette Zechmeister will be providing a financial update to MAC.
- MSU-e is hosting a Budget Training session in Frankenmuth.
  
- Correspondence/Resolutions - None

## COMMISSIONER LIAISON COMMITTEE REPORTS

### KIRKPATRICK

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison - There was an open house held for the new small houses that went very well.

Land Acquisition

MI Renewable Energy Coalition

MEMS All Hazards

MAC-Environment Energy Land Use

Oil/Shale Work Group

Cass River Greenways Pathway

Local Unit of Government Activity Report

Tuscola In Sync

NACO- Energy, Environment & Land Use

Thumb Works Board - May have difficulty attending this meeting as it is the same day/time as the MAC meeting. If another Commissioner would like to attend for Craig he would be appreciative.

### BARDWELL

Economic Development Corp/Brownfield Redevelopment - MI EDC has made reductions in staffing.

Caro DDA/TIFA - Meeting to be scheduled in October.

MAC Economic Development/Taxation

MAC 7<sup>th</sup> District - Working on scheduling a meeting.

Local Unit of Government Activity Report

TRIAD

Human Services Collaborative Council

BIERLEIN

MAC Conference - Breakout sessions were very informative at the conference.

Thumb Area Consortium/Michigan Works

Human Development Commission (HDC)

Tuscola 2020

Recycling Advisory Committee - Meets tonight.

Local Emergency Planning Committee (LEPC)

Great Start Collaborative Council - There have been new guidelines put in place and planning is underway to comply with the new guidelines.

Local Unit of Government Activity Report

Tuscola In-Sync

MAC Board of Directors - Elected as MAC 2nd Vice President. Matt is also part of the judiciary committee.

Human Services Collaborative Council

Region VI Economic Development Planning

MAC-Economic Development & Taxation

TRISCH - absent

Board of Health

Planning Commission

Economic Development Corp/Brownfield Redevelopment

Local Unit of Government Activity Report

Behavioral Health Systems Board

Animal Control

Solid Waste Management

Thumb Works

ALLEN - absent

Dispatch Authority Board

County Road Commission

Board of Public Works

Senior Services Advisory Council

Mid-Michigan Mosquito Control Advisory Committee

Saginaw Bay Coastal Initiative

Parks & Recreation

Local Unit of Government Activity Report

Closed Session - None

Other Business as Necessary -

- Certificate of Occupancy has been issued for the MMR Building.
- A conference call regarding Michigan Renewal Energy Coalition will be upcoming and Mike Hoagland will let the Commissioners know when it is in case they want to participate.

Extended Public Comment -

- Register John Bishop is on the MARD Board of Directors and is also on the legislative committee.
- Sandy Nielsen is looking at an option of a Mass Notification System. There are a couple of different options that are available. She provided an overview of the benefits and the cost involved. The 911 Authority Board approved Sandy's proposed budget for the next year.

Meeting adjourned at 8:58 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 15<sup>th</sup> day of October, 2015 at 7:30 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 10/12/15

**Description of Matter:** Move that per the request of the Chief Judge to concur with the hiring of Philip J. Hiltner effective immediately to fill the budgeted but vacant domestic relations referee position.

**Agenda Reference:** B

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that per the recommendation of the Chief Judge that the 2016 District Court Appointed Attorney Contract be awarded to Biddinger & Bitzer for an amount of \$108,000.

**Agenda Reference:** C

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that per the recommendation of the Chief Judge that the 2016 Probate Court Developmentally Disabled Court Appointed Attorney Contract be awarded to Duane Burgess for an amount of \$4,500.

**Agenda Reference:** D

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that the first draft 2016 county budget be authorized to be forwarded to county officials for review and comment. (Requested changes from this draft shall be submitted to the Controller-Administrator in writing for review by the finance committee and full board.)

**Agenda Reference:** E

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that per the request of the Building and Grounds Director that one 25 hour per week custodian position (currently filled by Paul Fuller) be reduced to 10 hours per week. Also, the status of Steve Root be changed from part-time Maintenance I to full-time effective October 19, 2015. (The savings by reducing the custodian hours of work off-sets the cost of changing the part-time Maintenance I to full-time based on the health insurance incentive being paid and not the full health insurance cost).

**Agenda Reference:** F

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that Paul Fuller be hired at Recycling as a part-time Material Handler effective October 19, 2015 to work a maximum of 20 hours

per week per the requirements of the grant received for the recycling trailer to increase the amount of recycled materials in the county.

**Agenda Reference:** G

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that the following re-appointments be made to the respective Boards with a beginning date of January 1, 2016.

- Matthew Foley to the 911 Dispatch Authority Board for 2-year term.
- Marvin Klein and Ken Martin Jr. to the Construction Code Board for a 2-year term.
- Bill Bushaw, Rose Laskowski and Christine Trisch to the Economic Development Commission for a 2-year term.
- John Johnson and Dorothy Scollon to the Recycling Committee for a 3-year term.
- William Sanders and Henry Wymore to the Region VII Council on Aging for a 2-year term.

**Agenda Reference:** H

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that the County Clerk advertise for the following vacancies:

- Planning Commission for a 3-year term which would begin on January 1, 2016
- Region VII Council on Aging for a 2-year term which would begin on January 1, 2016
- Economic Development Commission for a 2-year term which would begin on January 1, 2016
- Construction Code Board for a 2-year term which would begin on January 1, 2016 – 2 positions

**Agenda Reference:** I

**Entity Proposing:** COMMITTEE OF THE WHOLE 10/12/15

**Description of Matter:** Move that Republican Mike Slocum and Democrat John Hunter be appointed to the Board of County Canvassers for a 2-year term beginning on January 1, 2016.

**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

**mhoagland@tuscolacounty.org**

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**From:** mhoagland@tuscolacounty.org  
**Sent:** Tuesday, October 13, 2015 1:04 PM  
**To:** Senator Mike Green; Jim Mcloskey  
**Cc:** Gierhart Amy; Lee Teschendorf; ctrisch@tuscolacounty.org; 'Bardwell Thom'; 'Bierlein Matthew'; 'Kirkpatrick Craig'; 'Roger Allen'  
**Subject:** FW: Call your senator; say NO to presumptive parole bill

Senator Green

MAC believes HB 4138 will push more cost onto counties and weaken public safety in addition to the other reasons listed below that make this bad legislation. MAC asked us to contact you to vote NO on HB 4138.

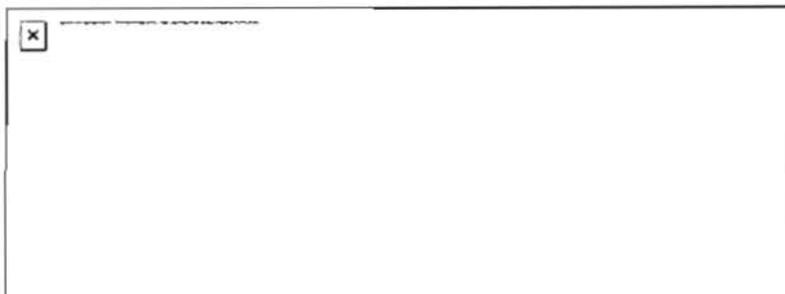
Michael R. Hoagland  
Tuscola County Controller/Administrator  
989-672-3700  
[mhoagland@tuscolacounty.org](mailto:mhoagland@tuscolacounty.org)

**VISIT US ON LINE FOR COUNTY SERVICES @ [www.tuscolacounty.org](http://www.tuscolacounty.org)**

**From:** Michigan Association of Counties [mailto:melot@micounties.org]  
**Sent:** Tuesday, October 13, 2015 11:05 AM  
**To:** mhoagland@tuscolacounty.org  
**Subject:** Call your senator; say NO to presumptive parole bill

To view this email as a webpage [click here](#)

**CALL TO ACTION: Ask senator to oppose HB 4138**



Oct. 13, 2015



## **Presumptive parole bill presents problems for public safety, bigger bills for counties and little investment for roads**

Commissioners,

We need you to **call your state senator today** and express your firm opposition to **House Bill 4138**, the so-called "presumptive parole" measure now before the Michigan Senate. As amended, this bill will weaken public safety in our state, impose new costs on counties and provide far less in immediate new investments for roads than its proponents are claiming.

So, please, take a few moments out of your day today to call your senator (using this [phone list](#) and [map](#)) to convey the following points:

- \* **This isn't a fix.** The bill is a "solution" in search of a problem. Under present parole rules, two-thirds of felons are released within six months of their earliest release date. In MAC's view, and the view of Michigan sheriffs, prosecutors and chiefs of police, this is evidence that the decision-making on who to release is reasonable; certain felons are held longer in order to protect the public.
- \* **The presumptions allow violent crimes.** Felons who have been convicted of such crimes as murder, manslaughter, serious sexual offenses, assault and sexual abuse of a child would be eligible for presumptive parole under the current version of this bill.
- \* **Those in prison are there for a reason.** Michigan's initial prison commitment rate is 10 percent, far below the national average. This means those who go to prison in Michigan are violent and/or repeat offenders -- exactly the kind of felons who should not be automatically presumed safe for release.
- \* **Re-offense rates are too high.** Nearly a quarter of parolees and probationers are re-arrested within a year of release. About 50 percent of the prison inflow each year is due to parole/probation violations. This shows the system cannot handle an influx of parolees, and that services available to parolees (and probationers) must be increased significantly because the failure rate is much too high.
- \* **Parole supports lack investments.** Parolees may need services such as substance abuse or mental health programs that provide support and accountability as they transition back into their communities. HB 4138, though, is silent regarding providing funding to these transition programs, as well as ensuring there are adequate jobs and housing

for parolees. The savings realized by presumptive parole should be reinvested at the community level where supervision, employment, housing and other services are provided to avoid recidivism.

**\* New crimes mean new burdens for counties.** If parolees commit a new crime, it will increase costs for local correctional systems; this will be yet another significant burden for strained county budgets.

**\* Savings are overly optimistic.** Proponents claim they can close two prisons and thereby divert tens of millions to other uses. Those projections though are based on overly optimistic projections for how many parolees will re-offend. And even if everything went exactly as proponents hope, the big savings are almost a decade away.

**House Bill 4138 is a problem, not a solution. Urge your senator to oppose this legislation.**

The Michigan Association of Counties (MAC) founded on February 1, 1898, is the only statewide organization dedicated to the representation of all county commissioners in Michigan.

MAC is a non-partisan, non-profit organization which advances education, communication and cooperation among county government officials in the state of Michigan. MAC is the counties' voice at the State Capitol, providing legislative support on key issues affecting counties.

**Michigan Association of Counties**  
935 N. Washington Avenue  
Lansing, Michigan 48906  
Tel: (800) 258-1152 or (517) 372-5374  
Fax: (517) 482-4599  
[www.micounties.org](http://www.micounties.org)



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Michigan Association of Counties | 935 N. Washington Ave. | Lansing | MI | 48906

[mhoagland@tuscolacounty.org](mailto:mhoagland@tuscolacounty.org)

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**From:** Leland Teschendorf <lttesch@tuscolacounty.org>  
**Sent:** Tuesday, October 13, 2015 2:17 PM  
**To:** senmgreen@senate.mi.gov  
**Cc:** Mark Reene; mhoagland@tuscolacounty.org  
**Subject:** FW: Early Release to be Voted on ACTION NEEDED NOW!

Senator Green,

I am forwarding the Michigan Sheriff's Association information on HB 4138 as a follow-up on my opposition to this legislation and the information I faxed to your office yesterday. This is not in the best interest of public safety and should not be enacted. Thanks for your consideration of my sincere objections.

Lee Teschendorf, Your Tuscola County Sheriff

**From:** Michigan Sheriffs' Association [mailto:bparkinson@misheriff.org]  
**Sent:** Tuesday, October 13, 2015 10:50 AM  
**To:** sheriff@tuscolacounty.org  
**Subject:** Early Release to be Voted on ACTION NEEDED NOW!

**Time Sensitive Important Information**  
MSA CEO/Executive Director Terrence L. Jungel



October 13, 2015

Please contact your **SENATORS** again **TODAY** because there will be lots of pressure to get them to say yes. We need to shore up the **NO** votes and see if we can turn the **YES** votes too.

This bill does a disservice to victims and we need to be the victim's voice.

HB 4138 would automatically parole felons from prison on their earliest release date unless "substantial and compelling reasons" exist to keep the prisoner. By 2026, the state claims it would be able to close 3,600 beds and save about \$82 million.

HB 4138 is likely to be taken up in the Senate Government Operations Committee, Chaired by Majority Leader Arlan Meekhof (R-Ottawa County) next week. It also may run on the floor as soon as next week. The bill is imminent!

### **HB 4138 Talking Points**

#### **Position:**

- MSA opposes HB 4138 (H-4) unless violent offenses are excluded from qualification for presumptive parole and any savings are invested in local programming.

#### **Problems:**

- None of the savings would go to local programming, jails, community corrections, substance use disorder treatment, mental health services, jobs, or housing.
- All of the parolees will be in local communities.
- Violent offenders are included.
- Discretion is largely removed from the parole board.

#### **Arguments:**

- The parole board currently paroles 69% of prisoners within 6 months of their earliest release date, and 82% are released within 1 year of their earliest release date. The parole board is releasing most felons near ERD, so there must be good reason for keeping the other 18% a little longer.
- In Michigan, 23% of parolees and 24% of probationers are rearrested within 1 year of release from supervision, and 50% of prison commitments are probation and parole violations.
- It is hard to get into prison in Michigan. Initial prison commitment rate is only 10%, most of them violent, habitual criminals. In 2013 there were only 5,135 new prison commitments out of a total of 50,817 felony dispositions.

#### **Solutions:**

- Exclude violent offenses from presumptive parole (murder 2, CSC, Assault, etc.)
- Require any savings to be driven to locals.



# MREC

Michigan Renewable Energy Collaborative-Representing Local Taxing Units  
in Gratiot, Huron, Mason, Saginaw, Sanilac and Tuscola County.

VOLUME 1 ISSUE 2

OCTOBER EDITION

## CONTACTS

### MREC Coordinator

- Carl Osentoski-  
Huron County  
EDC

### MREC Legislative Coordinator

- Don Schurr-  
Gratiot County  
EDC

### Executive Committee

- Ron Wruble-  
Chairman-Huron  
County Commis-  
sioner
- Mike Hoagland-  
Administrator-  
Tuscola County
- Fabian Knizacky-  
Administrator-  
Mason County
- Terry O'Connor-  
Supervisor-Minden  
Township
- Jerry Rhode-  
Supervisor-  
Wheeler Township
- Kathy Dorman-  
Administrator-  
Sanilac County
- Bill Renn-  
Supervisor-  
Chandler Township

## Michigan Wind 1 and 2 Valuation Disclosures

### Submitted to Michigan Tax Tribunal

On October 2, 2015 Valuation Disclosures for Michigan Wind 1's 46 turbines located in Bingham and Sheridan Townships of Huron County for tax year 2013, 2014, and 2015 were filed with the MTT. Michigan Winds total original cost was in excess of 150 million dollars and was completed in 2008. The appeal filed by Exelon was over the issue of the multiplier tables used. For the 2013 tax year the assessors used the original 2011 multipliers and in 2014 and 2015 the AE Multipliers were used. The valuation disclosure was over 300 pages in length.

On October 2, 2015 Valuation Disclosures for Michigan Wind 2's 37 turbines located

in Delaware Township of Sanilac County for tax year 2013, 2014, and 2015 were filed with the MTT. The Michigan Wind 2 project also included the townships of Marion and Minden with a total number of turbines of 50. The total original cost was in excess of 200 million dollars and was completed in 2011. The appeal filed by Exelon was over the issue of the multiplier tables used. For the 2013 & 2014 tax year the multipliers based on Detroit Edison's Depreciation Case approved by the MPSC the depreciation rate used was 3.39% per year (.961 tax year 2013 and .9271 for 2014) and in 2015 the AE Multipliers were used. The valuation disclosure was over 250 pages in

length.

The valuation disclosures were developed by Appraisal Economics Inc. after reviewing mountains of data including but not limited to Purchase Power Agreements, Operating Data to determine Capacity Factors, financial statements, market sales, and cost of construction of similar projects to name just a few of the components.

These are the first Wind Energy System Appeals at Michigan Tax tribunal.



## Who is Appraisal Economics Inc.?

Appraisal Economics was hired as a consultant in 2013 to assist in the analysis of data and developed the multiplier tables most assessors are now using. Joe Kettell is Managing Director and Alexander Hazen is also engaged as a principal on MREC's projects. Both bring a vast amount of experience and are well versed in power plant valuations including wind projects. Following is more information on AE and please visit their website for more on their qualifications and experience. Appraisal Economics Website <http://www.appraisaleconomics.com>

## Appraisal Economics cont.



**Joe Kettell, Appraisal Economics Managing Director**



**Alexander L. Hazen**

Appraisal Economics is an independent valuation firm that has performed thousands of appraisals over more than 25 years. Our clients range from multi-billion dollar publicly traded companies with diverse operations to privately held, early stage companies.

Often, we are engaged by law firms or private equity firms on behalf of their clients or portfolio companies. We also serve government agencies and not-for-profits. Our individual clients have included a Nobel Prize-winning economist, a former United States Secretary of the Treasury, entrepreneurs, philanthropists, and many small business owners.

They have appraised business interests and assets worldwide and even the rights to satellite orbit paths in outer space. We offer a range of services including: business valuations, complex securities valuations, intangible asset studies, goodwill impairment studies, trademark and patent valuations, real estate appraisals, and machinery and equipment valuations. We provide appraisal services for accounting, tax, litigation, and transaction-related purposes.

Appraisal Economics, specializes in one area — valuation. Unlike many other firms, we are independent. This means we do not engage in auditing, in-

vestment banking, or securities trading. This removes any possibility for conflicts of interest, real or perceived, and allows us to focus exclusively on the research, analysis, and reporting that meet your appraisal needs.

Founded in 1989 by alumni of Price Waterhouse and Deloitte, our team has expanded over time to include former members of accounting firms, investment banks, and equity research firms, as well as executives and engineers from a wide range of industries. Our team members have graduated from some of the best universities and have gained unique experiences from assignments around the world. We also participate in rigorous continuing education programs because we recognize that staying at the top of our field requires continual growth and development. Some members of our team have been issued a U.S. patent, held the position of chief financial officer, and achieved other high-level accomplishments before joining Appraisal Economics.

Our members hold designations and credentials from organizations such as the American Society of Appraisers, the American Institute of CPAs, the CFA Institute, and various real estate licensing

boards. Our team regularly serves in officer positions for the American Society of Appraisers. Our team has authored numerous articles and lectured extensively on valuation topics, including intellectual property and power plants. We also have extensive experience providing expert witness testimony in federal, state, and tax courts, at arbitration hearings, and at Federal Communication Commission hearings. Many members of our staff have received U.S. government security clearance through the Internal Revenue Service background investigation process. This enables us to work on projects of an extremely sensitive nature.

Today we have an experienced team of appraisers, accountants, economists, and engineers that have both a deep understanding of common and complex appraisal issues, and diversified real-world experience across many industries. Our wide-ranging backgrounds and experiences allow us to view projects from multiple perspectives and deliver the best possible service to our clients. We would consider it a privilege to serve you. If you need a valuation for accounting, tax, transaction, litigation, or planning purposes.



## Tech Tip: What Does Wind Turbine Capacity Factor

The capacity factor of a power plant is the ratio of its actual output over a period of time, to its potential output if it were possible for it to operate at full nameplate capacity continuously over the same period of time. To calculate the capacity factor, take the total amount of energy the plant produced during a period of time and divide by the amount of energy the plant would have produced at full capacity. Capacity factors vary greatly depending on the type of fuel that is used and the design of the plant. The capacity factor should not be confused with the availability factor, capacity credit (firm capacity) or with efficiency. So let's calculate the capacity factor for a 50 turbine wind park with each having a 2 mW nameplate.

- What's a mW? Its 1000 kw!
- How Many Hours in a Year? 24 Hours/ day \* 365 days= \*8760 Hours per year
- Assume a Wind Park has 50 –2mw Turbines
- If each wind turbine ran at maximum (100%) every hour of the year it would produce;
  - ⇒  $50 \times 2\text{mW} \times 8760 \text{ hours} = 876,000 \text{ mWh} (876,000,000 \text{ kWh})$
- Assume a 50 turbine wind park with each turbine having a name plate capacity of 2 mW produces 350,000 mWh per year.
- So What is the Capacity Factor?
  - ⇒  $350,000 \text{ mWh} \text{ divided by } 876,000 (350,000/876,000) = .4 \text{ or } 40\% \text{ Capacity Factor}$

So why is capacity factor important? Purchased Power Agreements (PPA) signed by the wind owner may receive a fixed amount per mWh for each mWh produced. So the higher the capacity factor the more money the wind park owner receives to pay debt, maintenance and increased profit.

- Assume the wind park receives \$70 per mWh
- With a 40% Capacity Factor the Revenue = \$70 per mWh x 350,000 mwh = \$24,500,000
- If the Capacity Factor is 30% the Revenue = 262,800 mWh are produced x \$70 per mWh= \$18,396,000
- 10% loss in Capacity Factor mean a loss of revenue of \$6,104,000 per year.

So location, location location, is the key for wind parks. Information available from MPSC submitted orders most new wind parks in the Thumb are operating at between 35% to 40% capacity factors. Siting and new technology are the key components to seeing increased capacity factors.

Capacity Factors make the cash register ring!

## NextERA Tuscola Bay 1: Gilford Township-Tuscola County and Blumfield Township-Saginaw County

The NextEra Tuscola Bay 1 Project which consists of 75 turbines, 68 turbines in Gilford Township Tuscola County and 7 turbines located in Blumfield Township Saginaw County was completed in 2012. There are two issues the taxpayer is

appealing one being the multiplier tables and the second being the taxpayer wants the 30% 1603 grant it received deducted from the original cost. In the tax year 2013 the taxpayer did not correctly file so the case was discharged. In tax

year 2014 and 2015 the taxpayer is appealing both the multipliers and 30% grant issue. On site visits by Appraisal Economics are scheduled for early October 2015 with valuation disclosures due November 5, 2015. This is a very significant case that can have wide reaching impacts to all wind projects.

## Current Activities

- Many legal and consulting hours have been spent on appeals this past month. Once again these are the first appeals ever regarding wind turbines which hopefully will lead to quicker times in the future. Due to the increase in time spent on this issue expect a more expensive stage during this effort.
- Some committee meetings, etc. on State Senator NoF's legislation that would eliminate the 10% renewable requirement for all Michigan utilities

and rely on integrated resource planning to continue new investments in renewables. Action later in the year maybe if the road deal gets done.

- Efforts are still on going to find an opportunity for a solution to the multiplier issue at the STC.
- Exelon and NextERA were the only wind park owners filing appeals for 2015. Clark Hill has responded to all 2015 appeals on the townships behalf. Approximately 127 tur-

bines are involved in these appeals. There were no appeals filed by DTE, Consumers, or Heritage. Nothing was filed to our knowledge at the STC regarding classifications.



*Michigan Renewable Energy Collobarative (MREC)  
C/O Huron County EDC  
250 E. Huron Ave. #303  
Bad Axe, MI 48413  
989.269.6431*

September 24, 2015

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, September 24, 2015 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.

Motion by Parsell seconded by Matuszak that the minutes of the September 10, 2015 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Sheridan that the minutes of the September 17, 2015 special meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$85,064.81 and bills in the amount of \$10,265.34 covered by vouchers #15-47 and #15-48 were presented and audited.

Motion by Sheridan seconded by Parsell that the payroll and bills be approved; and that bills be paid later today at the discretion of the Director of Finance. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Brief Public Comment Segment:

- (1) Ms. Emily Butterfield appeared before the Board to discuss the Frankford Road Bridge in Wells Township. Ms. Butterfield asked for the status of the bridge closure, and requested additional improvements to the local roads in the area due to the added traffic. County Highway Engineer Zaverucha reported the status of the bridge, and that the bridge has been applied for replacement with federal/state funds. Superintendent/Manager Jay Tuckey explained the maintenance of the local roads in that area. The Board further recommended that Ms. Butterfield contact the Wells Township Board for any additional local road improvements.

Motion by Zwerk seconded by Parsell that the structure on Barnes Road 0.1 mile west of Milliman Road over the Perry Creek in Millington Township be posted for a maximum gross weight of forty-two (42) tons for a straight truck, sixty-four (64) tons gross weight for a semi, and seventy-seven (77) tons gross weight for a double-bottom, and that the structure on Barnes Road 0.3 mile west of Milliman Road over the Perry Creek in Millington Township be posted for a maximum gross weight of forty-two (42) tons for a straight truck, sixty-two (62) tons gross weight for a semi, and seventy-seven (77) tons gross weight for a double-bottom; as recommended by Great Lakes Engineering Group. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 8:20 A.M. the following bids were opened for the Grade, Base, and Drainage Improvements of Quanicasse Road from Darbee Road to Dutcher Road in Gilford Township:

<u>Bidder</u>	<u>Project Total</u>
Kappen Excavating, LLC	\$ 263,500.00
Mariette Excavating Company	355,750.00
Worth Construction, Inc.	359,370.00
L.J. Construction, Inc.	395,400.00

Motion by Parsell seconded by Matuszak that the bids for the Grade, Base, and Drainage Improvements of Quanicassee Road from Darbee Road to Dutcher Road in Gilford Township be accepted, and to forward the bid results to the Gilford Township Board for their approval. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell to approve Troy Daily be promoted to the Caro Division Working Foreman position effective October 5, 2015, as recommended by the Superintendent/Manager. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell to approve Nick Linzner be promoted to the Akron Division Working Foreman position effective October 5, 2015, as recommended by the Superintendent/Manager. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to approve the Road Commission internally post five (5) hourly job openings within the Heavy Equipment Operator classification, all in accordance with the Union Labor Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board discussed future internal job postings and hourly job transfers.

Motion by Sheridan seconded by Matuszak to approve the Road Commission internally post one (1) hourly job opening within the Sign Mechanic classification, all in accordance with the Union Labor Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board reviewed a proposed one-year extended Agreement for Weighmaster Services with the Tuscola County Sheriff's Department. After discussion, the following motion was introduced:

Motion by Parsell seconded by Zwerk to approve a one-year extended Agreement for Enforcement Services between the Tuscola County Road Commission and the Tuscola County Sheriff's Department contracting one designated deputy officer to serve as the Tuscola County Weighmaster for the fiscal year 2016, all in accordance with the terms and conditions specified in the agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Matuszak that with the Board's motion of September 17, 2015 to add a M.E.R.S. Hybrid Plan for new eligible employees, the Board continues to temporarily close the Massachusetts Mutual Pension Plan to any new employees until further review of the plan and meeting with the plan representative. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board discussed the Tuscola County Board's decision to place the County-Wide Primary Road Millage and Local Bridge Millage renewals on the October 2016 General Election ballot.

Motion by Parsell seconded by Matuszak that the Board go into closed session at 9:10 A.M. for the purpose of discussing union negotiations. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 9:45 A.M. the Board returned to open session.

Motion by Zwerk seconded by Matuszak that the meeting be adjourned at 9:50 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

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Chairman

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Secretary-Clerk of the Board

**Tuscola County Board of Commissioners  
Committee of the Whole  
Monday, October 12, 2015 – 7:30 A.M.  
HH Purdy Building  
125 W. Lincoln, Caro, MI**

Present: District 1 - Roger Allen, District 2 - Thomas Bardwell, District 3 - Christine Trisch, District 4 - Craig Kirkpatrick, District 5 - Matthew Bierlein

Absent: None

Also Present: Mike Hoagland, Clerk Jodi Fetting, Tisha Jones, Mike Miller, Eean Lee, Judge Amy Grace Gierhart, Clayette Zechmeister, Register John Bishop, Erica Dibble

**Finance**

Committee Leaders-Commissioners Kirkpatrick and Bierlein

**Primary Finance**

**1. Judge Gierhart**

- **Referee Position Vacancy** - Judge Gierhart reviewed the need for a Referee in Tuscola County. Matter to be placed on the Consent Agenda.
- **District Court – Court Appointed Attorney Contract** - Judge Gierhart reviewed the District Court Appointed Attorney Contract which is lower than last year's contract. The contract to be awarded to Biddinger and Bitzer, PLLC. Matter to be placed on the Consent Agenda.
- **Developmentally Disabled Individuals Attorney Contract** - Judge Gierhart reviewed the Developmentally Disabled Individuals Attorney Contract which will be the same amount as last year's contract. The contract is to be awarded to Attorney Duane Burgess. Matter to be placed on the Consent Agenda.

**2. 2016 Budget Development** - Mike Hoagland reviewed in detail the budget development for 2016. There are still adjustments to be made to the budget before the public hearing will be scheduled. 2016 Budget Development to be forwarded to Department Heads for review. Matter to be placed on the Consent Agenda.

**3. Michigan Renewable Energy Collaborative Update** - Mike Hoagland and Commissioner Kirkpatrick participated in a conference call and provided an update. The Board discussed windmills within in Tuscola County.

Recessed at 8:51 a.m.  
Reconvened at 8:58 a.m.

4. **House Bill 4904 – Elections** - Bill has passed the House and is awaiting the next step.
5. **Sale of County Assets** - Mike Hoagland reviewed the opinion from Braun, Kendrick & Finkbeiner.
6. **Phragmites Grant Application Update** - Grant project is moving forward. There is a meeting scheduled on October 15, 2015 from 1:00 p.m. to 3:00 p.m. at the Bay County Building.
7. **Contract with Huron County for Equalization Services** - Mike Hoagland reviewed the contract details. The Level 4 certification was discussed.
8. **Caro Dam Grant Funding Potential** - Steve Anderson discovered a potential grant to apply for to put towards the Caro Dam. Steve Erickson is going to look into the possibility of applying for the grant through EDC.

#### On-Going Finance

1. CDBG Housing Grant Check Presentation - October 26, 2015 at the Human Development Commission office at 11:30 a.m.
2. Road Commission Legacy Cost - Mike Hoagland will try to schedule a joint meeting for Thursday after the Board meeting.
3. Tuscola County Community Foundation and Next Steps - No update.
4. MAC 7<sup>th</sup> District Meeting in Tuscola County - Mike Hoagland would like agriculture as the main topic of the District Meeting. He is looking for speakers for the meeting.
5. MSU-e/4-H Millage Ballot Language – Approval needed.

#### Personnel

Committee Leader-Commissioner Trisch

#### Primary Personnel

1. **Staffing Change Requests Buildings and Grounds and Recycling** - Mike Miller has a position open with receiving the recycling grant. The Recycling Committee has motioned to extend the position even after the grant period. He is looking at utilizing current staff to cover the needs of the open position which would be budget neutral. Matter to be placed on the Consent Agenda.
2. **2016 Boards and Commissions Appointments** - Clerk Fetting presented the 2016 re-appointments to various Boards and Commissions. She also requested to advertise to fill vacant positions. Also, presented were the recommendations for the County Board of Canvassers. The Board agreed to appoint the

Canvassers presented as the first recommendation by the party chairs. Matter to be placed on the Consent Agenda.

#### On-Going Personnel

1. DOL Proposes Rule Changes to Exempt Employees - No Update.

### **Building and Grounds** Committee Leader-Commissioner Allen

#### Primary Building and Grounds

1. **Review USDA Potential for County Building Energy Efficiency Retrofit** - Mike Hoagland updated the Board.

#### On-Going Building and Grounds

1. Certificate of Occupancy Issued for Mobile Medical Response Building - Mike Hoagland provided an update.
2. County Land Farmland Lease Agreement - Lease will be put out for bid.
3. Fixed Assets Inventory Update - Update is currently being worked on.
4. Vanderbilt Park Grant Application - Next Meeting for the Parks and Recreation Committee is on October 21, 2015.
5. Vanderbilt Parking Ordinance - Ordinance is in place although a few details need to be worked out.
6. Farmland Lease Bids - See above.
7. Mosquito Abatement Building Construction - Construction is underway and going well.

#### Other Business as Necessary

1. **Federal Truck Size and Weight Update** - Mike Hoagland provided an update.
2. **State e-filing** - Legislation now allows a county to charge for e-filing. Eean Lee is keeping this in his multi-year plan.
3. **MAC Legislative Report regarding Parole release** - Mike Hoagland has sent the information to the Judges and the Sheriff for their input on this issue.

**Public Comment Period**

-Eean Lee will be hosting a Google Apps training on Wednesday, October 14, 2015 from 9:00 a.m. to 3:00 p.m. beginning every 45 minutes in the Committee Room at the Purdy Building.

Meeting adjourned at 10:02 a.m.

Jodi Fetting  
Tuscola County Clerk