

Agenda
Tuscola County Board of Commissioners
Committee of the Whole Monday, March 22, 2021 – 8:00 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

RESIDENTS OF TUSCOLA COUNTY PLEASE TAKE NOTICE

Electronic remote access will be implemented for this meeting, in accordance with the Department of Health and Human Services Emergency Order Under MCL 333-2253 Gathering Prohibition and Mask Order and Public Act No. 254 of 2020.

To participate in the Electronic Meeting you can:

***Join by phone:* (US)+1 216-525-9297 PIN: 878 020 572#**

***Join by Hangouts Meeting ID* meet.google.com/wem-neoi-rwc**

8:00 A.M. Call to Order – Chairperson Bardwell
Roll Call – Clerk Fetting

County Updates

County COVID Update - Ann Hepfer, Health Officer

New Business

1. Refunding Tuscola County Pension Obligation Bonds – Steve Burke, CFA – MFCI and John Axe, Clark Hill PLC
 - a) Refunding Considerations **(See A)**
 - b) Refunding Summary **(See B)**
 - c) Huntington Proposal **(See C)**
2. Tuscola County Health Department Audit Presentation FYE 9-30-2020 – Heather Thomas-Verhaeghe with Gardner, Provenzano, Thomas & Luplow P.C. **(See D)**
3. Tuscola County Health Insurance Renewal Date Change – Dan Skiver, Brown & Brown
4. MAC Legislative Update **(See E)**
 - a) Meetings after March 31, 2021
 - b) American Rescue Plan – County and Local Estimated Distributions
5. County Treasurer Closure – Foreclosure Date Extended **(See F)**
6. Treasurer Employee Pay Due to COVID 10 Day Closure
7. IT Departmental Options for Departmental Employees to Work From Home Under Health Department Directives to Close Departments for Specific Periods
8. Update RFP Building Codes
9. 2021 Animal Control Budget Update **(See G)**
10. Out of State Travel Request – Sandra Nielson, Dispatch Director **(See H)**

10:00 a.m. BREAK

Old Business

1. Potential Resolution Review for - FCC Proposing Changes to how 911 Funds are Used - Sandra Nielson, Dispatch Director **(See I)**
2. Board Rules – On going – Conflict Policy Creation – 11.1 Language **(See J)**
3. IT Space Needs – Potential Relocation
4. County ORV Ordinance and Local Ordinances on Golf Carts
 - a. County ORV Ordinance **(See K)**
 - b. Michigan Vehicle Code (Excerpt) **(See L)**
 - c. Cass City Ordinance No 188 ORV **(See M)**
 - d. Cass City Ordinance No 189 Golf Cart **(See N)**
 - e. Millington Ordinances – Article II-Golf **Carts (See O)**
5. Cost Allocation Plan (CAP) – Under Review – Commissioners DuRussell and Grimshaw
 - MGT Consulting Services Agreement **(See P)**

Finance/Technology

Committee Leader **Commissioner Young** and Commissioner DuRussel

Primary Finance/Technology

1. 2020 Year End Fund Balances All Funds (Unaudited) **(See Q)**

On Going and Other Finance and Technology

Finance

1. Preparation of Multi-Year Financial Planning

Technology

1. GIS Update
2. Increasing On-Line Services/Updating Web Page

Building and Grounds

Committee Leader **Commissioner DuRussel** and Commissioner Grimshaw

Primary Building and Grounds

1. State Police Lease (**See R**)
2. Lawn Mowing Services Bids
3. Recycling Committee Changes in Bi-Laws (**See S**)

On Going and Other Building and Grounds

1. State Police Building-Water and Annexation

Personnel

Committee Leader **Commissioner Grimshaw** and Commissioner Vaughan

Primary Personnel

1. Work Comp Training Sessions (**See T**)
2. Update of Paperless Payroll (**See U**)
3. Vanderbilt Park Host Potential Changes From Contract to Part Time Employee (**See V**)

On-Going and Other Personnel

1. MERS
2. MAC 7th Meeting Updates
3. Work Comp Updates
4. Safety Committee's

Other Business as Necessary

Gary Rolka – County Road Costs

On-Going Other Business as Necessary

1. Animal Control Ordinance

Public Comment Period

MFCI

MUNICIPAL
FINANCIAL
CONSULTANTS



Tuscola County Pension Obligation Refunding Bonds

MFCI, LLC

March 17, 2021

3150 Livernois Rd. Suite 175 | Troy, MI 48083

P & F: 313-782-3011

Refunding Considerations

MFCI

Prior Bonds – Pension Obligation Bonds, Series 2015 (Federally Taxable)

- The Pension Obligation Bonds, Series 2015 (the “Prior Bonds”) were dated April 1, 2016.
- The Prior Bonds were issued for the purpose of funding the County’s underfunded pension plan.
- \$6,900,000 of bond proceeds was deposited in the County’s MERS Pension Plan in April 2016.
- The Series 2015 Bonds are callable on any date on or after September 1, 2022.

FINAL OFFICIAL STATEMENT DATED MARCH 21, 2016
 NEWISSEE Rating: Standard & Poor’s: AA- (See “Bond Rating” herein)
In the opinion of Dickason Wright, P.L.L.C., Bond Counsel, under existing law, (1) the interest on the Bonds is EXCLUDED from gross income for federal income tax purposes, and (2) the Bonds and the interest on and income from the Bonds are exempt from taxation by the State of Michigan or a political subdivision of the State of Michigan, except income taxes and intangibles levied from the sale, payment or other disposition thereof.

\$6,980,000
COUNTY OF TUSCOLA
PENSION OBLIGATION BONDS, SERIES 2015
(GENERAL OBLIGATION LIMITED TAX)
(FEDERALLY TAXABLE)

GENERAL OBLIGATION LIMITED TAX BONDS
 DATED: APRIL 1, 2016
 REGISTRATION: Book entry only system.
 INTEREST: Paid from April 1, 2016, to Paid September 1, 2016—Semi-Annually Thereafter.
 REGISTRAR, TRANSFER AGENT AND PAYING AGENT: The Huntington National Bank, Grand Rapids, Michigan.
 DENOMINATION: \$5,000 are a Multiple of \$5,000. Numbered 1 thru 13 upwards.
 AUTHORITY: Act No. 34, Public Acts of Michigan, 2001, as amended.
 REDEMPTION PROVISIONS: Maturities on September 1, 2022 or Prior—Non-Callable.
 Bonds called for redemption on or after September 1, 2022 shall be redeemed at par.
 PURPOSE AND SECURITY: See “Security for the Bonds” and “Description of the Bonds” herein.
 BOOK ENTRY CUSTODIAL DEPOSITORY: The Depository Trust Company, New York, N.Y.

THE ABILITY OF THE COUNTY TO RAISE FUNDS WITH WHICH TO MEET ITS FULL FAITH AND CREDIT OBLIGATION IS SUBJECT TO CONSTITUTIONAL AND STATUTORY TAX LIMITATIONS ON THE TAXING POWER OF THE COUNTY.

MATURITY SCHEDULE
 (Base CUSIP: 900764)

\$5,900,000 Serial Bonds									
Due Sept. 1	Amount	Rate	Yield	CUSIP	Due Sept. 1	Amount	Rate	Yield	CUSIP
2016	\$175,000	2.00%	0.88%	RA1	2022*	\$300,000	3.00%	2.87%	RD9
2017	175,000	2.00	1.20	RB9	2026*	395,000	3.00	3.00	RE7
2018	180,000	2.00	1.45	RC7	2027*	415,000	3.15	3.15	RF5
2019	275,000	2.00	1.65	RD5	2028*	425,000	3.30	3.30	RF3
2020	300,000	3.00	1.90	RE3	2029*	445,000	3.45	3.45	RF9
2021	305,000	3.00	2.10	RE9	2030*	460,000	3.55	3.55	RF6
2022	320,000	3.00	2.30	RF8	2031*	480,000	3.65	3.65	RF4
2023*	335,000	3.00	2.50	RF6	2032*	500,000	3.75	3.75	RF2
2024*	350,000	3.00	2.70	RF2					

\$1,080,000 Term Bonds**

\$1,080,000—4.00% Term Bonds due September 1, 2034*—Yield: 3.70%—CUSIP: BT9

* Callable—See “Description of the Bonds—Prior Redemption” herein.
 ** Subject to Mandatory Redemption—See “Description of the Bonds—Serial Bonds and Term Bonds” herein.

Information prepared in cooperation with:

PATRICIA DONOVAN GRAY County Treasurer **AXE & ECKLUND, P.C.** Bond Counsel: **MICHAEL HOAGLAND** County Controller/Administrator
 Grand Rapids, Michigan Grand Rapids, Michigan

Underwriter:
BAIRD

THIS COVER PAGE CONTAINS CERTAIN INFORMATION FOR QUICK REFERENCE ONLY. IT IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE OFFICIAL STATEMENT TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION.



Prior Bonds – Advance Refunding

- Municipal bonds are structured so they can only be refinanced on certain *call dates*.
 - *Current Refundings* must close no more than 90-days before the set call date.
 - *Advance Refunding* can be completed more than 90-days from the call date.
- Call dates are set at the time of sale of the original bonds and are typically seven to ten years from the issue date.
- The Prior Bonds were required to be issued as Federally Taxable bonds due to the use of proceeds.
- Taxable bonds are authorized to be “advance refunded” under current tax laws.
 - Advance refunding is a refinancing completed more than 90 days before the call date.
 - Advance refunding bonds locks in today’s low rates and produces present value savings for the County.
 - Advance refunding generates “negative arbitrage” until the call date of the bonds.
 - Negative arbitrage is the amount of present value savings lost due to proceeds being invested at a lower interest rate in the escrow than the interest rate on the advance refunded bonds.



Estimated Refunding Savings

2021 Taxable Advance Refunding	
Net Debt Service Savings	\$380,627.72
Net PV Cashflow Savings @ 2.171%(AIC)	333,183.63
Net PV Benefit / \$5,245,000 Refunded Principal	6.35%
Negative Arbitrage (included in Net Savings above)	(123,797.01)

- Estimates are based on a **negotiated sale** with an “AA-” bond rating.
- The summary table above is the estimated results of an advanced refunding based on rates as of March 12, 2021.
 - **An advanced refunding produces estimated present value savings of about \$333,183.**
 - The estimated savings includes all fees and costs, including the effect of negative arbitrage.
- The table below estimates the changes to the refunding savings based on changes to interest rates.

Sensitivity Summary of Savings by Maturity

Maturity	Coupon	Principal	Call Date	- 0.400%	- 0.200%	Base	+ 0.200%	+ 0.400%
09/01/2023	3.000%	335,000	09/01/2022	(3,713.65)	(5,226.30)	(6,291.28)	(6,909.14)	(7,521.97)
09/01/2024	3.000%	350,000	09/01/2022	196.84	(2,067.55)	(3,856.16)	(5,169.66)	(6,470.01)
09/01/2025	3.000%	360,000	09/01/2022	4,322.41	1,295.29	(1,231.60)	(3,259.07)	(5,262.47)
09/01/2026	3.000%	395,000	09/01/2022	9,184.13	5,102.88	1,585.18	(1,370.15)	(4,284.85)
09/01/2027	3.150%	415,000	09/01/2022	17,121.08	12,017.07	7,524.28	3,641.16	(181.56)
09/01/2028	3.300%	425,000	09/01/2022	26,229.89	20,158.14	14,734.97	9,958.29	5,264.41
09/01/2029	3.450%	445,000	09/01/2022	37,633.71	30,379.42	23,831.06	17,985.83	12,252.08
09/01/2030	3.550%	460,000	09/01/2022	48,818.99	40,395.93	32,733.13	25,826.84	19,064.15
09/01/2031	3.650%	480,000	09/01/2022	61,973.69	52,208.79	43,272.33	35,159.39	27,228.84
09/01/2032	3.750%	500,000	09/01/2022	76,740.72	65,539.19	55,240.66	45,838.74	36,663.74
09/01/2033	4.000%	525,000	09/01/2022	101,727.41	88,763.57	76,796.29	65,817.21	55,120.08
09/01/2034	4.000%	555,000	09/01/2022	117,370.47	102,555.66	88,844.76	76,227.01	63,953.95
Total		- \$5,245,000		- \$497,605.70	\$411,122.08	\$333,183.63	\$263,746.46	\$195,826.39



Refunding Timetable

- **March 25, 2021:**
 - Adopt borrowing resolution at County Board of Commissioners meeting
- **April 2021:**
 - County selects underwriter for negotiated sale
 - Prepare and review the Preliminary Official Statement
 - Apply for and receive Bond Rating
 - Publish Preliminary Official Statement
- **May 2021:**
 - Negotiated sale of refunding bonds and sign bond purchase agreement
 - Publish the Final Official Statement
- **May 20, 2021:**
 - Close on refunding bonds and fund refunding escrow



B.

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Table of Contents

Report

<u>Refunding Summary</u>	<u>1</u>
<u>Sources & Uses</u>	<u>2</u>
<u>Debt Service Schedule</u>	<u>3</u>
<u>Debt Service Comparison</u>	<u>4</u>
<u>Pricing Summary</u>	<u>5</u>
<u>Current Refunding Escrow</u>	<u>6</u>
<u>Detail Costs Of Issuance</u>	<u>7</u>
<u>Sensitivity Summary of Savings by Maturity</u>	<u>8</u>

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Refunding Summary

Dated 05/20/2021 | Delivered 05/20/2021

Sources Of Funds

Par Amount of Bonds	\$5,615,000.00
Total Sources	\$5,615,000.00

Uses Of Funds

Total Underwriter's Discount (0.600%)	33,690.00
Costs of Issuance	68,695.00
Deposit to Current Refunding Fund	5,510,252.64
Rounding Amount	2,362.36
Total Uses	\$5,615,000.00

Flow of Funds Detail

State and Local Government Series (SLGS) rates for Date of OMP Candidates	3/12/2021
Current Refunding Escrow Solution Method	Net Funded
Total Cost of Investments	\$5,510,252.64
Interest Earnings @ 0.100%	6,922.36
Total Draws	\$5,517,175.00

Issues Refunded And Call Dates

Tuscola 2016	9/01/2022
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PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 2.171%(AIC)	330,821.27
Contingency or Rounding Amount	2,362.36
Net Present Value Benefit	\$333,183.63
Net PV Benefit / Refunded Principal	6.352%
Net PV Benefit / Refunding Principal	5.934%
Average Annual Cash Flow Savings	27,018.95
Total New Net D/S	7,123,934.64
Total Prior D/S	7,502,200.00
Total Cashflow Savings	378,265.36

Bond Statistics

Average Life	7.969 Years
Average Coupon	1.9330729%
Net Interest Cost (NIC)	2.0083657%
Bond Yield for Arbitrage Purposes	1.9187102%
True Interest Cost (TIC)	2.0011468%
All Inclusive Cost (AIC)	2.1712770%

Tuscola RF 2021 | SINGLE PURPOSE | 3/16/2021 | 2:27 PM

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Sources & Uses

Dated 05/20/2021 | Delivered 05/20/2021

Sources Of Funds

Par Amount of Bonds	\$5,615,000.00
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Total Sources	\$5,615,000.00
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Uses Of Funds

Total Underwriter's Discount (0.600%)	33,690.00
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Costs of Issuance	68,695.00
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Deposit to Current Refunding Fund	5,510,252.64
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Rounding Amount	2,362.36
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Total Uses	\$5,615,000.00
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County of Tuscola

POB Refunding Series 2021

\$5,615,000

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
09/01/2021	40,000.00	0.320%	25,887.14	65,887.14
09/01/2022	60,000.00	0.370%	92,143.00	152,143.00
09/01/2023	400,000.00	0.420%	91,921.00	491,921.00
09/01/2024	405,000.00	0.580%	90,241.00	495,241.00
09/01/2025	405,000.00	1.000%	87,892.00	492,892.00
09/01/2026	435,000.00	1.150%	83,842.00	518,842.00
09/01/2027	445,000.00	1.460%	78,839.50	523,839.50
09/01/2028	450,000.00	1.610%	72,342.50	522,342.50
09/01/2029	465,000.00	1.930%	65,097.50	530,097.50
09/01/2030	475,000.00	2.030%	56,123.00	531,123.00
09/01/2031	485,000.00	2.130%	46,480.50	531,480.50
09/01/2032	500,000.00	2.230%	36,150.00	536,150.00
09/01/2033	515,000.00	2.330%	25,000.00	540,000.00
09/01/2034	535,000.00	2.430%	13,000.50	548,000.50
Total	\$5,615,000.00	-	\$864,959.64	\$6,479,959.64

Yield Statistics

Bond Year Dollars	\$44,745.32
Average Life	7.969 Years
Average Coupon	1.9330729%
Net Interest Cost (NIC)	2.0083657%
True Interest Cost (TIC)	2.0011468%
Bond Yield for Arbitrage Purposes	1.9187102%
All Inclusive Cost (AIC)	2.1712770%

IRS Form 8038

Net Interest Cost	1.9330729%
Weighted Average Maturity	7.969 Years

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Debt Service Comparison

Date	Total P+I	Existing D/S	Net New D/S	Old Net D/S	Savings
09/01/2021	65,887.14	314,375.00	380,262.14	405,100.00	24,837.86
09/01/2022	152,143.00	329,600.00	481,743.00	511,050.00	29,307.00
09/01/2023	491,921.00	-	491,921.00	516,450.00	24,529.00
09/01/2024	495,241.00	-	495,241.00	521,400.00	26,159.00
09/01/2025	492,892.00	-	492,892.00	520,900.00	28,008.00
09/01/2026	518,842.00	-	518,842.00	545,100.00	26,258.00
09/01/2027	523,839.50	-	523,839.50	553,250.00	29,410.50
09/01/2028	522,342.50	-	522,342.50	550,177.50	27,835.00
09/01/2029	530,097.50	-	530,097.50	556,152.50	26,055.00
09/01/2030	531,123.00	-	531,123.00	555,800.00	24,677.00
09/01/2031	531,480.50	-	531,480.50	559,470.00	27,989.50
09/01/2032	536,150.00	-	536,150.00	561,950.00	25,800.00
09/01/2033	540,000.00	-	540,000.00	568,200.00	28,200.00
09/01/2034	548,000.50	-	548,000.50	577,200.00	29,199.50
Total	\$6,479,959.64	\$643,975.00	\$7,123,934.64	\$7,502,200.00	\$378,265.36

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	330,821.27
Net PV Cashflow Savings @ 2.171%(AIC)	330,821.27
Contingency or Rounding Amount	2,362.36
Net Present Value Benefit	\$333,183.63
Net PV Benefit / \$5,245,000 Refunded Principal	6.352%
Net PV Benefit / \$5,615,000 Refunding Principal	5.934%

Refunding Bond Information

Refunding Dated Date	5/20/2021
Refunding Delivery Date	5/20/2021

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
09/01/2021	Serial Coupon	0.320%	0.320%	40,000.00	100.000%	40,000.00
09/01/2022	Serial Coupon	0.370%	0.370%	60,000.00	100.000%	60,000.00
09/01/2023	Serial Coupon	0.420%	0.420%	400,000.00	100.000%	400,000.00
09/01/2024	Serial Coupon	0.580%	0.580%	405,000.00	100.000%	405,000.00
09/01/2025	Serial Coupon	1.000%	1.000%	405,000.00	100.000%	405,000.00
09/01/2026	Serial Coupon	1.150%	1.150%	435,000.00	100.000%	435,000.00
09/01/2027	Serial Coupon	1.460%	1.460%	445,000.00	100.000%	445,000.00
09/01/2028	Serial Coupon	1.610%	1.610%	450,000.00	100.000%	450,000.00
09/01/2029	Serial Coupon	1.930%	1.930%	465,000.00	100.000%	465,000.00
09/01/2030	Serial Coupon	2.030%	2.030%	475,000.00	100.000%	475,000.00
09/01/2031	Serial Coupon	2.130%	2.130%	485,000.00	100.000%	485,000.00
09/01/2032	Serial Coupon	2.230%	2.230%	500,000.00	100.000%	500,000.00
09/01/2033	Serial Coupon	2.330%	2.330%	515,000.00	100.000%	515,000.00
09/01/2034	Serial Coupon	2.430%	2.430%	535,000.00	100.000%	535,000.00
Total	-	-	-	\$5,615,000.00	-	\$5,615,000.00

Bid Information

Par Amount of Bonds	\$5,615,000.00
Gross Production	\$5,615,000.00
Total Underwriter's Discount (0.600%)	\$(33,690.00)
Bid (99.400%)	5,581,310.00
Total Purchase Price	\$5,581,310.00
Bond Year Dollars	\$44,745.32
Average Life	7.969 Years
Average Coupon	1.9330729%
Net Interest Cost (NIC)	2.0083657%
True Interest Cost (TIC)	2.0011468%

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Current Refunding Escrow

Date	Principal	Rate	Interest	Receipts	Disbursements	Cash Balance
05/20/2021	-	-	-	0.64	-	0.64
09/01/2021	89,197.00	0.080%	1,527.49	90,724.49	90,725.00	0.13
03/01/2022	87,997.00	0.090%	2,728.35	90,725.35	90,725.00	0.48
09/01/2022	5,333,058.00	0.100%	2,666.52	5,335,724.52	5,335,725.00	-
Total	\$5,510,252.00	-	\$6,922.36	\$5,517,175.00	\$5,517,175.00	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Bond Yield
Cash Deposit	0.64
Cost of Investments Purchased with Bond Proceeds	5,510,252.00
Total Cost of Investments	\$5,510,252.64
Target Cost of Investments at bond yield	\$5,386,455.63
Actual positive or (negative) arbitrage	(123,797.01)
Yield to Receipt	0.0999932%
Yield for Arbitrage Purposes	1.9187102%
State and Local Government Series (SLGS) rates for	1/06/2021

County of Tuscola

POB Refunding Series 2021

\$5,615,000

Detail Costs Of Issuance

Dated 05/20/2021 | Delivered 05/20/2021

COSTS OF ISSUANCE DETAIL

Financial Advisor	\$21,000.00
Bond Counsel	\$25,000.00
Rating Agency Fee	\$18,000.00
POS/Official Statement	\$795.00
MAC Fee	\$400.00
Paying Agent Fee	\$500.00
Escrow Agent Fee	\$500.00
State of Michigan Fee	\$1,000.00
Verification Agent	\$1,500.00
TOTAL	\$68,695.00

County of Tuscola

POB Series 2015

\$6,980,000

Sensitivity Summary of Savings by Maturity

Maturity	Coupon	Principal	Call Date	- 0.400%	- 0.200%	Base	+ 0.200%	+ 0.400%
09/01/2023	3.000%	335,000	09/01/2022	(3,713.65)	(5,226.30)	(6,291.28)	(6,909.14)	(7,521.97)
09/01/2024	3.000%	350,000	09/01/2022	196.84	(2,067.55)	(3,856.16)	(5,169.66)	(6,470.01)
09/01/2025	3.000%	360,000	09/01/2022	4,322.41	1,295.29	(1,231.60)	(3,259.07)	(5,262.47)
09/01/2026	3.000%	395,000	09/01/2022	9,184.13	5,102.88	1,585.18	(1,370.15)	(4,284.85)
09/01/2027	3.150%	415,000	09/01/2022	17,121.08	12,017.07	7,524.28	3,641.16	(181.56)
09/01/2028	3.300%	425,000	09/01/2022	26,229.89	20,158.14	14,734.97	9,958.29	5,264.41
09/01/2029	3.450%	445,000	09/01/2022	37,633.71	30,379.42	23,831.06	17,985.83	12,252.08
09/01/2030	3.550%	460,000	09/01/2022	48,818.99	40,395.93	32,733.13	25,826.84	19,064.15
09/01/2031	3.650%	480,000	09/01/2022	61,973.69	52,208.79	43,272.33	35,159.39	27,228.84
09/01/2032	3.750%	500,000	09/01/2022	76,740.72	65,539.19	55,240.66	45,838.74	36,663.74
09/01/2033	4.000%	525,000	09/01/2022	101,727.41	88,763.57	76,796.29	65,817.21	55,120.08
09/01/2034	4.000%	555,000	09/01/2022	117,370.47	102,555.66	88,844.76	76,227.01	63,953.95
Total	-	\$5,245,000	-	\$497,605.70	\$411,122.08	\$333,183.63	\$263,746.46	\$195,826.39

SUMMARY

Savings as % of Refunded Principal (- 0.400%)	9.487%
Savings as % of Refunded Principal (- 0.200%)	7.838%
Savings as % of Refunded Principal (Base)	6.352%
Savings as % of Refunded Principal (+ 0.200%)	5.029%
Savings as % of Refunded Principal (+ 0.400%)	3.734%



Huntington Capital Markets
 2 Towne Square
 Southfield, MI 48076

C.

March 17, 2021

Clayette Zechmeister
 County of Tuscola
 125 W. Lincoln Street, Suite 500
 Caro, MI 48723
zclay@tuscolacountv.org

Steve Burke, CFA
 MFCI, LLC
 3150 Livernois Road, Suite 175
 Troy, MI 48083
steveb@mfc.com

Dear Ms. Zechmeister and Mr. Burke:

On behalf of Huntington Bancshares Incorporated (“HBI”) and its broker-dealer subsidiary, Huntington Securities, Inc., (“HSI”) dba Huntington Capital Markets (“HCM”) (collectively, “Huntington”), we are pleased to present our fee proposal to provide bond underwriting services for the County of Tuscola (the “County”). This fee proposal serves as our response to serve the County as a senior-managing underwriter on its proposed refunding bond issuance related to the County’s outstanding Pension Obligation Bonds, Series 2015.

Dedication to the State of Michigan - With nearly 3,000 employees in 288 offices across the State, Huntington is committed to Michigan communities where we live and work, including a commitment of \$5 Billion of investment throughout the State. The bank also continues to invest in Michigan personnel, with the recent addition of a Michigan-focused Public Finance team. This team will operate out of offices in Southfield, East Lansing and Grand Rapids, bringing with them 60+ years of experience with public issuers across the State.

Experienced Banking Team - Huntington has assembled an experienced team for the County comprised of seasoned professionals in Investment Banking, Institutional Sales, Trading, and Commercial Banking. Louis Orcutt will lead the HSI team. Louis has been in the industry over 27 years and has acute knowledge of challenges that issuers face. Louis is an industry leader in Michigan pension obligation bonds serving as investment banker/underwriter on 19 of the 33 issues completed since the inception of the law in 2012 as well as numerous pension refunding bonds.

Distribution Leadership – One of the firm’s greatest strengths is its extensive access to mid-sized institutional purchasers, helping to attract a diverse array of buyers and sell bonds at the best possible price. HSI’s dedicated municipal institutional sales force has coverage of the largest Tier I institutional investors. Unlike our competitors, HSI has an extensive municipal middle market sales effort which focuses on smaller institutional investors. Our focus on incorporating Tier II, III and IV investors distinguishes HSI’s distribution capabilities when compared to our regional and peer group competitors.

Along with Sandy Pierce, our Regional President for Michigan, we would like to thank the County for this opportunity. Please contact us if you have questions or require additional information.

Best Regards,

Louis C. Orcutt
 Managing Director - Public Finance Group
 2 Towne Square, Southfield, MI 48076

NOT A DEPOSIT	NOT FDIC INSURED	NOT GUARANTEED BY THE BANK	MAY LOSE VALUE	NOT INSURED BY ANY FEDERAL GOVERNMENT AGENCY
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Investment products and services are offered by Huntington Securities, Inc., a wholly-owned subsidiary of Huntington Bancshares, Inc. and member FINRA/SIPC

Underwriter's Discount

Component	Amount	\$/1,000
Average Takedown	\$17,338.75	\$3.09
Underwriter's Counsel	6,000.00	\$1.07
DTC Clearance	1,000.00	\$0.18
CUSIP	561.00	\$0.10
Day Loan	155.83	\$0.03
IPREO Book Running	377.90	\$0.07
IPREO Wire Charges	98.10	\$0.02
IPREO Game Day Monitor	183.45	\$0.03
MI MAC Fee	1,402.50	\$0.25
Continuing Disclosure	850.00	\$0.15
Rounding	82.47	\$0.01
Total	\$28,050.00	\$5.00

⁽¹⁾ The proposed fee is based on the par amount of \$5,610,000


Takedown By Maturity

Maturity	Preliminary Par	Takedown	Maturity	Preliminary Par	Takedown
2021	\$30,000	\$3.00	2028	\$450,000	\$3.00
2022	60,000	\$3.00	2029	465,000	\$3.00
2023	400,000	\$3.00	2030	475,000	\$3.00
2024	405,000	\$3.00	2031	485,000	\$3.25
2025	405,000	\$3.00	2032	500,000	\$3.25
2026	435,000	\$3.00	2033	515,000	\$3.25
2027	450,000	\$3.00	2034	535,000	\$3.25

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Investment products are:

NOT A DEPOSIT • NOT FDIC INSURED • NOT GUARANTEED BY THE BANK • NOT INSURED BY ANY FEDERAL GOVERNMENT AGENCY • MAY LOSE VALUE

HSI and HNB do not provide accounting, legal, or tax advice; you should consult with your accounting, legal, or tax advisor(s) on such matters.

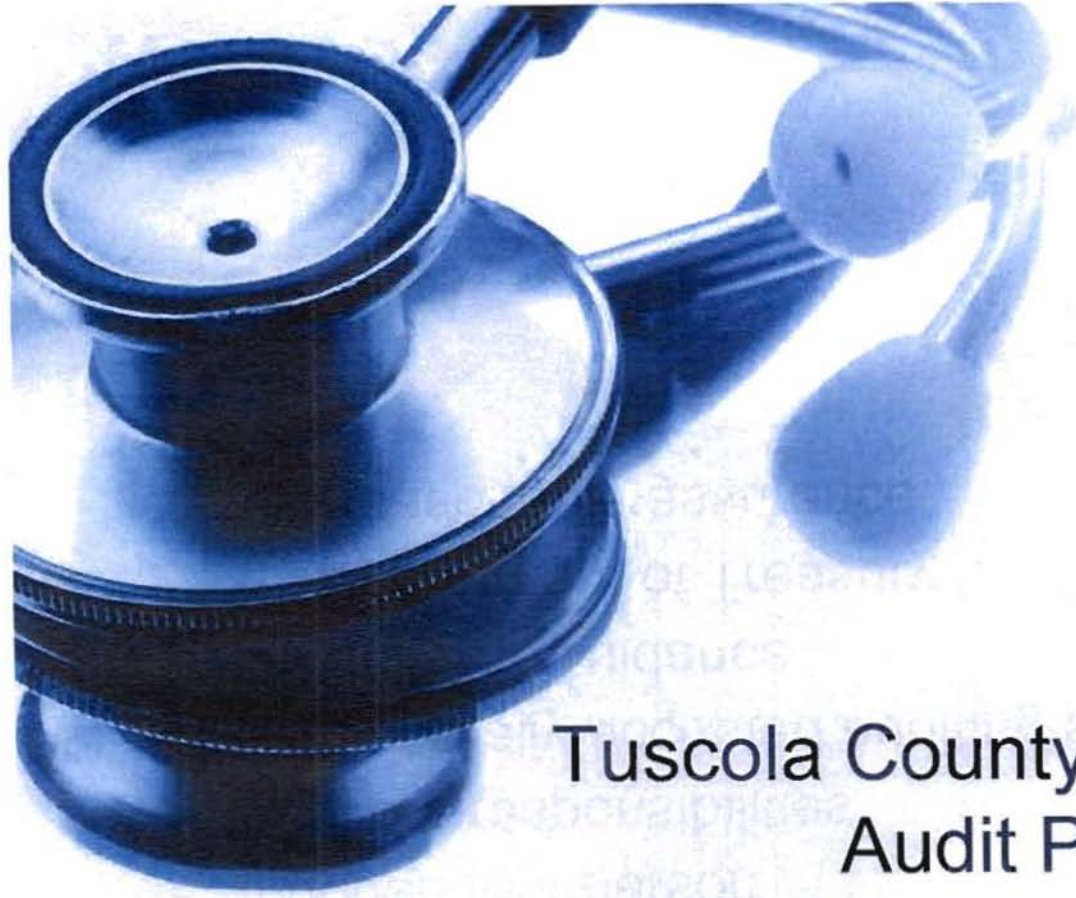
MSRB Rule G-17

HSI would serve as an underwriter in connection with the proposed Offering of municipal securities, not as a financial advisor. Rule G-17 of the Municipal Securities Rulemaking Board requires an underwriter such as HSI to deal fairly at all times with both municipal issuers and investors. HSI's primary role in the Offering would be to purchase securities with a view to distribution in an arm's-length commercial transaction with the Issuer, and HSI has financial and other interests that differ from those of the Issuer. Unlike a municipal advisor, HSI as an underwriter does not have a fiduciary duty to the Issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the Issuer without regard to its own financial or other interests. HSI will have a duty to purchase any securities sold in the offering from the Issuer at a fair and reasonable price but must balance that duty with its duty to sell those securities to investors at prices that are fair and reasonable. HSI makes no recommendation with regard to the hiring of a municipal advisor by the Issuer. HSI's compensation as an underwriter would be contingent on the closing of the Offering. Such contingent compensation presents a conflict of interest, because it may cause HSI to recommend the Offering even if it is unnecessary or to recommend that the size of the Offering be larger than is necessary. If retained, HSI will review the official statement for the securities sold in the Offering in accordance with, and as part of, its responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of the Offering.

Other Important Information

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None of the information in this presentation constitutes legal or tax advice. You should consult with your own legal and tax advisors regarding the legal or tax implications of any transaction discussed in this presentation.



Tuscola County Health Department
Audit Presentation
September 30, 2020

Gardner, Provenzano, Thomas & Luplow P.C.

What Is An Audit ?

- Expression of opinion
 - Unmodified
- Independent person
- Auditors responsibilities
 - Generally accepted auditing standards
 - Uniform Guidance
 - Department of Treasury
 - Reasonable assurance

Required Communications



- **Compliance with Laws, Regulations, Contracts and Grants**
 - No instances of noncompliance found
- **Internal Control over Financial Reporting**
 - No issue to report
- **Single audit testing**
 - WIC was tested-no findings
- **Significant Accounting Policies**
 - None
- **Significant audit adjustments**
 - None
- **Accounting Estimates**
 - Example: Depreciation

Required Communications

A blue stethoscope is positioned in the top right corner of the slide, with its chest piece and earbuds visible. The background of the slide is white with a dark blue curved border at the top and bottom.

- Disagreement with Management
 - None
- Consultation with Other Independent Accountants
 - None noted
- Issues Discussed Prior to Retention
 - Normal course for preparation
- Difficulties Encountered in Performing the Audit
 - None
 - Staff was well prepared for audit
 - Went smoothly despite COVID-19

Tuscola County Health Dept. Highlights

- TCHD finished the year better than budget by \$44,778.
- As the State identified the first cases of COVID-19 in March of 2020, the Health Department readied itself to respond as follows:
 - Public health priorities were identified
 - Workloads shifted to community outreach
 - Department employees worked with food services business, schools and day care services to provide guidance for mitigation and safety
- As the workload shifted towards COVID-19, many programs were decreased or paused completely in an effort to protect the safety of both the community residents and staff.
- New revenue allocations were identified to support COVID-19 testing and tracing.

GASB 68

A blue stethoscope is positioned in the upper right corner of the slide, with its chest piece and tubing extending towards the center. The background of the slide is a gradient of blue, with a white curved shape on the right side.

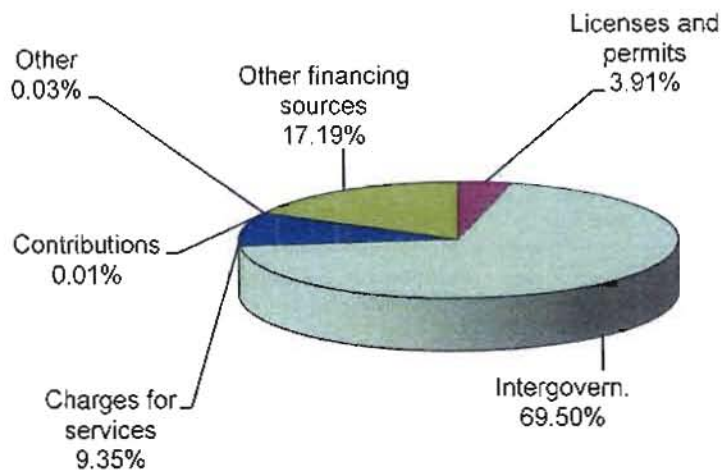
- To recognize Net Pension Liability.
- Is the difference between the total pension liability (amount owed to employees) and the fiduciary net position (also called market value assets or the asset held in the pension trust).
- Total net pension liability as determined by using the actuary report from 12/31/2019 was \$1,825,171 at 09/30/2020 which is a decrease of \$60,009 from the previous year.

Tuscola County Health Dept. Revenue and Other Financing Sources

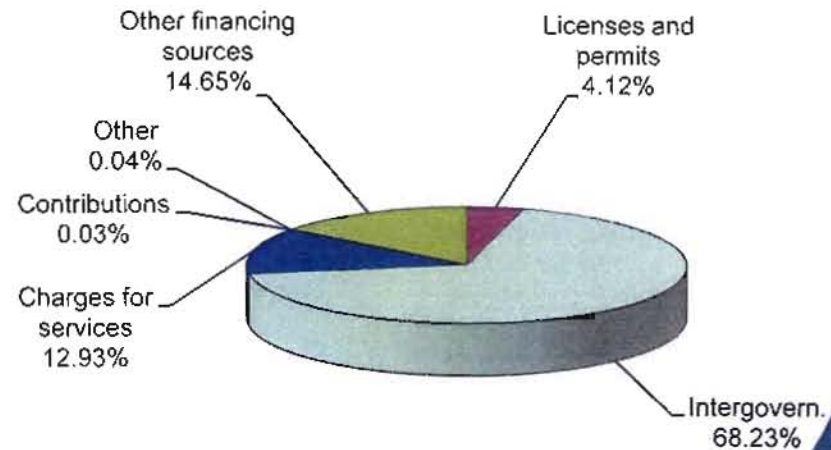
For the Year Ended September 30,

	2020	2019	Variance	%
Licenses and permits	\$ 162,763	\$ 177,377	\$ (14,614)	-8.24%
Intergovernmental	2,890,679	2,939,806	(49,127)	-1.67%
Charges for services	389,056	557,260	(168,204)	-30.18%
General contributions	413	1,452	(1,039)	-71.56%
Other	1,274	1,511	(237)	-15.68%
Other financing sources	714,900	631,435	83,465	13.22%
Total revenues and other sources	\$ 4,159,085	\$ 4,308,841	\$ (149,756)	-3.48%

The decrease in charges for services was due to COVID-19. Part State shut down, part staff focus on community outreach due to COVID. The increase in other financing sources is an increase in the appropriation from the County.



September 30, 2020



September 30, 2019

Tuscola County Health Dept. Expenditure Highlights

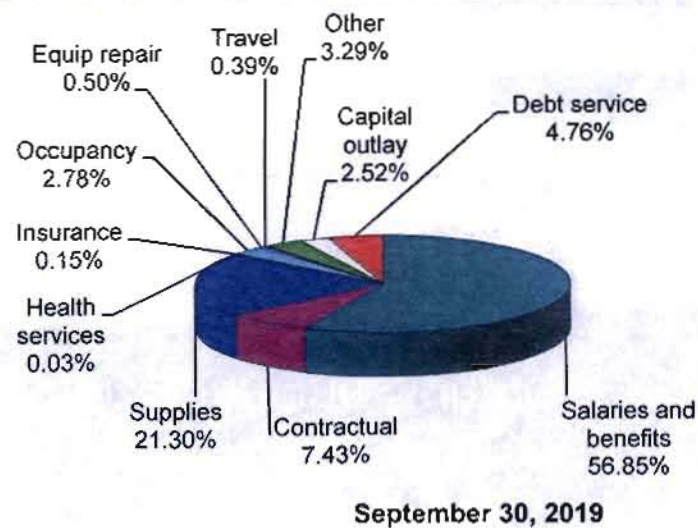
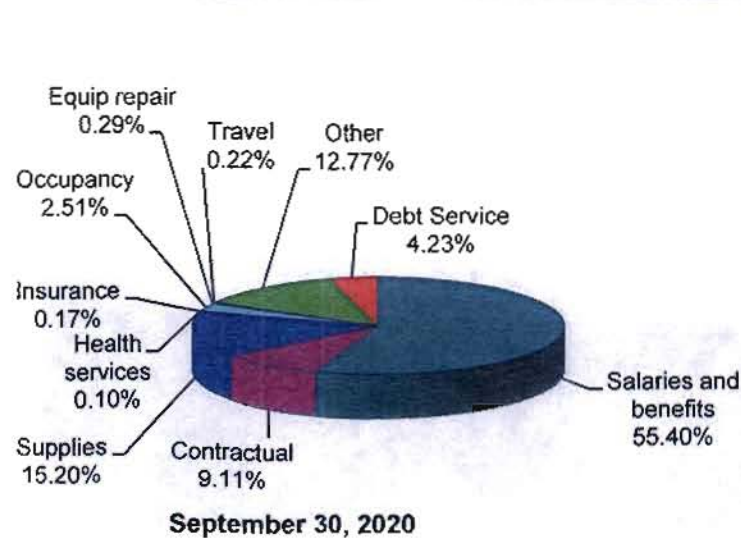
By Category	2020	2019	Variance	%
For the Year Ended September 30,				
Salaries and benefits	\$ 2,301,043	\$ 2,124,364	\$ 176,679	8.32%
Contractual	378,520	277,438	101,082	36.43%
Supplies	631,291	795,740	(164,449)	-20.67%
Internal health services	4,270	1,283	2,987	232.81%
Insurance	7,074	5,478	1,596	29.13%
Occupancy	104,173	103,797	376	0.36%
Equipment repairs and maintenance	11,967	18,673	(6,706)	-35.91%
Travel	9,319	14,623	(5,304)	-36.27%
Other	530,355	123,023	407,332	331.10%
Capital outlay	-	94,195	(94,195)	-100.00%
Debt service	175,670	177,887	(2,217)	-1.25%
Total Expenditures	\$ 4,153,682	\$ 3,736,501	\$ 417,181	11.17%

The increase in salaries and benefits was mostly: Salaries, health and retirement.

Contractual increased due to added programs that required contractual services.

Supplies decreased due to the use of less vaccines. (Shift of staff to COVID-19)

The increase in other is due to the return of \$383,155 to the State for settlements of cost reimbursements. Note: Fund balance has been restricted for many years for these funds until they are spent or if they have to be paid back to the State.



Tuscola County Health Department Recap

	2020	2019	Variance
Total revenues and other sources	\$ 4,159,085	\$ 4,308,841	\$ (149,756)
Total expenditures	(4,153,682)	(3,736,501)	(417,181)
Excess of revenues and other financing sources over expenditures	5,403	572,340	(566,937)
Fund balance-beginning of year	2,316,939	1,744,599	572,340
Fund balance- end of the year	\$ 2,322,342	\$ 2,316,939	\$ 5,403

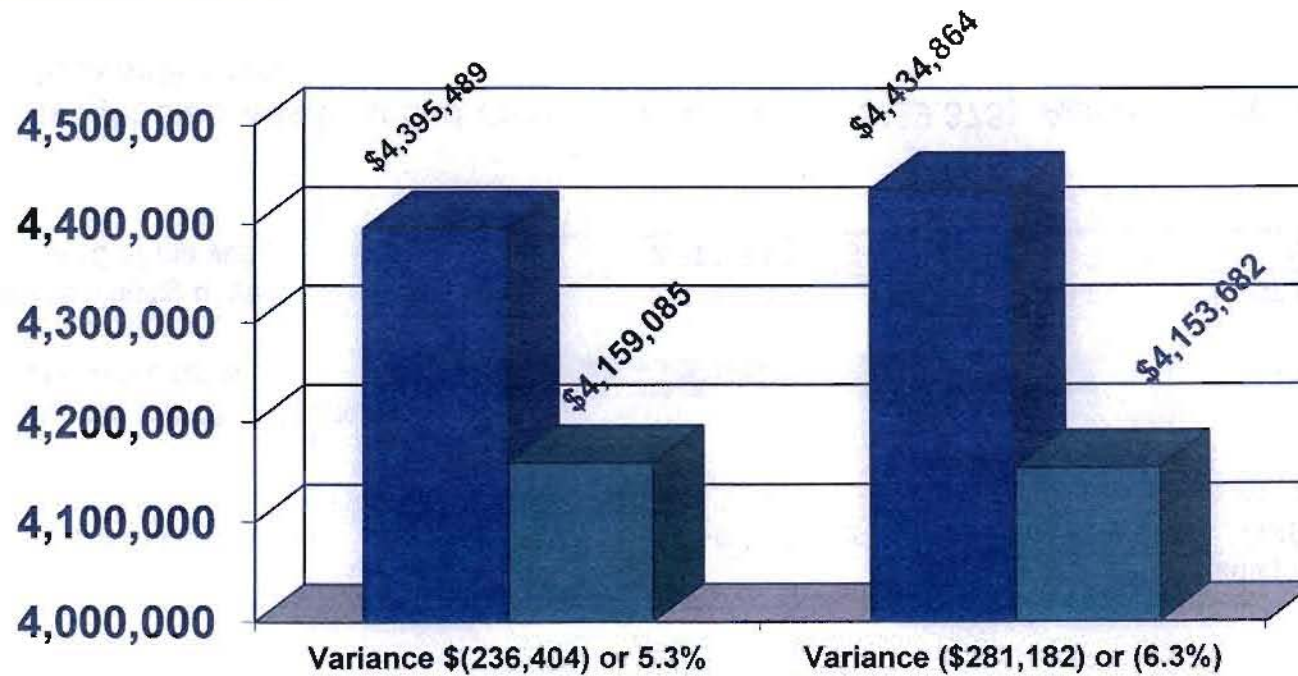
The amended budget plan was to spend down fund balance by \$(39,375). Actual results were \$44,778 better than anticipated.

Fund Balance	Category	%
Nonspendable	\$ 57,640	2.5%
Restricted	1,394,593	60.1%
Committed	425,024	18.3%
Assigned	144,603	6.2%
Unassigned	300,482	12.9%
Total Fund Balance	\$ 2,322,342	100%

Tuscola County Health Dept. Budget to Actual-General Fund

For the Year Ended September 30, 2020

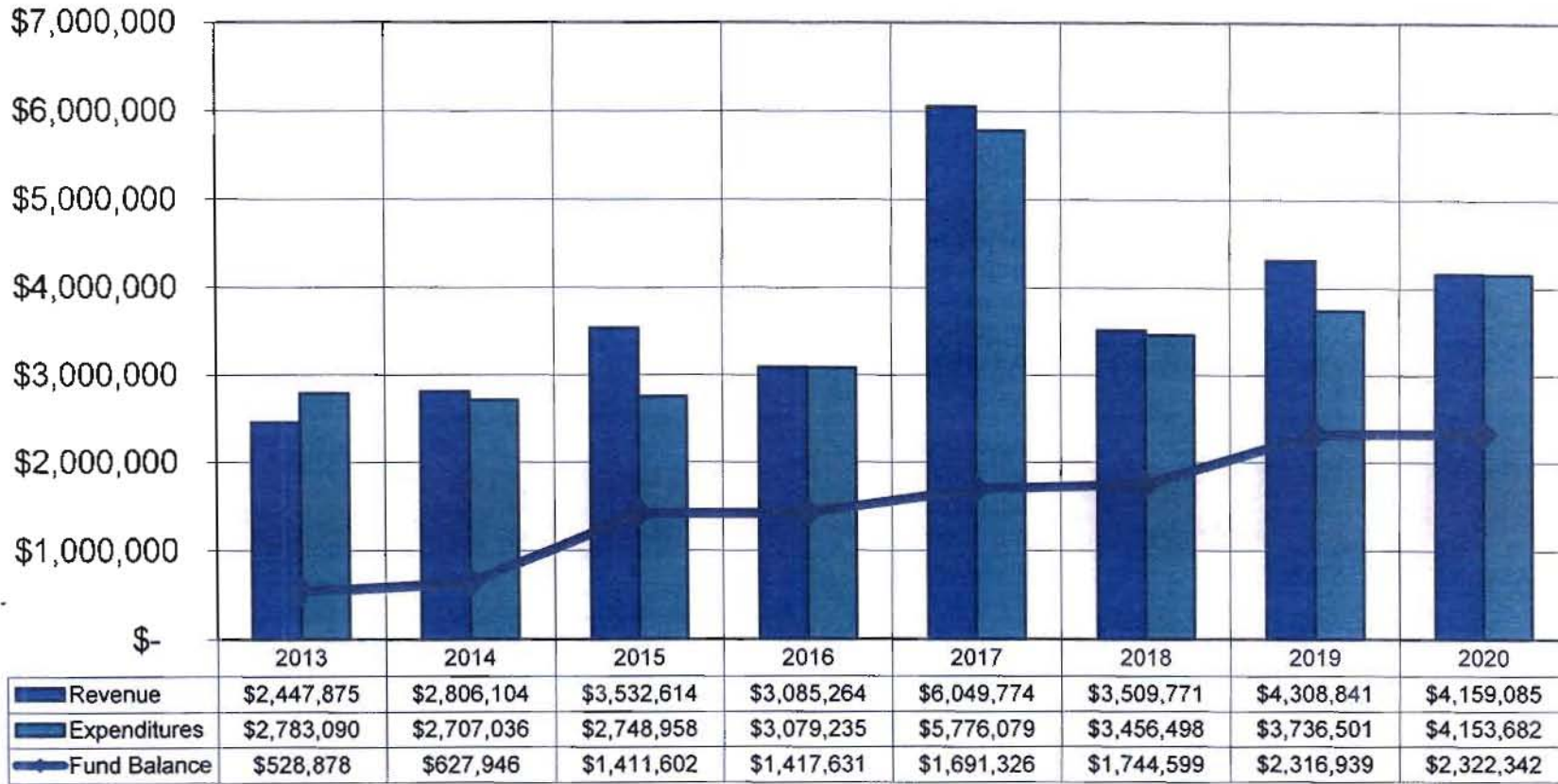
■ Budget ■ Actual



Revenue and
Other Financing Sources

Expenditures

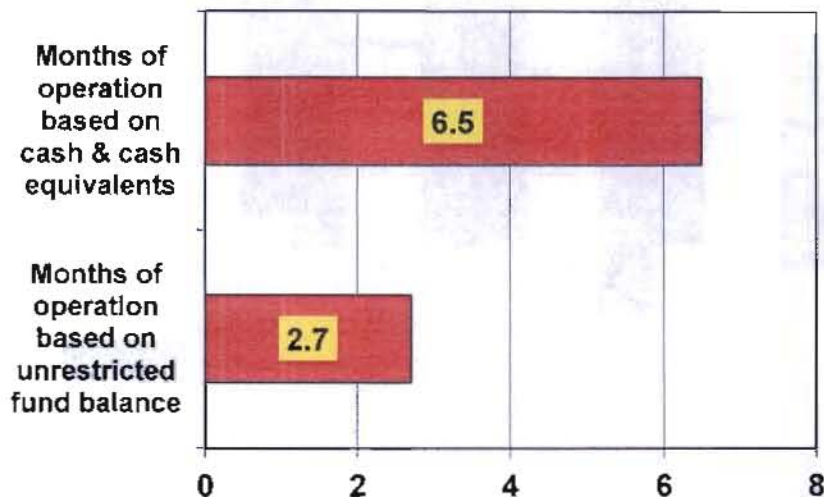
Tuscola County Health Dept. Comparative Revenues, Expenditures & Fund Balance



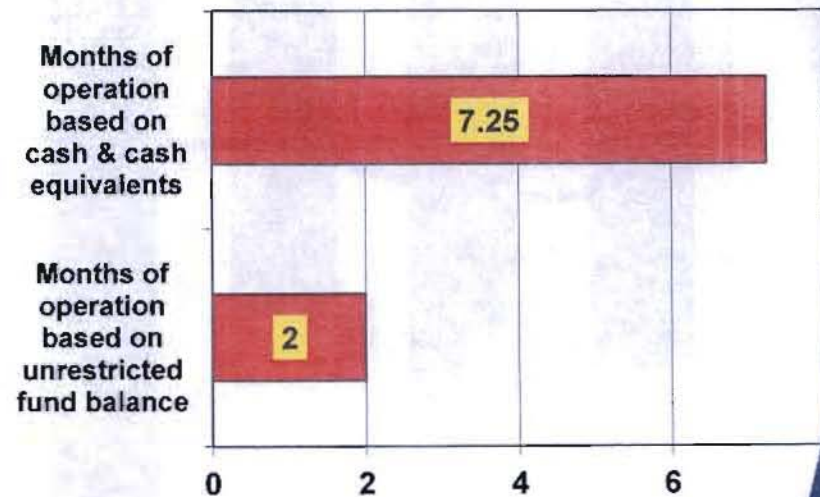
■ Revenue
 ■ Expenditures
 ◆ Fund Balance

2017 had \$2,475,000 in both revenue and expenditures due to pension bonding.

Tuscola County Health Department Days of Operation General Fund



2020

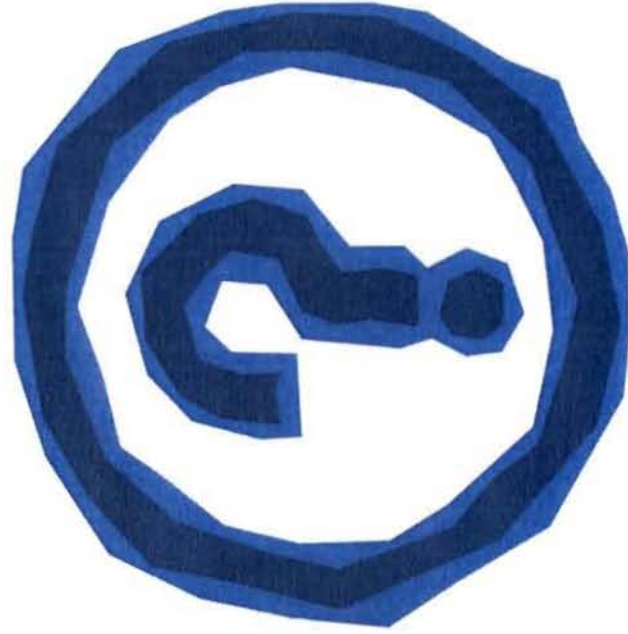


2019

GASB 54 gave guidance for the minimum amount of unrestricted (The total of committed, assigned and unassigned) fund balance as “no less than two months” of the next years budgeted expenditures or revenues which ever is less volatile.

Note: This calculation does not include restricted fund balance.

Questions?



Legislative Update 3-12-21

WRITTEN BY [DEREK MELOT](#) ON MARCH 12, 2021 POSTED IN [BLOG](#), [EVENTS](#), [LEGISLATIVE](#), [MAC NEWS](#), [MACSC](#)

How to navigate questions on in-person vs. hybrid vs. digital

With state health orders reducing restrictions on indoor gatherings and hospitalization rates showing marked improvement in recent weeks, MAC has been fielding questions from members about moving out of purely virtual county board sessions.



First, it's important to remember two key dates in play about board meetings:

- March 31, 2021 – This is the last day that public boards can hold virtual sessions for “any reason” under provisions of the October and December 2020 changes to the state’s Open Meetings Act (OMA).
- Dec. 31, 2021 – This is the last day that public boards can hold virtual sessions **IF they have adopted a State of Emergency (SOE) resolution.** [A template for such a resolution](#) is on MAC's [COVID Resources Page](#).

Next, boards must navigate the competing requirements of public access under OMA with the restrictions on gatherings under orders from the Michigan Department of Health and Human Services (no more than 25 persons) and/or local health departments.

Scenario 1: In person meeting with no declared state of emergency after 3/31/21

If your county wants to hold an in-person session and posts it as in-person at a physical address (say, the courthouse), the county may not turn away members of the public who arrive to attend the open meeting. Of course, this could lead to rooms exceeding proper capacity under COVID health orders.

One options is to plan for overflow room(s) with two-way communication for members of the public. However, absent the authority for a virtual meeting (e.g. state of emergency declaration after 3/31) requiring the public to leave because of the capacity limitations would violate the OMA.

Scenario 2: In person meeting with a declared state of emergency after 3/31/21

If, however, your county has a state of emergency declaration in place after 3/31 and posts the meeting as “virtual” or “hybrid” then it can proceed with some county personal (including commissioners) in the courthouse while the public is required to participate via two-way remote connections. This would also afford commissioners the option to participate in the meeting virtually.

That does not mean a posted in-person public meeting may not permit the public to participate via Zoom (absent a state of emergency declaration after 3/31) but permitting/encouraging/requesting virtual participation is different from requiring it or otherwise turning the public away from an in person meeting.

As always, county boards are advised to consult with their corporate counsel to ensure procedures are following all relevant state laws.

Biden signs aid plan; Michigan counties get \$1.95 billion

Thursday afternoon, President Joe Biden signed the American Rescue Plan, a \$1.9 trillion COVID relief package that will translate into \$1.95 billion in direct federal aid to Michigan's 83 counties.

Michigan's amount is part of \$65 billion in direct federal aid to counties across the nation.

[See county-by-county estimates](#)

"This is fantastic news for our members," said Stephan Currie, executive director of MAC. "There's a great deal still to learn about the specifics of how the money is best used, but we are working with the National Association of Counties, which is working with the U.S. Treasury, to get such information assembled and out to members as quickly as possible."



[See economic analysis by MSU Center for Local Government Finance & Policy](#)

According to [NACo's tracking](#), counties could use these funds to:

- Respond to the public health emergency with respect to the COVID-19 or its negative economic impacts, including assistance to households, small businesses and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality
- Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work
- Make provision for government services to the extent of the reduction in revenue due to the public health emergency relative to revenues collected in the most recent full fiscal year of the county prior to the emergency (i.e., Jan. 20, 2020)
- Make necessary investments in water, sewer or broadband infrastructure

(It is important to note under the first bullet that the examples outlined are intended to clarify congressional intent that these activities would be eligible. However, state and local activities would NOT be limited only to these activities.)

Local governments would be required to provide "**periodic reports**" providing a detailed accounting of the use of funds.

Note that the [NACo Clearinghouse page](#) offers boxes to either pose questions to NACo staffers on the legislation and implementation, or to share your county's stories about your challenges in accessing funds under the previous rounds of federal aid.

For the latest COVID-19 news affecting counties, visit [MAC's Resources Page](#).

County-by-County Aid Estimates - American Rescue Plan - March 2021

Alcona County	\$2,035,987
Alger County	\$1,782,198
Allegan County	\$23,105,369
Alpena County	\$5,558,117
Antrim County	\$4,563,898
Arenac County	\$2,912,215
Baraga County	\$1,606,287
Barry County	\$12,043,728
Bay County	\$20,179,066
Benzie County	\$3,476,342
Berrien County	\$30,016,571
Branch County	\$8,515,141
Calhoun County	\$26,251,414
Cass County	\$10,133,364
Charlevoix County	\$5,115,503
Cheboygan County	\$4,945,853
Chippewa County	\$7,308,224
Clare County	\$6,056,107
Clinton County	\$15,574,663
Crawford County	\$2,745,109
Delta County	\$7,001,995
Dickinson County	\$4,938,613
Eaton County	\$21,576,569
Emmet County	\$6,538,443
Genesee County	\$79,407,009
Gladwin County	\$4,979,705
Gogebic County	\$2,734,543
Grand Traverse County	\$18,214,891
Gratiot County	\$7,966,080
Hillsdale County	\$8,923,708
Houghton County	\$6,982,427
Huron County	\$6,062,173
Ingham County	\$57,216,220
Ionia County	\$12,659,514
Iosco County	\$4,916,698
Iron County	\$2,165,327
Isabella County	\$13,672,126
Jackson County	\$31,016,269
Kalamazoo County	\$51,866,496
Kalkaska County	\$3,529,566
Kent County	\$128,548,942
Keweenaw County	\$414,046
Lake County	\$2,319,323
Lapeer County	\$17,142,403
Leelanau County	\$4,258,060
Lenawee County	\$19,264,290

Livingston County	\$37,568,409
Luce County	\$1,218,853
Mackinac County	\$2,113,082
Macomb County	\$171,013,503
Manistee County	\$4,805,359
Marquette County	\$13,051,253
Mason County	\$5,702,720
Mecosta County	\$8,502,618
Menominee County	\$4,457,451
Midland County	\$16,271,458
Missaukee County	\$2,958,198
Monroe County	\$29,448,921
Montcalm County	\$12,501,214
Montmorency County	\$1,825,246
Muskegon County	\$33,962,335
Newaygo County	\$9,584,107
Oakland County	\$246,076,356
Oceana County	\$5,178,901
Ogemaw County	\$4,108,565
Ontonagon County	\$1,119,255
Osceola County	\$4,590,510
Oscoda County	\$1,612,549
Otsego County	\$4,826,884
Ottawa County	\$57,103,512
Presque Isle County	\$2,463,926
Roscommon County	\$4,699,891
Saginaw County	\$37,283,508
St. Clair County	\$31,137,195
St. Joseph County	\$11,929,063
Sanilac County	\$8,055,894
Schoolcraft County	\$1,583,784
Shiawassee County	\$13,329,697
Tuscola County	\$10,222,982
Van Buren County	\$14,808,013
Washtenaw County	\$71,929,918
Wayne County	\$342,300,753
Wexford County	\$6,580,709
Total for Michigan	\$1,954,167,184

Akron township	Tuscola County	\$ 138,135
Almer township	Tuscola County	\$ 194,416
Arbela township	Tuscola County	\$ 288,415
Caro city	Tuscola County	\$ 393,769
Columbia township	Tuscola County	\$ 117,795
Dayton township	Tuscola County	\$ 173,187
Denmark township	Tuscola County	\$ 284,268
Elkland township	Tuscola County	\$ 326,232
Ellington township	Tuscola County	\$ 124,312
Elmwood township	Tuscola County	\$ 112,167
Fairgrove township	Tuscola County	\$ 145,639
Fremont township	Tuscola County	\$ 306,682
Gifford township	Tuscola County	\$ 68,031
Indianfields township	Tuscola County	\$ 248,722
Juniata township	Tuscola County	\$ 146,034
Kingston township	Tuscola County	\$ 145,540
Koylton township	Tuscola County	\$ 146,528
Millington township	Tuscola County	\$ 401,471
Novesta township	Tuscola County	\$ 137,543
Tuscola township	Tuscola County	\$ 191,059
Vassar city	Tuscola County	\$ 250,993
Vassar township	Tuscola County	\$ 383,599
Watertown township	Tuscola County	\$ 203,500
Wells township	Tuscola County	\$ 166,671
Wisner township	Tuscola County	\$ 63,884

F.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF TUSCOLA

IN THE MATTER OF THE
PETITION OF THE TUSCOLA
COUNTY TREASURER FOR
FORECLOSURE OF CERTAIN
PARCELS OF PROPERTY
DUE TO UNPAID 2018 AND PRIOR
YEARS' TAXES, INTEREST,
PENALTIES AND FEES

Case No. 20-311158-CZ

Judge: Amy G. Gierhart

PETER GOODSTEIN P 14180
Attorney for Petitioner
452 S. Saginaw Street
Suite 302
Flint, MI 48502
(810) 232-0553

At a session of Court held in the Courthouse
in the City of Caro, Tuscola County, Michigan,
on the 16 day of March 2021

PRESENT: THE HONORABLE AMY G. GIERHART

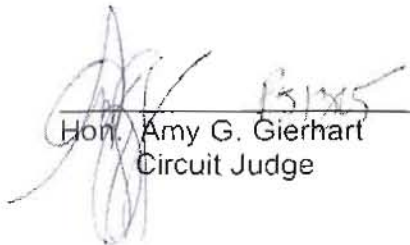
This matter having come before the Court on the ex parte motion of Petitioner the
Tuscola County Treasurer, and the Court being fully informed in the premises

Each paragraph of the judgment of foreclosure entered on February 8, 2021 that
refers to March 31, 2021 as the date the judgment will be effective, viz. B, C, D, E and
F, is ordered amended so that it will instead refer to April 16, 2021.

Petitioner will place notice of this amendment on her web site and post a copy of
this order on the external doors of the building in which her office is located.

IT IS SO ORDERED.

Date: 03/16/21



Hon. Amy G. Gierhart
Circuit Judge

FORECLOSURE DATE EXTENDED

Due to the immediate office closure on March 12th 2021, the last day to pay 2018 Delinquent taxes to avoid Foreclosure has been moved to April 16, 2021. Payments must be received by close of business on April 16th.

Case No. 20-311158-CZ

PERIOD ENDING 03/31/2021

GL NUMBER	DESCRIPTION	END BALANCE 12/31/2020 NORM (ABNORM)	2021 ORIGINAL BUDGET	2021 AMENDED BUDGET	ACTIVITY FOR MONTH 03/31/21 INCR (DECR)	YTD BALANCE 03/31/2021 NORM (ABNORM)	% BGD USED
Fund 239 - ANIMAL SHELTER							
Revenues							
Dept 100 - CONTROL							
239-100-490.000	DOG LICENSES	97,533.85	160,000.00	160,000.00	7,475.00	34,775.00	21.73
239-100-583.000	RURAL DEVELOPMENT GRANT	25,900.00	0.00	0.00	0.00	0.00	0.00
239-100-640.000	ANIMAL BOARDING	740.00	2,000.00	2,000.00	0.00	90.00	4.50
239-100-643.000	SALES/ADOPTIONS	9,280.00	15,000.00	15,000.00	0.00	985.00	6.57
239-100-649.000	PICK UP/RECLAIM FEE	1,265.00	2,500.00	2,500.00	0.00	70.00	2.80
239-100-650.000	SURRENDER FEE	175.00	300.00	300.00	0.00	25.00	8.33
239-100-651.000	EUTH/DISPOSAL	65.00	100.00	100.00	0.00	0.00	0.00
239-100-663.000	SPAYED/NEUT FORFEITURES	0.00	700.00	700.00	0.00	0.00	0.00
239-100-665.000	INTEREST EARNINGS	20.37	50.00	50.00	0.00	0.00	0.00
239-100-674.000	DONATIONS/FUNDRAISERS	7,874.67	8,000.00	8,000.00	20.00	2,127.00	26.59
239-100-676.000	REIMBURSEMENTS	702.00	2,000.00	2,000.00	0.00	133.00	6.65
239-100-677.000	REIMBURSEMENTS RESTITUTIONS	1,473.95	2,000.00	2,000.00	0.00	313.00	15.65
239-100-694.000	CASH OVER/SHORT	(45.00)	0.00	0.00	0.00	0.00	0.00
239-100-699.101	TRANS IN GENERAL FUND	140,400.00	150,000.00	150,000.00	0.00	37,500.00	25.00
Total Dept 100 - CONTROL		285,384.84	342,650.00	342,650.00	7,495.00	76,018.00	22.19
TOTAL REVENUES		285,384.84	342,650.00	342,650.00	7,495.00	76,018.00	22.19
Expenditures							
Dept 100 - CONTROL							
239-100-703.000	SALARIES SUPERVISION	50,144.67	54,618.00	54,618.00	2,100.68	9,630.33	17.63
239-100-704.000	SALARIES PERMANENT	38,110.21	81,513.00	81,513.00	3,113.60	12,513.46	15.35
239-100-704.030	DISABILITY	821.99	1,189.00	1,189.00	0.00	141.62	11.91
239-100-704.040	UNUSED SICK TIME PAYOUT	599.25	0.00	0.00	0.00	0.00	0.00
239-100-705.000	SALARIES PT TEMP	40,364.99	46,752.00	46,752.00	1,497.91	5,805.04	12.42
239-100-706.000	SALARIES OVERTIME	9,241.78	8,000.00	8,000.00	436.47	2,386.47	29.83
239-100-710.000	WORKERS COMPENSATION	2,745.13	2,940.00	2,940.00	36.26	108.57	3.69
239-100-711.000	HEALTH & DENTAL INSURANCE	38,477.86	49,500.00	49,500.00	0.00	8,335.97	16.84
239-100-715.000	F.I.C.A.	10,647.77	13,990.00	13,990.00	546.25	2,330.37	16.66
239-100-717.000	LIFE INSURANCE	111.12	167.00	167.00	0.00	18.52	11.09
239-100-718.000	RETIREMENT	5,088.67	6,807.00	6,807.00	265.44	1,232.75	18.11
239-100-718.100	POB IN LIEU OF RETIREMENT	6,122.98	9,139.00	9,139.00	761.61	2,040.96	22.33
239-100-719.000	UNEMPLOYMENT	573.76	0.00	0.00	0.00	0.00	0.00
239-100-727.000	SUPPLIES, PRINTING & POSTAGE	7,809.34	6,000.00	6,000.00	0.00	730.67	12.18
239-100-727.021	PROMOTIONAL ITEMS	0.00	1,000.00	1,000.00	0.00	0.00	0.00
239-100-727.022	COURT RELATED EXPENSES	4,701.00	0.00	0.00	0.00	0.00	0.00
239-100-746.000	UNIFORMS & ACCESSORIES	852.00	3,000.00	3,000.00	0.00	0.00	0.00
239-100-747.000	GASOLINE	2,594.15	4,000.00	4,000.00	333.14	558.36	13.96
239-100-776.000	JANITORIAL SUPPLIES	311.78	1,000.00	1,000.00	0.00	32.96	3.30
239-100-797.000	ANIMAL FOOD/SUPPLIES	4,023.95	5,000.00	5,000.00	0.00	642.30	12.85
239-100-851.000	PHONE	705.87	700.00	700.00	69.41	196.42	28.06
239-100-851.010	CELLULAR PHONE	1,018.30	1,800.00	1,800.00	3.96	187.42	10.41
239-100-861.000	MILEAGE	201.25	0.00	0.00	0.00	0.00	0.00
239-100-878.000	ANIMAL DISPOSAL	640.00	600.00	600.00	0.00	0.00	0.00
239-100-879.000	VETERINARIAN SERVICES	22,074.30	25,000.00	25,000.00	0.00	0.00	0.00
239-100-910.000	INSURANCE	0.00	80.00	80.00	0.00	0.00	0.00
239-100-929.000	MAINTENANCE/REPAIRS	120.00	500.00	500.00	0.00	0.00	0.00
239-100-932.000	VEHICLE OPERATING/REPAIRS	1,189.83	500.00	500.00	0.00	0.00	0.00
239-100-957.000	TRAINING	258.00	800.00	800.00	0.00	0.00	0.00
239-100-980.000	EQUIPMENT	221.40	20,000.00	20,000.00	0.00	0.00	0.00
239-100-982.000	RURAL DEV GRANT/TRUCK & EQUIPT	36,064.20	0.00	0.00	0.00	(35.75)	100.00

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PERIOD ENDING 03/31/2021

CL NUMBER	DESCRIPTION	END BALANCE	2021		ACTIVITY FOR MONTH 03/31/21 INCR (DECR)	YTD BALANCE	% BDDT USED
		12/31/2020 NORM (ABNORM)	ORIGINAL BUDGET	2021 AMENDED BUDGET		03/31/2021 NORM (ABNORM)	
Fund 239 - ANIMAL SHELTER							
Expenditures							
Total Dept 100 - CONTROL		285,835.55	344,595.00	344,595.00	9,164.73	46,856.44	13.60
Dept 430 - ANIMAL CONTROL SERVICES							
239-430-840.000	INSURANCE PREMIUMS	975.06	0.00	0.00	0.00	0.00	0.00
Total Dept 430 - ANIMAL CONTROL SERVICES		975.06	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		286,810.61	344,595.00	344,595.00	9,164.73	46,856.44	13.60
Fund 239 - ANIMAL SHELTER:							
TOTAL REVENUES		285,384.84	342,650.00	342,650.00	7,495.00	76,018.00	22.19
TOTAL EXPENDITURES		286,810.61	344,595.00	344,595.00	9,164.73	46,856.44	13.60
NET OF REVENUES & EXPENDITURES		(1,425.77)	(1,945.00)	(1,945.00)	(1,669.73)	29,161.56	1,499.31
BEG. FUND BALANCE		1,481.35	1,481.35	1,481.35		1,481.35	
NET OF REVENUES/EXPENDITURES - 2020						(1,425.77)	
END FUND BALANCE		55.58	(463.65)	(463.65)		29,217.14	

9-1-1**Tuscola County Central Dispatch**

Sandra Nielsen, Director

March 15, 2021

From: Sandra Nielsen, Director

Subject: Out of State Travel

To: Board of Commissioners

Dear Commissioners,

I am requesting authorization to travel to the APCO (Association of Public Communications Officials) National Conference in San Antonio, Texas. The conference will be held August 15 to 18, 2021. As a board member of the Michigan chapter of APCO, the chapter will cover the costs for my travel. APCO International's Annual Conference & Expo, is the premier event for public safety communications officials. It offers 4 days of educational sessions focusing on a wide range of topics including leadership, communications center management, cutting edge issues, technology and more.

Thank you for your consideration in this matter.

Sincerely,



Sandra K Nielsen, Director
Tuscola County Central Dispatch



Tuscola County

Clayette Zechmeister <zclay@tuscolacounty.org>

Out of State travel request

1 message

Sandra Nielsen <snielsen@tuscolacounty.org>
To: Clayette Zechmeister <zclay@tuscolacounty.org>

Wed, Mar 17, 2021 at 8:13 AM

Clayette,

Can the attached out of state travel request be added to the next meeting?

--

Sandra Nielsen, ENP
Director
Tuscola County Central Dispatch
1303 Cleaver Rd
Caro, MI 48723
989-673-8738 ext 2
fax: 989-672-3747



Because every second counts. Sign up today.

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9-1-1

Tuscola County Central Dispatch

Sandra Nielsen, Director

To: Tuscola County Board of Commissioners
From: Michael Armitage, 911 Director
Re: Comments on FCC NPRM
Date: February 16, 2021

The Federal Communications Commission (FCC) is expected to approve a Notice of Proposed Rulemaking (NPRM) on February 17, 2021 in regards to 911 fee (surcharge) diversion. On December 27, 2020, new federal legislation (the Don't Break Up the T-Band Act of 2020) was signed into law that requires the FCC to take action to help address the diversion of 911 fees by states and other jurisdictions for purposes unrelated to 911.

While my colleagues and I agree with the intent of the proposed rules, language in the NRPM brings concerns to many 911 centers in Michigan. Michigan has a strong reputation for NOT diverting fees by maintaining an 'allowable/disallowable' list, coupled with periodic compliance reviews of counties by the state 911 office. However, there is a conflict between what the FCC defines as allowable use of 911 fees and the definitions used by agencies in the state of Michigan. The NPRM appears to only identify costs in the PSAP (911 center) as allowable. In contrast, the State of Michigan looks at the '911 ecosystem' to include radio systems, in car computers, and location services for first responders that are directly dispatched by the 911 center. These systems are critical in allowing information sharing between 911 and first responders.

Failure by the FCC to include definitions of allowable expenses which are similar to those identified by the State of Michigan would result in Tuscola County, along with many other counties in Michigan, being identified as diverting 911 fees. The recent investment in a paging system, and previous radio upgrades including the tower infrastructure and handheld/mobile radios for first responders, has been funded utilizing a 911 surcharge. Under the State rules this is considered allowable, but the FCC NPRM language would only identify radios located within the actual 911 center as being an allowable expense.

Due to the potential impact this could have on Tuscola County, I recommend that we provide comment to the FCC by way of the proposed resolution on this NPRM. Several jurisdictions in southeast Michigan that are using 911 surcharge fees in a similar manner have retained an attorney, Mr. Alan Tilles, to provide joint comment. The Michigan Communication Directors Association has retained him as well and is coordinating the effort to submit the comments. It is my recommendation that we join other agencies in this effort.

Attachments: FCC Fee Diversion Fact Sheet
Michigan Allowable/Disallowable List
Proposed Resolution

ALLOWABLE/DISALLOWABLE USAGE OF 9-1-1 SURCHARGE FUNDS

BY WAY OF EXAMPLE, BUT NOT LIMITATION, THE FOLLOWING COSTS ARE ALLOWABLE OR
DISALLOWABLE (as approved by the STATE 9-1-1 COMMITTEE on June 23, 2009):

ALLOWABLE 9-1-1 SURCHARGE FUNDS 9-1-1 SURCHARGE EXPENDITURES

Personnel Costs directly attributable to the delivery of 9-1-1 service (i.e.; directors, supervisors, dispatchers, call-takers, technical staff, support staff):

Salaries	MSAG Coordination	Uniforms
Fringe Benefits	Addressing/Database	EAP

Note: If 9-1-1 staff serves dual functions (i.e.; a director who is also in charge of Emergency Management, a dispatcher who is also a police officer) then only those portions of personnel costs attributable to their 9-1-1 functions should be allowable.

Facility Costs of the dispatch center directly attributable to the delivery of 9-1-1 service:

- Capital improvements for construction, remodeling, or expansion of dispatch center
- Electrical/Heat/AC/Water
- Fire Suppression System
- Cleaning, Maintenance, Trash Removal
- Telephone
- Generator/UPS and Grounding
- Insurance
- Office Supplies
- Printing and copying
- Furniture

Note: If a shared facility, only those portions of facility costs attributable to the 9-1-1 functions should be allowable.

Training and Memberships directly related to 9-1-1 service:

- On the job training
- Vendor provided training
- Conferences
- Travel and lodging as necessary
- Membership in associations (APCO, NENA, etc.)

THE BELOW DISALLOWABLE EXPENSES ARE MEANT TO SERVE AS EXAMPLES ONLY - PLEASE REFER TO THE STATE 9-1-1 COMMITTEE APPEALS PROCESS FOR QUESTIONS.

Personnel Costs of law enforcement, fire, and EMS responders, emergency management staff, shared support or technical staff, **except** for portions of time directly functioning as 9-1-1 allowable staff.

Facility Costs of law enforcement, fire, EMS, emergency management, or other municipal facilities, **except** for that portion housing the 9-1-1 center or back up center, or leased to the 9-1-1 center for allowable training or meeting facilities.

Capital costs and furnishing for facilities for which the primary purpose is other than 9-1-1 (i.e.; a conference room **used** primarily for the City Council but occasionally leased/loaned to the 9-1-1 center for meetings).

Training for staff not involved directly in the delivery of 9-1-1 service, or for any staff for courses not directly attributable to 9-1-1 or dispatching services.
Memberships for staff not involved directly in the delivery of 9-1-1 service, or for associations with a primary purpose other than public safety communications (i.e., sheriff's associations, police or fire chief associations, etc.)

**ALLOWABLE/DISALLOWABLE USAGE OF
9-1-1 SURCHARGE FUNDS**

**ALLOWABLE 9-1-1 SURCHARGE FUNDS
9-1-1 SURCHARGE EXPENDITURES**

Hardware, software, connectivity and peripherals directly attributable to the delivery of 9-1-1 service:

- Customer Premise Equipment
- Remote CPE Hardware/Modems
- Computer-Aided Dispatch
- Radio system (consoles, infrastructure, field equipment)
- LEIN costs for dispatch purposes
- Paging System, pagers and related costs
- Voice logging equipment
- Mobile Data Systems
- GIS/Mapping Systems/AVL Systems
- Alarms/Security Systems
- Connectivity for any of the above
- Maintenance and service agreements of above
- Software licensing of the above
- Associated database costs

Vehicle costs (staff vehicle, pool car, mileage reimbursement, fuel, etc.) directly attributable to the delivery of 9-1-1 service:

- Travel for meetings, training, conferences
- Travel for MSAG verification and testing
- Travel for 9-1-1 Public Education purposes

Professional Services

- Attorneys Consultants Insurance
- Architects Auditor

Public Information/Education Expenses directly attributable to the delivery of 9-1-1 service.

Miscellaneous

**DISALLOWED 9-1-1 SURCHARGE FUNDS
9-1-1 SURCHARGE EXPENDITURES**

Hardware, software, connectivity and peripherals not attributable to the delivery of 9-1-1 service:

- Law Enforcement Record Management Systems
- Fire Records Management Systems
- EMS Records Management Systems
- Jail Records Management Systems
- LEIN costs for non-9-1-1 functions (e.g., Records unit)
- Word processing, databases, etc. not directly attributable to 9-1-1 service
- GIS not directly related to the delivery of 9-1-1 service
- Court Information Systems
- Connectivity for any of the above
- Maintenance and service agreements for any of the above
- Software licensing for any of the above
- Non-Emergency N-1-1 systems

Vehicle costs (fleet vehicle, pool car, mileage reimbursement, etc.) for law enforcement, fire, or EMS responders, such as patrol cars, fire apparatus, ambulances, etc.

Professional Services not directly attributable to the delivery of 9-1-1 service.

Public Information not directly attributable to the delivery of 9-1-1 service.

Miscellaneous:

- Road Signs/Addressing Implements

**Emergency Telephone Service Committee
6/21/2005**

**State 9-1-1 Committee revised
6/23/2009**

RESOLUTION

TUSCOLA COUNTY BOARD OF COMMISSIONERS(AGENCY/ASSOCIATION/MUNICIPALITY)

911 FEE DIVERSION

WHEREAS, The Federal Communications Commission ("FCC") is accepting comments in its plan to eliminate the diversion of 911 fees for items it deems not directly related to the 911 process; and

WHEREAS, Michigan Public Act 32 of 1986 provides for each local 911 district to utilize 911 fees within certain limitations that are determined by the State and regularly audited for compliance with the limitations; and

WHEREAS, under Michigan law, allowable uses include radio systems, paging systems, pagers, automatic vehicle location (AVL) systems, and mobile data computers (MDCs); and

WHEREAS, FCC proposed rules impinge upon Michigan's ability to determine the definition of allowable costs for 911 fees; and

WHEREAS, FCC proposed rules would eliminate the utilization of funds for radio infrastructure, mobile radios, portable radios, pagers, AVL systems and MDCs, critical to dispatching the 911 response; and

WHEREAS, the Tuscola County Board of Commissioners(~~Association/Agency/Municipality~~) believe a broader use and interpretation of the phrase "directly related to the 911 process" should be adopted to include the entire 911 dispatching communication process; and

WHEREAS, the Tuscola County Board of Commissioners(~~Agency/Association/Municipality~~) believe that local decision making and local control regarding the utilization of 911 fees is paramount.

NOW, THEREFORE BE IT RESOLVED, that the Tuscola County Board of Commissioners(~~Agency/Association/Municipality~~) supports a broader use and interpretation of the phrase "directly related to the 911 process" and support local decision making and local control regarding the utilization of 911 fees.

RESOLUTION DECLARED ADOPTED.

Date _____
_____ *Thomas Bardwell, Chairperson*
_____ *Tuscola County Board of Commissioners*

I, Jodi Fetting, Tuscola County Clerk, do hereby certify that the foregoing is a true and complete copy of a resolution approved by the Board of Commissioners at a meeting on September 31, 2017.

Date _____
_____ *Jodi Fetting*
_____ *Tuscola County Clerk*

CERTIFICATION OF (PRESIDENT/Elected Official):

**TUSCOLA COUNTY
BOARD OF COMMISSIONERS**

125 W. Lincoln Street
Suite 500

Telephone: 989-672-3700
Fax: 989-672-4011

At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the ____ day of _____, 2021 with the meeting called to order at 8:00 a.m.

Commissioners Present:

Commissioners Absent:

The following resolution was offered by Commissioner _____, seconded by Commissioner _____

**RESOLUTION
TUSCOLA COUNTY BOARD OF COMMISSIONERS
911 FEE DIVERSION
2021-07**

WHEREAS, The Federal Communications Commission ("FCC") is accepting comments in its plan to eliminate the diversion of 911 fees for items it deems not directly related to the 911 process; and

WHEREAS, Michigan Public Act 32 of 1986 provides for each local 911 district to utilize 911 fees within certain limitations that are determined by the State and regularly audited for compliance with the limitations; and

WHEREAS, under Michigan law, allowable uses include radio systems, paging systems, pagers, automatic vehicle location (AVL) systems, and mobile data computers (MDCs); and

WHEREAS, FCC proposed rules impinge upon Michigan's ability to determine the definition of allowable costs for 911 fees; and

WHEREAS, FCC proposed rules would eliminate the utilization of funds for radio infrastructure, mobile radios, portable radios, pagers, AVL systems and MDCs, critical to dispatching the 911 response; and

WHEREAS, the Tuscola County Board of Commissioners believe a broader use and interpretation of the phrase "directly related to the 911 process" should be adopted to include the entire 911 dispatching communication process; and

WHEREAS, the Tuscola County Board of Commissioners believe that local decision making and local control regarding the utilization of 911 fees is paramount.

NOW, THEREFORE BE IT RESOLVED, that the Tuscola County Board of Commissioners supports a broader use and interpretation of the phrase "directly related to the 911 process" and support local decision making and local control regarding the utilization of 911 fees.

Roll Call Vote:

Ayes:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED.

Date _____

*Thomas Bardwell, Chairperson
Tuscola County Board of Commissioners*

I, Jodi Fetting, Tuscola County Clerk, do hereby certify that the foregoing is a true and complete copy of a resolution approved by the Board of Commissioners at a meeting on _____, 2021.

Date _____

*Jodi Fetting
Tuscola County Clerk*

PROPOSED

J.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

1. PURPOSE

These rules are adopted by the Board of Commissioners of Tuscola County pursuant to Section 46.11 of the Compiled Laws of Michigan, as amended.

2. MEETINGS

2.1 Organizational Meeting

The first meeting in each calendar year shall be the organizational meeting. At each such meeting, the County Clerk shall preside at the start of the meeting. The organizational meeting may be held in December of the current year provided all current commissioners remain unchanged for the next two year term. If there are any commissioner changes for the next two year term, then the organizational meeting shall be held within 72 hours after New Year's Day.

The first item of business shall be election of the Chairperson of the Board. There are two procedural steps related to electing the Chairperson that have to be decided prior to conducting the election:

The Board Chairperson shall be elected each odd numbered year for a 2-year term, unless the Board provides by resolution that the chairperson shall be elected annually to a 1-year term. The Board needs to make a decision on this term length. If no action is taken the Michigan law states the term shall be for 2-years.

The Board also needs to make a decision regarding the potential use of a secret ballot. State law provides that the vote of the Chairperson may be accomplished by way of a secret ballot. If the Board chooses to conduct the election of the Board Chairperson by secret ballot, a majority of the Board must first vote to do so.

Unless a secret ballot is chosen, the clerk shall call for nominations for the office of chairperson and when nominations are closed by majority vote or no other nominations are forthcoming, the clerk shall call for a vote. When one nominee receives a majority of the votes of the members elected and serving, the nominee shall be declared chairperson.

The next order of business is to proceed with the election to the office of Vice-chairperson, which shall be conducted by roll call vote.

There is no statutory provision for the election of the vice-chairperson by secret ballot or to have a 2-year term, therefore the vice-chairperson is elected for a 1-year term.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

2.2 Regular Meetings

At its first meeting in each calendar year, the Board of Commissioners shall establish its schedule including meeting times of regular meetings for the balance of the year.

2.3 Special Meetings

The Board of Commissioners shall meet in special session upon the call of the chairperson of the board. The chairperson may convene a meeting of the Board upon his/her discretion. Notice shall be given as provided in Rule 3.3.

2.3.1 As an alternate means of calling a special meeting, upon the written petition filed with the county clerk and signed by one-third or more of the members. The petition for a special meeting shall specify the time, date, place, and purpose of the meeting.

2.4 Emergency Meetings

Emergency meetings of the Board of Commissioners may be held only with the approval of two-thirds of the members of the Board and only if delay would threaten severe and imminent danger to the health, safety, and welfare of the public. A meeting is defined as an emergency meeting only if it must be held before public notice as provided in Rule 3.3 can be given. Actions taken at an emergency meeting should be ratified at the next publicly noticed meeting.

2.5 Place of Meetings

Meetings of the Board of Commissioners shall be held in the chambers of the HH Purdy Building (125 W. Lincoln Street, Caro) unless public notice of the meeting states a different location. Whenever the regular meeting place of the Board shall appear inadequate for members of the public to attend, the chairperson may change the meeting location to a larger facility in the county. A notice of such change shall be prominently posted on the door of the regular meeting place.

2.6 Time of Regular Meetings

The time of regular meetings shall be stated in the regular schedule of meetings adopted under Rule 2.2. Matters on the agenda and not yet acted upon at the time of adjournment will be placed on the agenda of the next regular meeting or special meeting if one is called.

2.6.1 Change in Schedule

Change in the regular meeting schedule shall not be made except upon the approval of a majority of the members. In the event the Board shall meet and a quorum is not present, the Board, with the approval of those present, may adjourn the meeting to a later day and time provided that proper notice to members and the public is given.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 1/03/17-03-8-21

3. PUBLIC NOTICE OF MEETINGS

The county clerk shall provide the proper notice for all meetings of the Board. Such notice shall include, but not necessarily be limited to the following:

3.1 Regular Meetings

Posting a notice within 10 days after the first meeting of the Board in each calendar year indicating the date, time, and place of the Board's regularly scheduled and committee meetings.

3.2 Schedule Change

Whenever the Board shall change its regular Board schedule of meetings, a posting of notice of the change will be done by the clerk within three days following the meeting in which the change was made. Committee meeting changes from the original schedule will be posted by the Controller/Administrator's Office.

3.3 Special and Emergency Meetings

If the Board shall schedule a special meeting under Rule 2.3 or an emergency meeting under Rule 2.4, notice of such meeting shall be posted immediately by the clerk. No meeting, except emergency meetings, shall be held until the notice shall have been posted at least 18 hours. Commissioners will be notified by written or telephone communication of said meeting.

4. QUORUM, ATTENDANCE, CALL OF THE COUNTY BOARD, COMPENSATION

4.1 Quorum

A majority of commissioners of the Board, elected and serving, shall constitute a quorum for the transaction of ordinary business of the Board.

4.2 Attendance

No member of the County Board may absent himself or herself without first having notified the chairperson of his or her intent to be absent from a scheduled meeting.

4.3 Compensation

Commissioner compensation shall be reviewed at least once no later than July of election years to determine if compensation changes will be implemented for the Board of Commissioners taking office January 1st of odd numbered years.

5. AGENDA FOR MEETINGS

5.1 Agenda Preparation Responsibility

The Controller/Administrator, after first reviewing pending matters and requests, shall prepare a draft of the agenda of business for all regularly scheduled Board of Commissioners, committee, and other meetings. The chairperson of the Board or chairperson of the respective committee shall review and add or delete items, as he/she

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised ~~1/03/17~~ 03-8-21

considers proper. Unanticipated agenda items that require discussion or decisions may be covered under the other business agenda reference. It is each individual's responsibility to attend the meeting to understand other business items that may be covered.

5.2 Distribution of Regular Board of Commissioner Agenda and Materials

Upon completion of the agenda for the regular Board meeting, the Controller-Administrator shall immediately distribute to Commissioners copies of the agenda together with copies of reports, etc. which shall relate to matters of business of the agenda.

Unless extenuating circumstances arise, a paper copy of the agenda and attachments will be sent enough in advance of the scheduled meeting date to allow commissioner review prior to the meeting. A paper copy of the complete agenda and attachments is made available in the Controller/Administrator's Office. An electronic copy of the agenda and attachments is also made available on the county web www.tuscolacounty.org. The Controller/Administrator's office electronically notifies all department heads and other requesting parties when agendas are available on the website.

It is stressed that other agenda items may be added the day of the meeting. Also, certain items may be covered under the agenda heading "other business/on-going matters."

5.3 Distribution of Committee Meeting Agendas

Committee agendas (in draft form) will be made available electronically via the county website **and/or faxed** in advance of the scheduled meeting. The Controller/Administrator's Office also notifies all department heads and other requesting parties when the agenda is available on the website. It is stressed that other agenda items may be added the day of the meeting. Also, certain items may be covered under the agenda heading "other business/on-going matters." There may be extenuating circumstances where it is not possible to distribute the agenda in advance of the meeting.

5.4 Consent Agenda

The Board shall use a "Consent Agenda" according to the resolution and rules approved by the Board on January 25, 2000. The consent agenda motions will be prepared by the Controller/Administrator's Office.

5.5.1 Order of Business

The order of business at all **Board meetings** shall follow the following agenda, unless the Board approves modifications during the "Agenda" section of the meeting:

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17 **03-8-21**

- a. Call to Order
- b. Prayer
- c. Pledge of Alliance
- d. Roll Call
- e. Adoption of Agenda
- f. Action on Previous Meeting Minutes
- g. Brief Public Comments – **Agenda Items Only**
- h. Consent Agenda
- i. New Business
- j. Old Business
- k. Correspondence
- l. Committee and Liaison Reports
- m. ~~Closed Sessions (if necessary)~~ **Other Business as Necessary**
- n. Extended Public Comment
- o. Adjournment

5.5.2

The order of business at all **Committee of the Whole** meetings shall follow the following agenda, unless the Board approves modifications during the "Agenda" section of the meeting:

- a. Call to Order
- b. Roll Call
- c. County Updates
- d. New Business
- e. Old Business
- f. Primary Finance/Technology
- g. On Going and Other Finance and Technology
- h. Primary Building and Grounds
- i. On Going and Other Buildings and Grounds
- j. Primary Personnel
- k. On Going and Other Personnel
- l. Other Business as Necessary
- m. On Going Other Business as Necessary
- n. Public Comment Period

6. CONDUCT OF MEETINGS

6.1 Chairperson

The person elected chairperson in the first meeting each year of the Board shall preside at all meetings of the Board. In the absence of the chairperson, the person elected vice-chairperson shall preside. If neither the chairperson nor the vice-chairperson is present, the clerk shall preside until the commissioners present elect a commissioner to preside during the absence of the chairperson or vice-chairperson.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17 **03-8-21**

6.2 Form of Address

Any person, including Board members, wishing to speak at a meeting shall first obtain the approval of the chairperson and each person who speaks shall address the chairperson, and not other members of the audience, other commissioners or staff in attendance.

6.3 Disorderly Conduct

The chairperson shall call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, by speaking vulgarities, or by violating Board rules. Such person shall there upon be seated until the chairperson shall have determined whether the person is in order. If a person so engaged in presentation shall be ruled out of order, he or she shall not be permitted to speak further at the same meeting except upon special leave by the Board of Commissioners. If the person shall continue to be disorderly and to disrupt the meeting, the chairperson may order the person to leave the meeting. Since the purpose of the meeting is to discuss public business and not address individual personalities, "personal attacks" on government officials are prohibited and shall be considered "out of order".

6.4 Brief and Extended Public Comment Period

~~A brief public comment period will be provided early on the Board agenda for agenda items only. Comments during this period will be limited to 3 minutes in order to leave time for the Board to conduct other items on the agenda unless this time is waived by the Chairperson.~~

~~Another public comment period will be provided later on the agenda with the length of public comment extended. The length of comment during this period will be at the discretion of the Chairperson.~~

6.4.1 Brief Public Comment Period

Brief Public Comment Period will be provided early on the Board Agenda for agenda items only. Comments during this period will be limited to 3 minutes unless this time is waived by the Chairperson.

6.4.2 Extended Public Comment Period

Extended public comment period will be provided later on the agenda. Comment during this period will be limited to 5 minutes unless this time is waived by the Chairperson.

6.5 Procedures to Address the Board

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

Any person who addresses the Board shall state their name and their township of residence for the record. When there are many people who desire to address the Board, the Chairperson may implement other reasonable rules for public participation, including but not limited to requiring the completion of a written request to speak at the meeting.

7.0 RECORD OF MEETINGS

7.1 Minutes and Official Records

The county clerk shall be clerk of the Board and shall be responsible for maintaining the official record and minutes of each meeting of the Board. The minutes shall include all the actions and decisions of the Board. The minutes shall include the names of the mover and seconder and the vote of the commissioners. The record shall also state whether the vote was by voice or by roll call; when by roll call, the record shall show how each member voted. The clerk shall maintain, in the office of the clerk, copies of each resolution and ordinance or other matter acted upon by the Board. The official minutes, however, may refer to those matters by an identifying number and the descriptive title of the ordinance, resolution/motion, or other matter.

7.2 Record of Discussion

The clerk shall not be responsible for maintaining a written record or summary of the discussion or comments of the Board members nor of the comments made by the members of the public.

7.3 Request for Remarks to Be Included

Any Commissioner may have his or her comments printed as part of the record upon the concurrence of a majority of the other members. Comments to be included in the record shall be provided in writing by the member.

7.4 Public Access to Meeting Records

The clerk shall make available to members of the public the records and minutes of the Board meetings in accordance with the Freedom of Information Act. Draft board minutes, prepared but not approved by the Board, shall be available for public inspection not more than eight business days following the meeting. Minutes approved by the Board shall be available within five business days of the meeting at which they were approved. The Board shall also promptly mail copies of minutes to persons who have subscribed and paid the fee therefore as determined by the Board, consistent with any requirements of the Freedom of Information Act.

7.5 Board Stationery

County Board stationery cannot be used for personal commissioner use unless approved by the Full Board of Commissioners.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

8.0 COMMITTEES

8.1 Committee of the Whole

All commissioners shall serve on a Committee of the Whole which will be advisory only but responsible for making recommendations to the Board but not decisions for the Board. The Committee of the Whole may have topic leaders whereby a commissioner is assigned to lead topics areas such as finance, personnel, building and grounds, etc. **The Board Chair can assign topics to Committee of the Whole.** The County Clerk shall keep minutes of these meetings. The **Committee of the Whole agenda and the** consent agenda motions will be prepared by the Controller/Administrator's Office.

8.2 Statutory Finance Committee

A Statutory Finance Committee (consisting of all five commissioners) will be responsible for review and approval of all claims and per diems. In the event that the Statutory Finance Committee meets in a continuous meeting setting with the Full Board or a Committee of the Whole meeting, the Statutory Finance Committee meeting shall be separately called, opened and adjourned, and separate minutes shall be kept. **The Controller/Administrator's Office will prepare the agenda for the meeting.** The County Clerk must keep the minutes of this meeting. The County Clerk will maintain minutes of all Statutory Finance Committee meetings and shall make them available to necessary parties and they shall be included with each Board packet.

8.3 Grievance Committee

Two commissioners will be appointed and serve on the union contract grievance committee **as needed.**

8.4 Commissioner Appointments

The Board chairperson shall appoint commissioners to various boards and commissions and in certain cases as a liaison to boards and commissions.

9.0 CLOSED MEETINGS

9.1 The vote to hold a closed meeting shall be recorded in the minutes of the meeting at which the decision was made.

9.2 The Board of Commissioners may meet in closed session, closed to members of the public, upon the motion of any member and roll call approval by two-thirds of the members for the following purposes:

9.2.1 To consider the purchase or lease of real property, until an option to purchase or release that property is obtained.

9.2.2 To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

detrimental financial effect on the litigating or settlement position of the county Board.

- 9.2.3 To consider a County attorney's written opinion.
- 9.2.4 To review the specific contents of an application for employment to a county position and the applicant requests that the application remains confidential. Whenever the Board meets to interview an applicant, the meeting shall be open to the public.
- 9.2.5 Other Reasons

The Board may also meet in closed session for the following reasons without the requirement of a two-thirds vote:

- 9.2.5.1 To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee, staff member, or individual agent if the named person requests a closed hearing. If the person rescinds his/her request for a closed hearing the matter at issue shall thereafter be considered only in open public meeting.
- 9.2.5.2 To consider strategy connected with the negotiation of a collective bargaining agreement.
- 9.2.5.3 To consider any other matter authorized as a topic of a closed meeting by the Open Meetings Act, upon the proper vote specified therein.

9.3 Minutes, Closed Meetings

Generally, the County Clerk shall prepare the minutes for closed meetings. If the Board Chair determines that it would be inappropriate for the Clerk to attend the closed meeting, he shall designate another party to take the minutes. The County's attorney may review the draft minutes of the Closed Meeting. The minutes are to be sealed and kept in the County Clerk's office. Such minutes **may but** do not have to be approved by the Board. The minutes shall not be disclosed to the public except upon the order of a court. ~~With the approval of the Board Chair, the Clerk may destroy the minutes after one year and one day have passed after the meeting at which the Board approved the minutes of the meeting at which the Board voted to hold the closed meeting.~~ **Closed session minutes are not to be destroyed unless ordered by the Court.**

10. MOTIONS AND RESOLUTIONS

10.1 Statement by Chairperson, Motions, and Resolutions

No motions or resolution shall be adopted until the presiding officer states the motion. All motions, except procedural motions and resolutions, may be required to

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order.

10.2 Rank of Motions

- a. Privileged Motions
- b. Fix the time to which to adjourn (to set the time for next meeting)
- c. Adjourn
- d. Recess
- e. Raise a question of privilege
- f. Call for orders of the day

10.3 Subsidiary Motions

- a. Lay on the table
- b. Call the previous question (immediately to close debate and making of subsidiary motions except lay on the table)
- c. Limit or extend the limits of debate
- d. Postpone to a certain time (postpone definitely)
- e. Refer to a committee
- f. Amend the main motion
- g. Postpone indefinitely
- h. Clear the floor of all motions

10.3.1 Main Motion

10.3.2 Non-debatable Motions

The motions to fix the time of the next meeting, adjourn, recess, point of privilege, call for orders of the day, to table, vote immediately, limit or extend debate shall be ordered and voted upon without debate.

10.4 Procedural Motions

10.4.1 Motion to Reconsider

The motion to reconsider shall be in order on any question that the Board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order on the same day as the vote to be reconsidered was taken, or at the following meeting. The motion to reconsider shall be made only by a member who voted with the prevailing side. A motion to reconsider a motion to amend shall not be in order if the main question has been voted upon. If the Board has adopted a motion to reconsider, however, motions to amend shall be in order.

10.4.2 Motion to Clear the Floor

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

The motion to clear the floor may be made by the chairperson or a member, whenever procedural matters have become sufficiently confused. If the motion to clear the floor has been adopted, it shall clear the floor of all motions as though they have been withdrawn. The motion shall not be subject to debate nor, if adopted, to reconsideration.

10.4.3 Temporary Suspension of the Rules

These rules may be suspended temporarily at any time by vote of two-thirds of the members elected and serving to achieve any legal objective of the Board in a legal manner.

10.4.4 Appeal Rulings of the Chairperson

Any Commissioner may appeal the ruling of the chairperson. On all appeals receiving a second, the question shall be "Shall the decision of the Chairperson stand as the decision of the County Board of Commissioners?"

11. VOTING

11.1 Abstaining from Voting –

Whenever the Chair puts a question to the members, every commissioner present shall vote on the question. ~~No member present shall abstain from voting "yes" or "no". In the event that a member refuses to declare a "yes" or "no", the Chair shall direct the Clerk to record the vote as a "no" vote.~~

If a Commissioner present does not respond to the call for the voice vote, his or her vote shall be recorded as an affirmative vote, unless good cause is shown for abstaining. If there is abstention or a nay vote, there shall be a roll call vote.

11.2 Officials Not to Benefit

11.2.1 Conflicts of Interest, County Commissioners

County Commissioners shall comply with all requirements of MCL 15.322, Public Servants Contracting with the Public Entity they serve.

11.2.2 Conflicts of Interest, Other Board, Commission, Authority or Committee Members.

Any person who serves on any County board, commission, authority, special or advisory committee and who qualifies as a public servant shall not be a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer or employee and shall comply in all respects with MCL 15.322, Public Servants Contracting with the Public Entity the Serve.

11.2 3 Roll Call Votes

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

The names and votes of commissioners shall be recorded on Board actions to adopt final measures such as ordinances, resolutions, appointment or election of officers, etc. The election of the Board chairperson may be by secret ballot with the approval of a majority of commissioners present. Upon the demand of one fifth of the commissioners, a roll call vote shall be taken on other motions and actions.

11.3.4 Voting Via Voice

When in the judgment of the chairperson, the Board of Commissioners will cast a unanimous vote on the question on the floor, the Chairperson may put the questions to the members by stating: "Without objection, the chair will direct the clerk to enter a unanimous affirmative (or negative) vote on the question. Is there objection? Hearing none, the clerk is directed to enter a unanimous affirmative (or negative) vote on the question." At this point, the clerk shall enter an affirmative (or negative) vote for each of the members present.

If any member objects, he or she should do so aloud. Whereupon, the chairperson shall direct the clerk to call the roll.

11.4.5 Votes Required

Procedural and other questions arising at a meeting of the Commissioners, except for those decisions required by statute to have a higher majority, shall be decided by a majority of the members present. A majority of the members elected and serving shall be required for final passage or adoption of a measure, resolution, or the allowance of a claim.

12. PARLIAMENTARY AUTHORITY

Robert's Rules of Order (Newly Revised) shall govern all questions of procedure not otherwise provided by these rules or by state or federal law. The legal counsel to the Board or other person so designated by the Board shall serve as the Board's parliamentarian and shall advise the presiding officer regarding rules of procedure.

13. INTRODUCTION AND ADOPTION OF ADMINISTRATIVE RESOLUTIONS

13.1 Definition

Any action regarding the operation or administration of a department of the county government or containing policies of the Board of Commissioners applicable to one or more departments of the county, and not adopted as an ordinance, shall be declared administrative policy.

13.2 Introduction

Any commissioner may introduce an administrative resolution at any regular or special meeting of the Board of Commissioners in the regular order of business.

13.3 Order for Consideration

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 4/03/17-03-8-21

The regular order for consideration of proposed administrative resolutions shall be:

13.3.1 Introduction, first reading by title, and reference to the appropriate committee, as determined by the Board chairperson.

13.3.2 Report by the committee considering the proposal and placement on the agenda under new business – adoption of resolutions.

13.3.3 Full Board discussion and vote. Each member shall be given opportunity to discuss the resolution and offer such amendments as she or he shall consider appropriate. Amendments shall be made in the following forms:

“I move to amend by striking the following (sections or words).”

“I move to amend by striking the following (sections and words) and inserting the following (sections or words).”

“I move to amend by inserting the following (lines or words) after (describe the location).”

“I move to amend by adding the following (lines or words) after (describe the location).”

Before calling for a vote on the proposed amendment, the chairperson shall direct the clerk to read the proposed amendment and to state how the section or sentence will read if the amendment is approved. Thereafter, the chairperson shall call the question on the amendment.

13.3.4 Form

Each administrative resolution shall conform to the form required for introduction and adoption.

13.5 Committee Review

The chairperson of the Board shall refer all proposed administrative resolutions to an appropriate committee of the Board. The committee shall review the proposal and invite effected departments of the county to comment and offer explanations. The committee, in its report, shall include a summary of the comments and objections to the resolution. Any administrative resolution reported without recommendation shall automatically lie on the table until ordered removed by the Board.

13.6 Adoption

The Board of Commissioners may adopt the committee recommendation or refer the report to a standing committee where further consideration can be given. On the final adoption of a proposed amendment, the vote shall be taken by a record roll call or in accordance with Rule 11.3. A majority of the commissioners elected and serving shall be required for adoption, unless a statute requires a larger number of votes to adopt the policy.

BOARD OF COMMISSIONERS
RULES OF ORDER
TUSCOLA COUNTY, MICHIGAN
Revised 1/03/17-03-8-21

13.7 Notification

Upon the final adoption of an administrative resolution, the Board secretary shall notify each county department head of the Board action. Such notification shall be by title or summary. The Board secretary shall make available a copy of the full administrative resolution.

13.8 Record of Administrative Resolutions

The clerk shall keep a copy of each administrative resolution of the Board in a separate file or book with appropriate subcategories according to subjects covered. The record of each administrative resolution shall provide the date of adoption, the record vote of each commissioner, and any amendments thereto adopted by the Board.

14. INTERPRETATION & OPERATION

14.1 Intent Controls

These Rules shall be interpreted in a manner to effectuate their intent, and as a general rule, form should not be elevated over substance.

14.2 Coordination

Wherever possible, these Rules should be interpreted in a manner consistent with state law and County ordinance.

14.3 Severance

If any Rule herein is determined to be unlawful, it shall be struck and the remaining Rules shall continue in full force and effect.

14.4 Ratification

In the event that a Board action shall be declared invalid because of a failure to follow these Rules, the Board shall have the right to ratify the action and to make such ratification nunc pro tunc (effective as of the original date of the defective action).

14.5 Amendment

The Board may amend these Rules at any time upon a majority vote of the members serving.

COUNTY OF TUSCOLA
OFF ROAD VEHICLE ORDINANCE

An ordinance adopted for the purpose of authorizing and regulating the operation of off road vehicles (ORVs) on roads in Tuscola County, for the purpose of providing penalties for the violation thereof, and for the distribution of public funds resulting from those penalties pursuant to 2011 PA 107, MCL 324.81131.

THE COUNTY OF TUSCOLA ORDAINS:

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

- a) "County" means the County of Tuscola.
- b) "Driver license" means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under chapter III of the Michigan vehicle code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- c) "Operate" means to ride in or on, and be in actual physical control of the operation of an ORV.
- d) "Operator" means a person who operates or is in actual physical control of the operation of an ORV.
- e) "ORV" means a motor driven off road recreation vehicle capable of cross country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes, but is not limited to, a multitrack or multiwheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel, or 4-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV or vehicle does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.
- f) "Road" means a county primary road or county local road as described in section 5 of 1951 PA 1951, MCL 247.655.
- g) "Road Commission" means the Board of County Road Commissioners for the County of Tuscola.
- h) "Safety certificate" means a certificate issued pursuant to 1994 PA 451 as amended, MCL 324.81129, or a comparable ORV safety certificate issued

under the authority of another state or a province of Canada.

- i) "Street" means a city or village major street or village local street as described in section 9 of 1951 PA 51, MCL 247.659.
- j) "Township" means an individual township within the County of Tuscola.
- k) "Township board" means a board of trustees of any township within the County of Tuscola.
- l) "Visual supervision" means the direct observation of the operator with the unaided or normally corrected eye, where the observer is able to come to the immediate aid of the operator.

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

- a) Provided however, that in the event that either the Road Commission has CLOSED, or in the event a Township has adopted an Ordinance or Resolution which CLOSED, certain road(s) to ORV use, pursuant to MCL 324.81131(4), operation otherwise permitted under this Ordinance shall not be considered authorized, with respect to such closed road(s).
- b) This Ordinance is not intended to authorize the operation of an ORV on a street or highway which is under jurisdiction of a municipality, nor upon a State Trunkline Highway.

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

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

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

- a) At a speed of no more than 25 miles per hour or a lower posted ORV speed limit.
- b) By a person not less than 12 years of age.
- c) With the flow of traffic.
- d) In a manner which does not interfere with traffic on the road or street.
- e) Traveling single file except when overtaking and passing another ORV.

- f) When visibility is not substantially reduced due to weather conditions.
- g) While displaying a lighted headlight and lighted taillight at all hours.
- h) While the operator and each passenger is wearing a crash helmet and protective eyewear approved by the United States Department of Transportation unless the vehicle is equipped with a roof that meets or exceeds standards for a crash helmet and the operator and each passenger is wearing a properly adjusted and fastened seat belt.
- i) With a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- j) While the ORV is equipped with a spark arrester type United States Forest Service approved muffler in good working order and in constant operation.
- k) Pursuant to noise emission standards defined by law.

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

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

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

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

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

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

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


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

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

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

Section 15. This ordinance becomes effective after publication and expiration of the time prescribed by law.

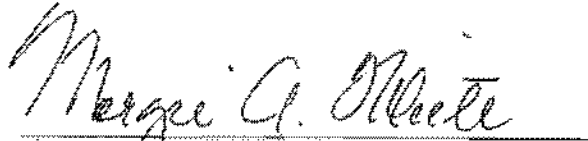
This Ordinance is adopted by action of the County of Tuscola Board of Commissioners this 14th day of February 2012.



Chairperson

CERTIFICATION

I, Margie A. McEte, Clerk of the County of Tuscola, do hereby certify that this is a true and correct copy of the Ordinance duly adopted by the County of Tuscola Board of Commissioners on the 14th day of February 2012.



Clerk

L.

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.657a Operation of golf cart on village, city, or township streets or state trunk line highway.

Sec. 657a. (1) A village or city having a population of fewer than 30,000 individuals based upon the 2010 decennial census may by resolution allow the operation of golf carts on the streets of that village or city, subject to the requirements of this section. A township having a population of fewer than 30,000 individuals based upon the 2010 decennial census may by resolution, unless disapproved by the county board of commissioners under subsection (3), allow the operation of golf carts on the streets of that township, subject to the requirements of this section.

(2) If a village, city, or township allows the operation of golf carts on the streets of that village, city, or township, that village, city, or township may require those golf carts and the operators of those golf carts to be recorded on a list maintained by that village, city, or township. A village, city, or township shall not charge a fee for listing golf carts or the operators of those golf carts.

(3) A county board of commissioners may, by resolution, disapprove the operation of golf carts on the streets of a township located within that county if the county board of commissioners conducts a hearing and determines that 1 or more of the following apply:

(a) The operation of golf carts on the streets of that township would cause significant environmental damage.

(b) The operation of golf carts on the streets of that township would cause a significant concern of public safety.

(4) The county board of commissioners shall provide public notice of a hearing under subsection (3) at least 45 days before the hearing is conducted. The county board of commissioners shall also provide written notice of a hearing under subsection (3) to the township at least 45 days before the hearing is conducted.

(5) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.

(6) The operator of a golf cart shall comply with the signal requirements of section 648 that apply to the operation of a vehicle.

(7) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

(8) Except as otherwise provided in subsection (9), a person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of a village, city, or township, using the most direct line of crossing.

(9) The legislative body of a local unit of government may request the state transportation department to authorize the local unit of government to adopt an ordinance authorizing the operation of golf carts on a state trunk line highway, other than an interstate highway, located within the local unit of government. The request shall describe how the authorization would meet the requirements of subsection (10). The state transportation department shall solicit comment on the request from the local units of government where the state trunk line highway is located. The state transportation department shall consider comments received on the request before making a decision on the request. The state transportation department shall grant the request in whole or in part or deny the request not more than 60 days after the request is received. If the state transportation department grants a request in whole or in part under this subsection, the local unit of government that submitted the request may adopt an ordinance authorizing the operation of golf carts on the state trunk line highway that was the subject of the request. A county may submit a request for authorization under this subsection on behalf of 1 or more local units of government located within that county if requested by those local units of government.

(10) The state transportation department shall authorize operation of a golf cart under subsection (9) only on a state trunk line highway that is not an interstate highway within a local unit of government that has already adopted an ordinance under subsection (1), that serves as a connector between portions of the local unit of government that only connect through the state trunk line highway, and that meets 1 or more of the following requirements:

(a) Provides access to tourist attractions, food service establishments, fuel, motels, or other services.

(b) Serves as a connector between 2 segments of the same county road that run along discontinuous town lines.

(c) Includes a bridge or culvert that allows a golf cart to cross a river, stream, wetland, or gully that is not crossed by a street or county road on which golf carts are authorized to operate under an ordinance adopted as

provided in subsection (1).

(11) The state transportation department may permanently or temporarily close a state trunk line highway to the operation of golf carts otherwise authorized under subsection (9) after written notice to the clerk of the local unit of government that requested the authorization under subsection (9). The notice shall be in writing and sent by first-class United States mail or personally delivered not less than 30 days before the adoption of the rule or order closing the state trunk line highway. The notice shall set forth specific reasons for the closure. The state transportation department is not required to develop a plan for an alternate route for a state trunk line highway that it has temporarily closed to the operation of golf carts.

(12) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart may, by local ordinance, be required to use that path.

(13) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.

(14) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.

(15) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a state trunk line highway or a highway or street with a speed limit of more than 30 miles per hour except to cross that state trunk line highway or highway or street. A village, city, or township may, by resolution, designate roads or classifications of roads for use by golf carts under this subsection.

(16) A golf cart shall not be operated on a state trunk line highway or the streets of a city, village, or township during the time period from 1/2 hour before sunset to 1/2 hour after sunrise.

(17) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.

(18) A person operating a golf cart on a state trunk line highway shall ride as near to the right side of the roadway as practicable.

(19) This section does not apply to a police officer in the performance of his or her official duties.

(20) A golf cart operated on a street of a village, city, or township under this section is not required to be registered under this act for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.

(21) As used in this section, "golf cart" means a vehicle designed for transportation while playing the game of golf. A village, city, or township may require a golf cart registered within its jurisdiction to meet any or all of the following vehicle safety requirements of a low-speed vehicle for approval under this section:

(a) At least 2 headlamps that comply with section 685.

(b) At least 1 tail lamp that complies with section 686.

(c) At least 1 stop lamp and 1 lamp or mechanical signal device that comply with sections 697 and 697b.

(d) At least 1 red reflector on each side of the golf cart as far to the rear as practicable and 1 red reflector on the rear of the golf cart as required for low-speed vehicles by 49 CFR 571.500.

(e) One exterior mirror mounted on the driver's side of the golf cart and either 1 exterior mirror mounted on the passenger side of the golf cart or 1 interior mirror as required for low-speed vehicles by 49 CFR 571.500.

(f) Brakes and a parking brake that comply with section 704.

(g) A horn that complies with section 706.

(h) A windshield that complies with section 708a.

(i) A manufacturer's identification number permanently affixed to the frame of the golf cart.

(j) Safety belts that comply with section 710a and that are used as required by section 710e.

(k) The crash helmet requirements applicable to low-speed vehicles under section 658b.

History: Add. 2014, Act 491, Imd. Eff. Jan. 13, 2015;—Am. 2018, Act 139, Eff. Aug. 8, 2018.

VILLAGE OF CASS CITY

6506 Main Street, Cass City, Michigan 48726 (989) 872-2911

ORDINANCE NO. 188**AN ORDINANCE TO AMEND VILLAGE OF CASS CITY MUNICIPAL CODE****CHAPTER 38, TRAFFIC AND VEHICLES,****ARTICLE IV (4), OFF ROAD VEHICLES (ORV)**

for the purpose of authorizing and regulating the operation of Off-Road Vehicles
on the streets in the Village of Cass City
and for the purpose of providing penalties for the violation

THE VILLAGE OF CASS CITY HEREBY ORDAINS:

Chapter 38: TRAFFIC AND VEHICLES**ARTICLE IV (4): OFF-ROAD VEHICLES (ORVs)**

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

- A. **"Driver's license"** means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- B. **"Far Right of the Maintained portion of the road"** means the shoulder of the portion of the road improved, designated, or ordinarily used for vehicular traffic and does not include within its meaning the shoulder or right-of-way.
- C. **"Operate"** means to ride in or on, and to be in actual physical control of the operation of an Off-Road Vehicle.
- D. **"Operator"** means a person who operates or is in actual physical control of the operation of an Off-Road Vehicle.
- E. **"Off-Road Vehicle"** means a motor-driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. Off-Road Vehicles include, but are not limited to, a multi-track or multi-wheeled drive vehicle, an ATV, a motorcycle or related two-wheel, three-wheel, or four-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. Off-Road Vehicle does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned

and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.

- F. **"Road"** means a county primary road or county local road as described in Section 5 of 1951 PA 1951, MCL 247.655.
- G. **"Road Commission"** means the Board of County Road Commissioners for the County of Tuscola.
- H. **"Safety certificate"** means a certificate issued pursuant to 1994 PA 451 as amended, MCL 324.81129, or comparable Off-Road Vehicle safety certificate issued under the authority of another state or a province of Canada.
- I. **"Street"** means a city or village major street, or village local street as described in Section 9 of 1951 PA 1951, MCL 247.659.
- J. **"Sunrise"** and **"Sunset"** mean that time determined by the National Weather Service on any given day.
- K. **"Village"** means the Village of Cass City.

Section 2: An Off-Road Vehicle may be operated on the far right of the maintained portion of a road or street within the Village with these exceptions:

- A. In the event that either the Road Commission has closed or in the event the Village has adopted an ordinance or resolution that closed certain roads to Off-Road Vehicle pursuant to MCL 324.81131(4), operation otherwise permitted under this ordinance shall not be considered authorized with respect to such closed road(s).
- B. This ordinance does not authorize the operation of an off-road vehicle on a road, street, or highway which is under jurisdiction of a government entity other than the Village.

Section 3: An Off-Road Vehicle shall not be operated on the road surface, roadway, shoulder, or right-of-way of any State or Federal highway, including but not limited to M-81, or any other State or Federal highway in the Village.

- A. The Off-Road Vehicle shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
- B. The Off-Road Vehicle shall not be operated on any sidewalks, paths, trails, walkways, or parks.

- C. The Off-Road Vehicle shall not be operated on private property without the property owner's permission.

Section 4: Except as set forth herein or otherwise provided by law, an Off-Road Vehicle meeting all of the following conditions may be operated on a street in the Village:

- A. At a speed of no more than twenty-five (25) miles per hour or a lower posted Off-Road Vehicle speed limit.
- B. By a person not less than sixteen (16) years of age.
- C. With the flow of traffic and traveling single file, except when overtaking or passing another Off-Road Vehicle.
- D. In a manner which does not interfere with traffic on the road or street.
- E. Between one-half hour after sunrise and one-half hour before sunset.
- F. When visibility is not substantially reduced due to weather conditions, unless displaying a lighted headlight and lighted taillight.
- G. While displaying a lighted headlight and lighted taillight at all hours.
- H. While the operator and each passenger is wearing a crash helmet and protective eyewear approved by the United States Department of Transportation unless the vehicle is equipped with a roof that meets or exceeds standards for a crash helmet and the operator and each passenger is wearing a properly adjusted and fastened seat belt.
- I. With a throttle so designated that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- J. While the Off-Road Vehicle is equipped with a spark arrester type United States Forest Service approved muffler in good working order and in constant operation.
- K. Pursuant to noise emission standards defined by law.

Section 5: A person less than sixteen (16) years of age shall not operate an Off-Road Vehicle on a road or street in the Village unless the person is in possession of a valid driver's license.

Section 6: Unless a person possesses a valid driver's license, a person shall not operate an Off-Road Vehicle on a street in the Village if the Off-Road Vehicle is registered as a motor vehicle and is either more than sixty (60) inches wide or has three wheels.

- Section 7:** The Village is immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation of use of an Off-Road Vehicle on maintained or un-maintained streets, shoulders, and rights-of-way over which the Village has jurisdiction.
- Section 8:** In a court action in this state, if competent evidence demonstrates that a vehicle that is permitted to operate on a street pursuant to the code was in a collision with an Off-Road Vehicle required to be operated on the far right of the maintained portion of a road or street pursuant to this ordinance, the operator of the Off-Road Vehicle shall be considered prima facie negligent.
- Section 9:** Any person who violates this ordinance is guilty of a municipal civil infraction and may be ordered to pay a civil fine of not more than one hundred dollars (\$100.00).
- Section 10:** In addition to the penalties under Section 9 of this ordinance, a court may order a person who causes damage to the environment, a street, or other property as a result of the operation of an Off-Road Vehicle to pay full restitution for that damage above and beyond the penalties paid for civil fines.
- Section 11:** The operation of an Off-Road Vehicle must be in compliance with the Village of Cass City Noise Ordinance No. 167, Article IX, "Unnecessary Noise."
- Section 12:** Should a portion of this ordinance be found invalid for any reason; such holding shall not be construed as affecting the validity of the remaining portions of this ordinance.
- Section 13:** This ordinance shall take effect thirty (30) days from and after approval and publication in a newspaper of general circulation, by the Village of Cass City.

At a Regular Meeting of the Village of Cass City Council on the 26th day of October 2020,

**A MOTION TO ADOPT VILLAGE OF CASS CITY, MI PROPOSED
ORDINANCE #188, "AN ORDINANCE TO AMEND VILLAGE OF CASS
CITY MUNICIPAL CODE CHAPTER 38, TRAFFIC AND VEHICLES,
ARTICLE IV (4) TO BE AMENDED TO READ "OFF ROAD VEHICLE
(ORV) ORDINANCE,**

Was offered by Trustee Herron and supported by Trustee Leeson

Ayes: Ball, Herron, Kirn, Leeson, Piaskowski, Delamarter Nays: Zawilinski

Resolution: Approved

Dan Delamarter

President, Village of Cass City

Nanette Walsh

Clerk/Treasurer, Village of Cass City

VILLAGE OF CASS CITY
6506 Main Street, Cass City, Michigan 48726 (989) 872-2911

GOLF CART ORDINANCE NO. 189

AN ORDINANCE TO AMEND VILLAGE OF CASS CITY MUNICIPAL CODE

**CHAPTER 38, TRAFFIC AND VEHICLES,
ARTICLE V (5), GOLF CARTS**

for the purpose of authorizing and regulating the operation of golf carts
on the streets in the Village of Cass City
and for the purpose of providing penalties for the violation

THE VILLAGE OF CASS CITY HEREBY ORDAINS:

Chapter 38: TRAFFIC AND VEHICLES

ARTICLE V (5): GOLF CARTS

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

- A. **"Driver's license"** means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- B. **"Golf cart"** means a vehicle that has not less than three wheels in contact with the ground and is designed not to carry more than four (4) persons, including the driver, designed for transportation while playing the game of golf.
- C. **"Maintained portion of the road"** means the portion of the road improved, designated, or ordinarily used for vehicular traffic and does not include within its meaning the shoulder or right-of-way.
- D. **"Operate"** means to ride in or on, and to be in actual physical control of the operation of a golf cart.
- E. **"Operator"** means a person who operates or is in actual physical control of the operation of a golf cart.

- F. "**Slow-moving vehicle sign**" means reflective triangle sign known to designate a slow-moving vehicle.
- G. "**Street**" means a city or village major street, or village local street as described in Section 9 of 1951 PA 1951, MCL 247.659.
- H. "**Sunrise**" and "**Sunset**" mean that time determined by the National Weather Service on any given day.
- I. "**Village**" means the Village of Cass City.

Section 2: A golf cart may be operated on the far right of the maintained portion of a street within the Village subject to MCL 257.657a and the following requirements:

- A. The golf cart shall not be operated in excess of the speed of fifteen (15) miles per hour and shall not be operated on a street with a speed limit of more than thirty-five (35) miles per hour.
- B. The golf cart shall not be used to carry more than four (4) persons at one time or more than the number for which it is designed and equipped, if designed and equipped to carry less than four (4) persons.
- C. The operator must use signals (hand or mechanical) to indicate turning left or right and intent to stop the golf cart while operating on a street, pursuant to the signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle. All golf carts must have a slow-moving vehicle sign affixed to the rear of the golf cart.
- D. All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from all distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- E. The golf cart may only be operated on a street between one-half hour after sunrise and one-half hour before sunset.
- F. The golf cart shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
- G. Where a usable and designated path for golf carts is provided adjacent to a road or street, a person operating a golf cart shall be required to use that path. The golf cart shall not be operated on the any

designated walking trails or on any sidewalk constructed for pedestrians.

- H. The operator of a golf cart shall obey all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- I. The operator of the golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street, or on the left or right of traffic, in an unoccupied lane, in the case of a one-way street.

Section 3: No person shall operate a golf cart on a Village street, unless the person is at least sixteen (16) years of age and has a valid driver's license.

Section 4: A person shall not operate a golf cart on a state trunk line highway, M-81, Main Street. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the Village, using the most direct line of crossing.

Section 5: Except as prescribed herein, a golf cart shall not be operated on a street within the Village.

Section 6: Off-Road Vehicles as described in Ordinance 188 are not considered golf carts.

Section 7: The Village is immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation of use of a golf cart on maintained or unmaintained streets, shoulders, and rights-of-way over which the Village has jurisdiction.

Section 8: Any person who violates this ordinance is guilty of a municipal civil infraction and may be ordered to pay a civil fine of not more than One Hundred (\$100.00) Dollars.

Section 9: In addition to the penalties under Section 8 of this ordinance, a court may order a person who causes damage to the environment, a street, or other property as a result of the operation of a golf cart to pay full restitution for that damage above and beyond the penalties paid for civil fines.

Section 10: Should a portion of this ordinance be found invalid for any reason; such holding shall not be construed as affecting the validity of the remaining portions of this ordinance.

Section 11: A golf cart operated on a street in the Village under this ordinance is not required to be registered for purposes under MCL 500.3101 of the insurance code.

Section 12: This section does not apply to a police officer, Village officials, employees, contractors or volunteers in the performance of Village duties.

Section 13: The stopping, standing, and parking regulations provided in Chapter 38, Article III of the Village Code, which may be adopted by reference therein, shall also apply to golf carts operated in the Village, as if they are motor vehicles under those provisions.

Section 14: This ordinance shall take effect 30 days from and after approval and publication in a newspaper of general circulation, by the Village of Cass City.

At a Regular Meeting of the Village of Cass City Council on the 28th day of September 2020,

A MOTION TO ADOPT VILLAGE OF CASS CITY, MI PROPOSED ORDINANCE #189, "AN ORDINANCE TO AMEND VILLAGE OF CASS CITY MUNICIPAL CODE CHAPTER 38, TRAFFIC AND VEHICLES, ARTICLE V (5) TO BE AMENDED TO READ "GOLF CART ORDINANCE,

Was offered by Trustee Herron, and supported by Trustee Leeson

Ayes: Ball, Herron, Kirn, Leeson, Piaskowski, Zawilinski. Nays: None. Excused: Delamarter.

Resolution: Approved

Nanette Walsh

Clerk/Treasurer, Village of Cass City

Sec. 24-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Recreational vehicle means any vehicle designed to be used primarily for recreational purposes to move one or more persons over the ground, air, water, ice or snow, and which is either self-propelled or connects to a vehicle which is self-propelled, including, but not limited to, house trailers, recreational trailers, trailer coaches, campers, fifth wheels, pickup campers, motor homes, folding tent trailers, boats and boat trailers, pole-trailers, semi-trailers and tractor trailers; provided, however, that any such vehicle or unit which is 40 feet or more in overall length and connected to water or sewer facilities shall be considered a mobile home and shall be subject to all regulations of all ordinances applicable to a mobile home.

Yard means a space open to the sky between a building and the lot lines of the parcel of land on which the building is located, unoccupied or unobstructed by an encroachment or structure except as otherwise provided by this chapter.

Front yard means a yard across the full width of the lot extending from the front line of the principal building to the front lot line, or highway-right-of-way line as the case may be.

Rear yard means a yard extending across the full width of the lot from the rear line of the building to the rear lot line.

Side yard means an open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.

(Ord. No. 85, § 1, 3-14-2011)

ARTICLE II. - GOLF CARTS

Sec. 24-10. - Purpose.

These regulations are intended to secure the public peace, health and safety of the residents and property owners of the Village of Millington for the regulation of the use of golf carts on public roads within the limits of the village, to provide for the issuance of decals in connection with the registration of golf carts, and to provide penalties for the violation of these provisions.

(Ord. No. 99, 10-8-2018)

Sec. 24-11. - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Decal means the sticker displayed on the front of every registered golf cart within the village, which are obtained by completing and submitting the proper registration form to the Millington Police Department.

Driver license means an operator's or chauffer's license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to MCL 257.329, as amended, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.

Golf cart means a vehicle designed for transportation while playing the game of golf.

Maintained portion means that portion of a road improved, designated or ordinarily used for vehicular traffic.

Operate means to ride in or on, or be in actual physical control of the operation of the golf cart.

Operator means a person who operates or is in actual physical control of the operation of a golf cart.

Registration means the process through which every person intending to operate a motorized golf cart on roads or streets within the Village must follow.

Street means a road, roadway, street or right-of-way within the Village of Millington street system, but does not include a private road. The terms road, roadway, street and right-of-way are interchangeable.

Sunset and sunrise mean that time determined by the National Weather Service on any given day.

Village means the Village of Millington, County of Tuscola, State of Michigan.

(Ord. No. 99, 10-8-2018)

Sec. 24-12. - Operation of golf carts of village streets.

A person may operate a golf cart on village streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle.
- (3) All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from all distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- (4) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- (5) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (6) A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on the streets of the Village, using the most direct line of crossing.
- (7) Where a usable and designated path for golf carts is provided adjacent to the road or street, a person operating a golf cart shall be required to use that path. A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- (8) A person operating a golf cart shall not pass between the lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street, or on the left or right of traffic, in an unoccupied lane, in the case of a one-way street.
- (9) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a

roadway or street with a speed limit of more than 30 miles per hour (State St, Fulmer Rd, Caine Rd) except to cross that roadway or street. The village may designate roads or classifications of roads for use by golf carts.

- (10) A golf cart shall not be operated on the streets of the Village during the time period from one-half hour before sunset to one-half hour after sunrise.
- (11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- (12) A golf cart shall not be used to carry more persons at one time than the number for which it is designed and equipped.
- (13) A golf cart operated on a street of the village is not required to be registered with state under this Act for purposes of Section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3101, as amended.
- (14) A golf cart shall not be operated during weather events with snow and/or ice on the ground.
- (15) Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways or parks.
- (16) Off-road vehicles, such as Gators, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.

(Ord. No. 99, 10-8-2018)

Sec. 24-13. - Parking regulations.

The parking, stopping, and standing regulations provided in the village Code, which may be adopted by reference therein, shall also apply to golf carts operated in the village, as if they are motor vehicles under those provisions.

(Ord. No. 99, 10-8-2018)

Sec. 24-14. - Registration and decals.

- (a) Golf cart owners shall register each golf cart every two years by making application to the Millington Police Department. Such application shall include proof of insurance as a rider to a homeowner's or renter's policy, or in any other form of policy selected by the applicant, for coverage of personal injury or property damage resulting from operation of the subject golf cart. The minimum amount of coverage shall be no less than \$100,000.00—\$300,000.00. The police department shall review and approve or deny each application, and provide a list of registered golf carts to the village clerk.
- (b) There shall be no charge for the registration of a golf cart, and each approved golf cart shall be issued a registration decal. The golf cart owner shall affix each decal provided by the Millington Police Department on a clearly visible place on the front of the golf cart. The decal shall be valid for two years.
- (c) Non-residents may register their golf cart with the village as long as they have written approval from a village resident that the resident will act as the host property for the non-resident's golf cart. The host resident will allow the golf cart trailer to be parked on their property so as not to take up public parking spaces.
- (d) Failure to register a golf cart or renew an existing registration shall constitute a violation of this article.
- (e) The Millington Police Department retains the right to refuse to issue and/or revoke any registration decal from any golf cart for any reason that is felt appropriate to ensure the safety and well-being of the citizens of

the village

- (f) Any police officer may temporarily suspend any registration decal, and ban further access on any public street or public property by any golf cart, when in the opinion of that officer the golf cart is being used in a manner to cause damage to public property or members of the public.
- (g) The village council reserves the right to waive the registration requirements of this article for special events that utilize golf carts.



Village Of Millington

8569 State St - P.O. Box 261 - Millington, MI 48746

Phone: (989)871-2702 - Fax: (989)871-5517 - Email: vom_clerk@millingtonvillage.org

Golf Cart Registration Application

Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Email (optional): _____

Driver's License Number(s): _____

Golf Cart Information

Make _____ Year _____ Color _____

VIN # _____

Insurance Policy: _____

(Please bring copy to the Police Department)

I hereby certify receipt of the Golf Cart Ordinance Packet and have read and understand the Ordinance and information provided in the packet.

Applicant's signature: _____ Date: _____

When registering your golf cart please bring the following to the Millington Police Department, 8569 State St, Millington, MI 48746.

Completed Application Form:

Driver's license

Golf Cart on a trailer or make an appointment with Police Dept. to come inspect

Proof of insurance

Non-Village Residents and their host property owner must also fill out and sign page 2 of the application.

Non-Residents - Please complete the information below.

Village Resident/Host Owner Authorization.

Village Resident/Host Property Owner _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Email: _____

I acknowledge and understand that the applicant for this Golf Cart Registration will be utilizing my property located at _____ in the Village of Millington from which to operate their golf carts and/or store their golf cart trailer. Trailers utilized to transport the golf cart(s) shall be stored on my property and will not be parked on the public street.

Village Resident/Host Signature

Date

Golf Cart Owner's Signature

Date

(Ord. No. 99, 10-8-2018)

Sec. 24-15. - Violations and penalties.

- (a) Any person violating any provisions of this article shall be responsible for a civil infraction. The penalty for the first offense shall be \$50.00, and \$100.00 for the first repeat offense. For any second or subsequent repeat offense, the fine shall be no more than \$250.00.
- (b) A court may order a person who causes damage to the environment, a road, or other public property as a result of the operation of a golf cart to pay full restitution for that damage above and beyond the penalties paid for civil infractions.

(Ord. No. 99, 10-8-2018)

Sec. 24-16. - Effective date.

This article shall become effective 20 days after the date of adoption [of the ordinance from which this article derived].

(Ord. No. 99, 10-8-2018)

Secs. 24-17—24-30. - Reserved.

CONSULTING SERVICES AGREEMENT

By and Between
Tuscola County, Michigan
and
MGT of America Consulting, LLC

THIS AGREEMENT is made this 13th day February 2020, by and between the County of Tuscola, Michigan ("Client"), and MGT of America Consulting, LLC, a Florida Corporation ("MGT").

In consideration of the mutual covenants set forth in this Agreement, the parties agree as follows:

1. Description of Services.

MGT shall, as an independent contractor, provide the services specified in section 1.1 below ("the Services"), on the schedule specified in section 1.2 below.

1.1 Scope of Services

MGT shall provide to Client the following services:

A Countywide 2 CFR Part 200 central services cost allocation plan based on actual costs for fiscal year 2019, 2020 and 2021.

Negotiation of the cost allocation plan with representatives of the federal cognizant agency and/or the State, as required.

Explain calculation methods and assumptions used in the indirect cost allocation plan. This explanation may be written or verbal as requested by the Client.

Provide recommendations on methods to enhance indirect cost revenues.

Assistance with the preparation of initial claims to recover costs due from the State and monitor the claims progress to ensure recoveries occur.

1.2 Timetable for Services.

The Services shall be performed, and the product(s) of the services shall be delivered on the following schedule:

The proposed services will be completed within ten months after the fiscal year ends, depending on the availability of data from the County.

2. Compensation.

For its work under this Agreement, MGT shall be paid a fixed fee of:

\$ 8,500 for the FY 2019 Cost Plan (completed in 2020)

\$ 8,500 for the FY 2020 Cost Plan (completed in 2021)

\$ 8,500 for the FY 2021 Cost Plan (completed in 2022)

The fees shall be paid as follows:

MGT will render to Client one invoice for each Service after delivery of each of the final Cost Allocation Plans to the Client. Payment will be due thirty (30) days after each invoice is submitted.

3. Term, Renewal Options, and Termination.

This agreement shall become effective upon its execution and delivery by the parties and shall remain in effect until completion of, and full payment for, the Services. At Client's option and approved by MGT, the contract may be renewed for two (2) additional one (1) year periods. This contract may be terminated prior to completion of the Services at the option of either party, upon delivery of written notice by the terminating party to the other party. In the event of early termination by Client, MGT shall be paid, upon invoicing in accordance with this Agreement, the agreed compensation. If, due to termination, there is no agreed value for the services performed to date, MGT's standard hourly rates plus expenses incurred shall apply for Services performed prior to termination.

4. Independent Contractor Status

The relationship of MGT to Client is that of an independent contractor, and nothing in this Agreement shall be construed as creating any other relationship. As an independent contractor, MGT shall comply with all laws relating to federal and state income taxes, associated payroll and business taxes, licenses and fees, workers compensation insurance, and all other applicable state and federal laws and regulations. Neither MGT nor anyone employed or subcontracted by MGT shall be, represent, act, purport to act, or be deemed to be an agent, representative, employee or servant to Client.

5. Project Managers

Gordon Stryker shall serve as Project Manager and point of contact for MGT under this Agreement.

Michael Hoagland shall serve as Project Manager and point of contact for Client under this Agreement. By written notice to the other party, either party may change the identity of its project manager during the term of this Agreement.

6. Miscellaneous

6.1 No Continuing Waiver

The failure or forbearance by either party in exercising any remedy available to it upon a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent or continuing breach by either party.

6.2 Entire Agreement.

This written Agreement represents the entire agreement of the parties, and neither party is relying upon any negotiation, representation, warranty, promise, or covenant not set forth in this Agreement. This Agreement may not be modified or amended except by a written instrument for that purpose duly executed by both parties.

6.3 Subcontracting and Assignment.

MGT may utilize subcontractors in performing the Services, but MGT shall remain responsible to Client for performance under this Agreement. This contract shall be binding upon and inure to the benefit of both Client and MGT and their respective successors and assigns, if any, and legal representatives.

6.4 Interpretation, Venue, and Severability.

This agreement shall be construed, interpreted, and enforced in accordance with Michigan law without regard to conflicts of laws principles. Should any provision of this Agreement be held invalid or unenforceable by final judgment of a court of competent jurisdiction, it is the parties' intention that the remainder of this Agreement shall nevertheless be given effect as written. Any action arising out of or relating to this Agreement may be brought only in the Michigan state court having jurisdiction. If more than one party executes this Agreement as Client, then each such party shall be jointly and severally responsible for Client's performance and payment under this Agreement.

6.5 Prior Performance.

Services performed by MGT pursuant to Client's authorization, but before execution of this Agreement, shall be considered as having been performed pursuant to the terms and conditions of this Agreement.

6.6 Notices.

All written notices, demands or requests pursuant to this Agreement may be served (as an alternate to personal service) by registered or certified mail or air freight services that provide proof of delivery, with postage and fees thereon fully prepaid, and addressed to the parties so to be served as follows:

If to MGT:

MGT of America Consulting, LLC
2343 Delta Road
Bay City, Michigan 48706

If to Client:


Tuscola County
207 East Grant
Caro, MI 48723

Service of any such notice or demand so made by mail shall be deemed complete on the day of actual delivery as shown by the addressee's registry or certification receipt. Either party hereto may, from time to time, by written notice served upon the other as aforesaid, designate a different mailing address, or (a) different or additional person(s) to which or to whom all such notices or demands are thereafter to be addressed. Persons named to receive copies of notices are listed for accommodation only, and are not required to be personally served to comply with service of notice on a party.

IN WITNESS WHEREOF, this agreement has been executed and delivered by Client and MGT on the date first written above.

TUSCOLA COUNTY, MICHIGAN

MGT OF AMERICA CONSULTING, LLC


J. Bradley Burgess
Executive Vice President

Date:

Date: January 10, 2020

207 East Grant
Caro, MI 48723

2343 Delta Road
Bay City, MI 48706

Q.

Fund	Fund Name	2019 Ending Fund Balance Audited	2020 Ending Fund Balance Un-Audited	Changes in Fund Balances
101	General Fund	3,202,317	3,056,956	(145,361)
				-
				-
207	Voted Road Patrol	1,179,887	1,333,931	154,044
208	County Parks & Recreation	31,535	7,877	(23,658)
213	Arbela Township Police Services	0	0	-
214	Voted Primary Road Improvement	176,987	229,880	52,893
215	Friend of the Court	167,174	113,601	(53,573)
216	Family Counseling	63,664	69,227	5,563
218	Dispatch/911	1,247,741	952,273	(295,468)
221	Health Department	2,202,073	1,695,533	(506,540)
224	Regional DWI Court Grant	66,957	82,057	15,100
225	Vassar Township Police Services	0	0	-
230	Recycling	132,044	62,005	(70,039)
232	Millington Township Police Services	0	0	-
233	New Mental Health Grant for Courts	0	13	13
236	Victim Services	112	112	-
239	Animal Shelter	1,482	56	(1,426)
240	Voted Mosquito Abatement	356,393	496,522	140,129
244	Equipment Fund	345,923	325,428	(20,495)
246	County Veteran Service Grant	0	37,308	37,308
250	CDBG Housing Program Income	102,995	146,912	43,917
251	Principal Residence Exemption	36,592	30,105	(6,487)
252	Re monumentation	0	0	-
255	Victim of Crime Act Grant	1,789	2,287	498
256	Register of Deeds Automation	95,006	61,860	(33,146)
257	HDC Stop Grant	0	0	-
258	Geographic Information Systems	154,145	171,810	17,665
260	Indigent Defense (MiDC)	0	207,304	207,304
261	Homeland Security	106	0	(106)
263	Concealed Pistol Licensing	106,204	134,910	28,706
265	Corrections Officer Training	17,420	13,886	(3,534)
266	Forfeiture Sheriff/Prosecutor/Crime Victim	79,265	78,504	(761)
269	Law Library	23,937	30,212	6,275
273	Coronavirus Emgcy Supp Funding	0	0	-
279	Voted MSU-Extension	(53,112)	15	53,127
282	CARES Act	0	88	88
285	Michigan Justice Training	7,520	7,168	(352)
288	Human Services Child Care	263,099	418,391	155,292

292	Child Care Probate Juvenile	192,347	108,709	(83,638)
293	Soldiers Relief	80,338	92,176	11,838
295	<i>Voted Veterans</i>	<i>105,479</i>	<i>66,988</i>	<i>(38,491)</i>
296	<i>Voted Bridge</i>	<i>1,045,581</i>	<i>1,541,283</i>	<i>495,702</i>
297	<i>Voted Senior Citizens</i>	<i>115,135</i>	<i>152,634</i>	<i>37,499</i>
298	<i>Voted Medical Care Facility</i>	<i>706,157</i>	<i>989,526</i>	<i>283,369</i>
	Special Revenue Funds Total	9,051,975	9,660,591	608,616
				-
				-
352	Pension Bonds	3,610	236	(3,374)
353	Pension Bond Health Department	440	21	(419)
374	Purdy Building Debt	1,603	0	(1,603)
375	Caro Sewer System	0	0	-
379	Mayville Storm Sewer	0	0	-
380	Richville Water System	0	0	-
385	Denmark Sewer System (Old)	0	0	-
387	Wisner Water	23	102	79
	Debt Service Funds Total	5,676	359	(5,317)
				-
				-
470	State Police Capital Expenditures	132,753	141,156	8,403
483	Capital Improvements Fund	1,902,511	2,067,419	164,908
488	Jail Capital Improvement Fund	982,372	987,407	5,035
	Capital Project Funds Total	3,017,636	3,195,982	178,346
				-
				-
676	Motor Pool (Child Care Vehicle)	18,797	20,809	2,012
677	Workers Compensation	36,201	51,209	15,008
678	Health Insurance	456,151	535,464	79,313
	Other Funds Total	511,149	607,482	96,333
				-
291	Medical Care Facility	1,491,597	4,669,264	3,177,667
532	Tax Foreclosure Fund	1,333,399	1,771,444	438,045
626	Combined Revolving Tax Fund	\$5,725,111	\$5,724,560	(551)
	Proprietary Funds Total	8,550,107	12,165,268	3,615,161
	Total All Funds	\$24,338,860	\$28,686,638	\$4,347,778



ADDENDUM TO LEASE

between

**TUSCOLA COUNTY
A Governmental Unit**

and the

STATE OF MICHIGAN

ADDENDUM #1, to Lease No. 10724, as modified, by and between Tuscola County, as Lessor, whose address is 125 W. Lincoln Street, Suite 500, Caro, MI 48723, and the State of Michigan by the Department of Technology, Management & Budget for the Michigan State Police, as Lessee, for property located at 1485 Cleaver Rd, Caro, Michigan.

The purpose of this Addendum is to establish a set rental rate effective August 1, 2021, remove the annual rent computation, update lease language, and provide for connection of the facility to the municipal water system and upgrade the existing fire suppression system.

Article II, Paragraph 2.4, of this Lease, as modified, is further modified and amended as follows with the text changes being underlined:

2.4 - The Lessor shall furnish the Leased premises with their appurtenances to the Lessee for a fifteen-year initial term of possession beginning upon actual possession or at 12:01 a.m. on August 1, 2000, and ending at 11 :59 p.m. on July 31, 2015, or such later date as provided in paragraph 3.6. If the Leased premises are not ready by the possession date, the beginning and ending dates may be altered by mutual written consent to reflect the correct possession date. If the initial possession date is changed, paragraphs 2.5, 2.6, and Article V shall also be changed accordingly.

Article II, Paragraph 2.5, of this Lease, as modified, is further modified and amended as follows with the text changes being underlined:

2.5 -This Lease may, at the option of the Lessee, be extended for a five-year term beginning at 12:01 a.m. on August 1, 2015, and ending at 11:59 p.m. on July 31, 2020, provided notice be given in writing to the Lessor ninety (90) days before this Lease or extension expires.

Article II, Paragraph 2.6, of this Lease, as modified, is further modified and amended as follows with the text changes being underlined:

2.6 -This Lease may, at the option of the Lessee, be extended for a five-year term beginning at 12:01 a.m. on August 1, 2020, and ending at 11:59 p.m. on July 31, 2025, provided notice be given in writing to the Lessor ninety (90) days before this Lease or extension expires.

Article II, Paragraph 2.11, of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

2.11 - The Lessee, upon payment of the rental consideration specified in Article V and upon performing all covenants, shall and may peacefully and quietly have, hold, and enjoy the Leased premises for the term of this Lease or any extension. The Lessor shall provide written notice to the Lessee and the DTMB-Real Estate Division, per the notification instructions in paragraph 12.1, at least fourteen (14) calendar days prior to the start of any significant construction work/maintenance task to be completed by the Lessor or a third party on behalf of the Lessor in or at the Leased premises.

Article III, Paragraph 3.1r), of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

r) Leased premises shall comply with the barrier free design requirements of 1966 PA 1, as amended, MCL 125.1351 *et seq.* (Utilization of Public Facilities by Physically Limited).

Article III, Paragraph 3.1w), of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

w) Annual written inspections, submitted within thirty (30) days of completion, certifying the fire alarm, fire extinguishers, emergency exit lighting, and fire sprinkler system (as applicable) are in proper working condition.

Article III, Paragraph 3.1aa), of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

aa) Deleted, Not Applicable.

Article III, Paragraph 3.1b) 1), 3), and 4), of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

1) Promptly notify both the State, as the Lessee, and the **Michigan Department of Environment, Great Lakes, and Energy (EGLE)** of the release or threatened release.

3) Inform the Lessee, **EGLE**, and all other parties required to be notified under Federal, State or local law, of all actions taken under (2) above.

4) Provide the Lessee, the **EGLE**, and all other parties required to be notified under Federal, State or local law, with all reports, data, analyses and other documents and information related in any way to the investigation, remediation or other steps taken under (2) above.

Effective upon execution of this Addendum, Article III, Paragraph 3.5, of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

3.5 - The Lessor shall begin the remodeling or construction indicated in paragraph 3.7 within **sixty (60)** days from the date this Lease is fully executed. All work required under paragraph 3.7 shall meet the latest local and state building codes, fire codes, and barrier free regulations. The Lessor shall be responsible for acquisition of and payment for all necessary permits.

Effective upon execution of this Addendum, Article III, Paragraph 3.6, of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

3.6 - The Lessor shall complete the remodeling or construction in accordance with the standards and specifications listed in paragraph 3.7 by **July 31, 2021**, or **one hundred twenty (120)** days from the date this Lease is fully executed, whichever is later.

Effective upon execution of this Addendum, Article III, Paragraph 3.7, of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

3.7 - See attached Enclosure "G", for Scope of Work.

Effective upon execution of this Addendum, Article III, Paragraph 3.8, of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

3.8 - During the remodeling or construction of the Leased premises, either party may request remodeling or construction changes, for the purposes of economizing, or Lessee program changes, subject to the execution of a contract change order (CCO), whereby the Lessor and Lessee acknowledge and agree that all contractors and service providers listed therein will be hired by and working for the Lessor, not by or for the State of Michigan and that the State of Michigan shall not indemnify any party in connection with any liability arising from said CCO. The Lessor shall submit a complete description and itemized cost estimate for prior written approval to the Real Estate Division of the Department of Technology, Management & Budget, prior to performing the work required by the requested change. If the changes, and any resulting cost differences, are mutually agreed upon in writing by the Lessor, Lessee, and Real Estate Division, the Lessee shall make a lump-sum payment with, or lump-sum deduction from, the first month's rental consideration due the Lessor. Failure to include in the complete itemized cost estimate any cost directly or indirectly incurred as a result of the change constitutes Lessor's waiver of entitlement to such costs, except in the event that the Lessor or Lessor's contractor provides a detailed reservation of its right to additional costs which cannot be reasonably calculated as of the date the cost estimate is submitted.

Article III, Paragraph 3.14 of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

3.14 - The Lessor shall, within forty-five (45) days after transfer of its ownership interest in the Leased premises, provide notice to the Lessee of said transfer and identify the new owner.

Article V, Paragraph 5.3 of this Lease, as modified, is further modified and amended as follows with the text changes being underlined:

5.3 -The Lessee shall pay to the Lessor as annual rent consideration for the Leased premises from 12:01 a.m. August 1, 2000, through 11 :59 p.m. July 31, 2015, at the rate of One Hundred Sixty Two Thousand One Hundred Thirty Four and 16/100 dollars (\$162,134.16) per year, payable in installments of Thirteen Thousand Five Hundred Eleven and 18/100 dollars (\$13,511.18) per month.

Article V, Paragraph 5.5 of this Lease, as modified, is further modified and amended as follows with the text changes being underlined:

5.5 -In the event the Lessee exercises the renewal option pursuant to Article II, paragraph 2.5, the Lessee shall pay to the Lessor as rent consideration for the Leased premises from 12:01 a.m. August 1, 2015, through 11 :59 p.m. July 31, 2020, at a rental rate determined by actual costs as determined in the following operating costs attributable to the Leased premises for the period August 1, 2015, to July 31, 2020.

**Exterior maintenance and repair
Roof maintenance and repair
Interior maintenance and repair
HVAC maintenance
Parking lot maintenance and repair
Twenty percent (20%) of the above actual operating costs as administrative expenses**

Article V, Paragraph 5.5A of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

5.5A -In the event the Lessee exercises the renewal option pursuant to Article II, Paragraph 2.5, the Lessee shall pay to the Lessor as rent consideration for the Leased premises from 12:01 a.m. August 1, 2020, through 11 :59 p.m. July 31, 2021, at the rate of Twenty Nine Thousand One Hundred and 00/100 dollars (\$29,100.00) per year, payable in installments of Two Thousand Four Hundred Twenty Five and 00/100 dollars (\$2,425.00) per month.

The Lessee shall pay to the Lessor as rent consideration for the Leased premises from 12:01 a.m. August 1, 2021, through 11 :59 p.m. July 31, 2025, at the rate of Fifty Two Thousand Eight Hundred Twenty One and 96/100 dollars (\$52,821.96) per year, payable in installments of Four Thousand Four Hundred One and 83/100 dollars (\$4,401.83) per month.

Article XI, Paragraph 11.1 of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

11.1 - This Lease may be cancelled by the Lessee during the initial period of August 1, 2000, through July 31, 2015, if the Lessor is notified in writing at least sixty (60) days prior to the effective date of cancellation and any one of the following occur:

1) An Executive determination has been made either that the purpose for which the Lease was entered into no longer exists, or that sufficient funds do not exist for meeting the rental obligations of the occupying State agency or department. This article is cross referenced to paragraphs 1.4 and 1.10.

2) Space is provided in state government owned or managed facilities.

Article XI, Paragraph 11.2 of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

11.2 - This Lease may be cancelled by the Lessee during any subsequent renewal option periods if the Lessor is notified in writing at least ninety (90) days prior to the effective date of cancellation.

Article XI, Paragraph 11.3a) of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

a) The Lessor or any subcontractor, manufacturer or supplier of the Lessor appears in the register compiled by the State of Michigan pursuant to 1980 PA 278, as amended, MCL 423.321 *et seq.* (Employers Engaging in Unfair Labor Practices Act).

Article XII, Paragraph 12.1 of this Lease, as modified, is deleted in its entirety with the following text being inserted in lieu thereof:

12.1 - Any notice to Lessee required by this Lease shall be complete if submitted in writing and transmitted by personal delivery (with signed delivery receipt), or certified or registered mail return receipt requested, or by a nationally recognized overnight delivery service. Unless either party notifies the other in writing of a different mailing address, notice to the Lessor and/or Lessee shall be transmitted to:

Lessor	Lessee
Tuscola County	Director, Real Estate Division
Attn: Mike Miller	Department of Technology, Management & Budget
125 W. Lincoln St., Suite 500	
Caro, MI 48723	<i>For private carrier delivery:</i>
	3111 W. St. Joseph Street
	Lansing, MI 48917
E-mail: mmiller@tuscolacounty.org	
Telephone: 989-672-3756	<i>For U.S. Postal Service delivery:</i>
	P. O. Box 30026
	Lansing, MI 48909
	Copy to the Michigan State Police
	Michigan State Police
	Property Services Section Manager
	P.O. Box 50634

	Lansing, MI 48913

The notice shall be deemed effective on either (i) the third business day following the date of mailing, if transmitted by mail or (ii) the date on which the noticed party receives or refuses receipt of the notice, if transmitted by personal delivery, or a nationally recognized overnight delivery service. Business day is defined as any day other than a Saturday, Sunday, legal holiday, or day preceding a legal holiday. A receipt from a U.S. Postal Service, or successor agency, performing such function shall be conclusive evidence of the date of mailing.

Article XII, Paragraph 12.8 shall be added to this Lease, as modified:

12.8 - Electronic Funds Transfer (EFT): Public Act 533 of 2004 requires that payments under this Lease be processed by electronic funds transfer (EFT). Lessor is required to register to receive payments by EFT at the SIGMA Vendor Self Service website (www.michigan.gov/sigmavss) or by calling (888) 734-9749.

This Lease Addendum shall not be binding or effective on either party until approved (and notarized as necessary) by the Lessor, Lessee, Department of Attorney General, Department of Technology, Management & Budget, Building Committee of the State Administrative Board, and the State Administrative Board. If this Lease or any subsequent amendments to it fall within the requirements of 1984 PA 431, as amended, MCL 18.1101 *et seq.* (Management and Budget Act), this Lease and any subsequent amendments to it shall also require approval of the Joint Capital Outlay Subcommittee of the Legislature. The effective date of this Lease Addendum is the date that the last State Governmental approval is obtained as set forth on the signature page.

The Lease terms, as modified by Addendum, apply to any renewal options, if exercised.

Except as herein provided, all other provisions of the original Lease, as modified by Date Modification Agreement, apply to this Addendum.

Add Enclosure G, Scope of Work, 4 pages

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessor:

_____ Date: _____
Signature

Print Name:
Title:

State of Michigan, County of _____.

The foregoing instrument was acknowledged before me on this _____ day of _____,

20____, by _____,
Type or print name(s) of person(s) signing this document

the _____ of _____,

a _____, A Michigan Municipal Corporation.

_____, Notary Public in the County of _____.

Acting in the County of _____, State of Michigan.

My commission expires _____.

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessee: Michigan State Police

_____ Date: _____
Signature

Print Name:

Title:

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessee:

_____ Date: _____
Signature

Marchan D. Darby
State Administrative Manager
Real Estate Division, DTMB

State of Michigan, County of _____

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____, by Marchan D. Darby, State Administrative Manager of the Department of Technology, Management & Budget, Real Estate Division.

_____, Notary Public in the County of _____.

Acting in the County of _____, State of Michigan.

My commission expires _____.

This Addendum has been approved as to legal form by the Michigan Attorney General _____

This Addendum was approved by the Michigan State Administrative Board on

Item #

ENCLOSURE "G" TO LEASE #10724 BY AND BETWEEN TUSCOLA COUNTY, AS LESSOR, AND THE STATE OF MICHIGAN, BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET, FOR THE MICHIGAN STATE POLICE, AS LESSEE

Scope of Work

The Lessor is responsible for:

1. Labor and Materials for all items listed.
2. Project clean-up during and after work is completed.
3. All necessary plans and permits for the work being completed (if applicable).
4. Work shall be completed paying strict attention to the latest ADA and Barrier Free Construction guidelines and any applicable local codes.
5. All costs associated with the items listed.
6. Overseeing all work done by the contractor.

Lessor agrees to complete all work necessary for connection of the facility to the municipal water supply and the upgrade of the fire suppression system from the current attic system to a wet system.

See Option #3 of the attached estimate from TSSF Architects, Inc dated October 8, 2020 (3 pages) for additional details regarding the Scope of Work.

Lessee shall have no responsibility for any cost or work associated with the above or the attached.

Lessor agrees to accept the changes to the Leased Premises and Lessee will have no responsibility to return the Leased Premises to its condition prior to the changes stated above.



TSSF ARCHITECTS, INC.

ARCHITECTS

PLANNERS

122 N. WASHINGTON AVENUE

SACINAW, MICHIGAN

October 8, 2020

Mike Miller
Tuscola County
Buildings and Grounds
207 E Grant Street
Caro, MI 48723

RE: Fire Suppression Upgrades for State Police Post, in Caro, Michigan.

Dear Mike:

We [Linda Deyarmond, Greg Dittenberg Jimco Fire Protection, and Keith Kosik] along with yourself visited the site last month to look at the existing fire suppression system for the Michigan State Police Post in Caro, Michigan. The facility is owned by the County of Tuscola, and leased by the State Police. Existing fire suppression system is housed in a pump house with sunken tanks which leak and the pump house floods. The existing system is also out of compliance with codes, and the County is considering connecting to the municipal water system across the street in lieu of updated the existing system. We were asked to provide budgetary costs for a couple of options.

Originally, we were looking at two options but ended up looking at three as follows:

- 1) Installing a new Fire Suppression line, a new fire pump and new pump house above grade and revising attic sprinkler heads as required for proper coverage (layout does not meet current codes). System would provide the existing high pressure that was initially designed/installed.
- 2) Installing a larger fire suppression line from the street and completely renovating the sprinkler heads in the attic. This option allows a lower pressure resulting in no pump house, fire pump or jockey pump or related items. This system utilizes the pressure currently in the city water line.
- 3) Eliminate the attic sprinkler heads, which eliminates the dry attic suppression system and connect to municipal water system. No pump house, fire pump, jockey pump or related items would be required. This option was conceived when Jimco bid a new state police post in West Branch Michigan last month, and the specifications call for "floor" fire suppression coverage, but specifically eliminate the "attic" coverage. (The State Police Posts currently being built require sprinkler systems covering the "floor" space, but not the "attic" space.) Sprinkler systems are not currently required by any building/fire codes for this type of facility.

FOLLOWING ARE FURTHER DESCRIPTIONS AND ASSOCIATED COSTS:

OPTION # 1:

Fire Suppression Contractor Work (includes auto transfer switch for genset)	\$ 74,000.00
Site Work (excavation, material, installation, testing and backfilling for 6" underground from city main to pump house, reworking existing 4" from pump house area to existing building)	\$ 25,000.00
Site Work (new 1" domestic water main from city main to domestic water entrance – or split off at 6" fire suppression ungd. if allowed)	\$ 6,000.00
Electrical work including service for new fire pump, wiring of alarm switches, air compressor, pumps and controllers, pump house heat/light/ new generator/generator wiring/fuel for generator/etc.	\$ 40,000.00
Plumbing includes drain in pump house to existing sanitary main and new Backflow preventer on domestic line, testing of backflow assemblies	\$ 5,000.00
Pump house: includes foundation, walls, roof, insulation, siding, etc.	\$ 7,000.00
Demolition: includes demolition of existing underground tank/concrete vault, compressor and all related MEP systems and removal of all from site:	\$ 25,000.00
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Subtotal	\$ 182,000.00
General Conditions +/- 20%	\$ 36,000.00
Contingency Allowance	\$ 18,000.00
Architectural and Engineering Fees:	\$ 21,000.00
<hr/>	
ESTIMATE FOR OPTION # 1:	\$ 257,000.00

OPTION # 2:

Fire Suppression Contractor Work	\$ 65,000.00
Site Work (excavation, material, installation, testing and backfilling for 8" underground from city main to garage)	\$ 29,000.00
Site Work (new 1" domestic water main from city main to domestic water Entrance – or split off of 8" outside of building if possible)	\$ 6,000.00
Electrical work (minimal, includes any alarm/dry system work that needs to be upgraded to meet code)	\$ 5,000.00
Plumbing includes new backflow preventer on domestic line, testing of backflow assemblies	\$ 4,000.00
Demolition: includes demolition of existing underground tank/concrete vault, compressor/and all related MEP systems and removal of all from site:	\$ 25,000.00
Access (2' x 4') thru existing roof in 4 locations to remove/install piping in the attic and repairing/replacing attic insulation due to construction, additional space in garage for new sprinkler riser:	\$ 25,000.00
<hr/>	
Subtotal	\$ 134,000.00
General Conditions +/- 20%	\$ 27,000.00

Contingency Allowance	\$ 13,000.00
Architectural and Engineering Fees:	\$ 17,000.00

ESTIMATE FOR OPTION # 2:	\$ 191,000.00
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OPTION # 3:

Fire Suppression Contractor Work: abandon attic system, convert existing dry system to wet system	\$ 30,000.00
Site Work (excavation, material, installation, testing and backfilling for 8" underground from city main to garage)	\$ 29,000.00
Site Work (new 1" domestic water main from city main to domestic water Entrance – or split off of 8" outside of building if possible)	\$ 6,000.00
Electrical work (minimal, includes any alarm system work that needs to be upgraded/installed to meet code)	\$ 2,000.00
Plumbing includes new backflow preventer on domestic line, testing of backflow assemblies	\$ 4,000.00
Demolition: includes demolition of existing underground tank/concrete vault, compressor/and all related MEP systems and removal of all from site:	\$ 25,000.00

Subtotal	\$ 96,000.00
General Conditions +/- 20%	\$ 19,000.00
Contingency Allowance	\$ 9,000.00
Architectural and Engineering Fees:	\$ 14,000.00

ESTIMATE FOR OPTION # 3:	\$ 138,000.00
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Our recommendation for Tuscola County is to pursue option # 3. Since the current MSP (Michigan State Police) facilities do NOT require attic fire suppression, we believe that they will allow elimination of the existing attic system from this facility, especially considering the excessive costs to maintain it at this specific site.

We hope that this information is useful to the County of Tuscola and enables them to make a decision on one of the three options. Please contact us if we can be of any further assistance.

Sincerely,

Keith Kosik, AIA
TSSF Architects, Inc.
Linda S Deyarmond, P.E.
Kovacs Engineering
Cc: file

6. REGULAR MEETINGS

Regular meetings shall be the first Thursday of the months of

- February
- April
- June
- August
- October
- December

Meeting dates and time shall be posted at the Purdy building and post to the Recycling website.

7. SPECIAL MEETINGS

A special meetings may:

- Be called by Chairperson
- Public notice shall meet the requirements of the Open Meetings Act
- Secretary shall provide notice to members not less than 48 hours in advance

8. QUORUM

CURRENT

In order for the Committee to conduct business or take any official action, a quorum consisting of a 2/3 majority of the members of the Committee shall be present

9. AMENDMENTS

These rules may be amended by the Committee by a concurring vote during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least 3 days prior to the meeting at which such amendments are to be considered. All amendments to these rules shall also require the approval of the Tuscola County Board of Commissioners.

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Regular meetings shall be the first Thursday of the months of

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Meeting dates and time shall be posted at the Purdy building and post to the Recycling website.

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A special meetings may:

- Be called by Chairperson
- Public notice shall meet the requirements of the Open Meetings Act
- Secretary shall provide notice to members not less than 48 hours in advance

8. QUORUM

In order for the Committee to conduct business or take any official action, a quorum consisting of a Simple Majority of the members of the Committee shall be present

9. AMENDMENTS

These rules may be amended by the Committee by a concurring vote during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least 3 days prior to the meeting at which such amendments are to be considered. All amendments to these rules shall also require the approval of the Tuscola County Board of Commissioners.



Human Resources

* Workplace Discrimination Prevention

Preventing Discrimination provides supervisors and managers with relevant and useful information on employee rights in the workplace. A manager is directly responsible for maintaining a respectful and professional workplace environment. This course prepares a manager and supervisor for the responsibilities associated with preventing discrimination and harassment in the workplace. It covers pertinent federal laws on job discrimination and explains how to establish a company anti-discrimination policy. The material in the course provides the supervisor with a step-by-step process for handling discrimination complaints. Finally, the course provides numerous examples and scenarios, which aid in the retention of these concepts.

Objectives:

- Define discrimination
- Discuss the laws regulating workplace discrimination
- Recognize discriminatory behavior within the workplace
- Analyze the role a manager plays in detecting, dismantling, and preventing discrimination and harassment within the workplace

Workplace Diversity Guidelines

Diversity in the workplace means having a group of employees with a wide range of different backgrounds in terms of race, age, gender, and other characteristics. This diversity training course will teach employees the importance of diversity in the organization. This course provides an overview of barriers to diversity and what can be done to create a more diverse workforce.

Objectives:

- Identify the ways in which we are diverse;
- Understand both the challenges and the opportunities of a diverse workforce;
- Help avoid discrimination and harassment in the workplace; and
- Follow the laws and the organization's policy regarding workplace diversity and discrimination

* Family and Medical Leave Act (FMLA) Basics

The Family and Medical Leave Act of 1993 (FMLA) was signed into law by President Clinton on February 5, 1993. Both employers and employees need to know their rights and provisions of FMLA.

Objectives:

- Identify the purpose and benefits of FMLA;
- Recognize when and to whom it applies;
- Understand key provisions of the law;
- Assist employees in handling leaves appropriately; and
- Protect yourself and your organization from liability

* Sexual Harassment Prevention for Front Line Supervisors

This course has been designed to assist participants to quickly learn and apply the important elements of carefully and correctly handling sexual harassment issues and complaints. This course covers a detailed overview of what sexual harassment is, explains legal definitions, discusses sexual harassment prevention, and shows how to handle sexual harassment complaints and maintain a positive work environment.

Participants will learn to identify, take action and distinguish potential sexual harassment issues before they occur. This course focuses directly on improving skills to handle any sexual harassment issue or complaint with greater confidence.

Objectives:

- Identify sexual harassment behavior and issues and stop them
- Identify the difference between sexual harassment and discrimination
- Distinguish between the work and social environments and identify boundaries
- Minimize conflict and maximize the effectiveness of employees who handle sexual harassment complaints
- Recognize correct and incorrect behavior

* Sexual Harassment Prevention for Managers and Supervisors

This course provides information and guidance regarding state and Federal laws on prevention of sexual harassment, how to correct sexual harassment and the remedies available to persons subject to harassment. The program presents examples on how to recognize and prevent workplace sexual harassment, discrimination, and retaliation.

Objectives:

- Define the forms of sexual harassment
- Recognize examples of sexual harassment
- Skills to identify sexual harassment in the workplace
- Specify actions you can take to prevent and respond to sexual harassment in the workplace

* Supervisors Basics and Fundamentals

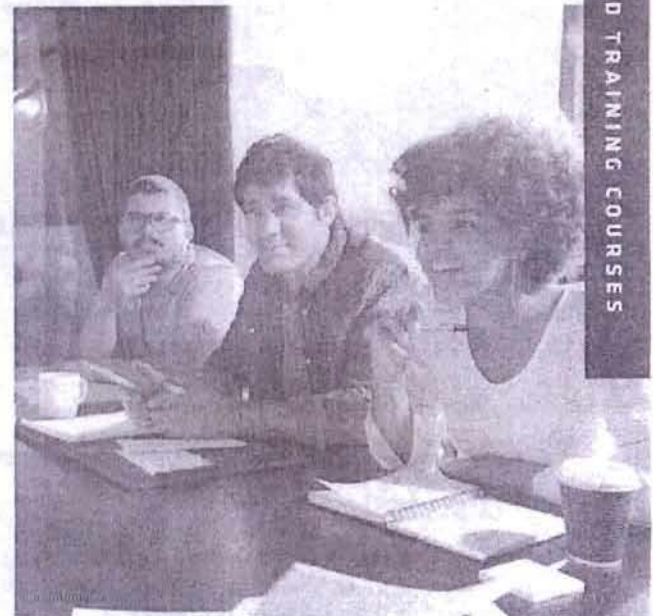
The course focuses on key areas in which supervisors must become fully competent in order to perform their jobs well and prepare for advancement.

Objectives:

- Identify key supervisory skills;
- Understand the benefits of effective workplace communication;
- Promote superior employee performance;
- Achieve goals and objectives;
- Motivating, coaching, and mentoring employees effectively

* Code of Ethics

Ethical conduct by all employees is essential for a business to succeed and prosper. The main objective of this session is to create awareness of ethical issues in business and ensure that you always know the ethical course of action to take on the job. By the time this session is over, you should be able to recognize the importance of business ethics, understand the requirements of the law and ethics policy, identify ethical



problems on the job, and make ethical decisions.

Objectives:

- How to describe the concept "business ethics"
- How to explain compliance, ethics and values
- Business ethics and how it impacts organizations
- How to understand the best business ethics models
- How to explain why managers should care about business ethics

Emergency Management



* Crisis Intervention Recognition | De-escalation

The course provides participants with an understanding of: what defines a Critical Incident (CI); how to identify signs & symptoms that are leading to an eventual Critical Incident; how to de-escalate a developing situation and respond should an incident occur. Program includes awareness education, role-playing and video demonstrations. Participants will leave the session better prepared to recognize and respond to a critical incident with confidence.

- Understanding Precursors To Crisis
- Motivating Persons In Crisis
- Handling Passive Non-Compliance
- Professional Distancing
- Building Rapport
- Maintaining Your Calm During Crisis

→ Recognizing Signs of Crisis & Escalation

→ Recognizing When Violence Is Imminent

Risk Based Security Governance

This program presents the key role that Security holds in support of the Risk Management System. Discussion includes methodology in recognizing inherent threats and thereby increasing the organizations ability to effectively identify, evaluate, control and mitigate risk.

- Business Drivers
- Governance
- Roles & Responsibilities
- Ethics
- Security Planning
- Security Administration
- Risk Management
- Litigation

Surveillance Role in Safety & Risk Management

This program was specifically designed for Surveillance staff. This unique team of individuals has the ability to provide a significant level of support in improving workplace safety and organizational risk in addition to those duties commonly associated with the gaming industry.

- Unified Governance
- Benefits of Risk Based Surveillance
- Security Governance
- General Roles & Responsibilities
- Surveillance's Supporting Role
- Workplace Safety
- Accident Investigation
- Risk Management
- Litigation

* Active Shooter Response Training

An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and other populated area. In most cases, active shooters use firearms and there is no pattern or method to their selection of victims. Active shooter situations are unpredictable and evolve quickly.

All employees can help prevent and prepare for potential active shooter situations. This course provides guidance to individuals, including managers and employees, so that they can prepare to respond to an active shooter situation.

This course is not written for law enforcement officers, but for non-law enforcement employees. The material may provide law enforcement officers information on recommended actions for non-law enforcement employees to take should they be confronted with an active shooter situation.

Objectives:

Upon completion, the participant will be able to:

- Describe actions to take when confronted with an active shooter and responding law enforcement officials.
- Recognize potential workplace violence indicators.
- Describe actions to take to prevent and prepare for potential active shooter incidents.
- Describe how to manage the consequences of an active shooter incident.

* Emergency Preparedness

The course has been designed to instruct employees how to deal with workplace disasters and other emergencies. At the end of this training course, employees will be able to identify different types of workplace disasters, understand the requirements of the emergency response plan, carry out emergency response assignments

effectively, and evacuate quickly and safely in an emergency.

Objectives:

- Employee policies and notification.
- Emergency Response Procedures.
- Sheltering in Place and Special Needs
- Identify various means of egress
- Specify the physical requirements for exit routes to comply with OSHA standards
- Identify the components of an emergency action plan
- Specify actions to take in case of an emergency evacuation
- Disclosing suspicious or unusual activities
- Reporting incident details for further review

* Violence in the Workplace and Beyond: Awareness Level

Workplace violence is on the rise. It is affecting everyone from the traditional places of work extending into the American school systems. This course will provide the students with the skills to identify a potential problem and the basic measures in which to respond.

Objective

At the completion of the class, students will be able to better recognize potential hazards that may lead to violence in the workplace and other public settings. Participants will be given the tools in how to respond in a manner to diffuse an impending hazard and steps that will significantly reduce the potential of violence.

Course Topics

- Recognizing the early stages of stress
- Alcohol & Drug recognition
- Personal stress recognition
- Work related stressors in the labor force
- How co-workers, friends & family can help

- Plant Security
- Office Security
- Simple steps to protect yourself
- Problem solving and Affecting change

Emergency Evacuation for Frontline

This course covers information for both employees and supervisors on safe egress. This training course provides information about planning for safe egress, communicating that plan to employees, and enforcing the plan. The course stresses the importance of preparation for evacuation situations. It includes the different responsibilities of each personnel level as it relates to ensuring proper egress in the facility.

Objectives:

- Identify various means of egress
- Specify the physical requirements for exit routes to comply with OSHA standards
- Identify the components of an emergency action plan · Identify organizational training needs related to egress
- Distinguish between employee and employer responsibilities related to safe egress compliance
- Specify actions to take in case of an emergency evacuation
- Identify the components of a fire prevention plan
- Recognize egress hazards
- Apply safe housekeeping practices as they relate to egress

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Draft
Tuscola County Board of Commissioners
Committee of the Whole
Monday, February 10, 2020 – 8:00 A.M.
HH Purdy Building - 125 W. Lincoln, Caro, MI

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell,
District 3 - Kim Vaughan (via Google Hangouts), District 4 - Mark Jensen,
District 5 - Daniel Grimshaw (arrived at 8:07 a.m.)

Absent: None

Also Present: Clerk Jodi Felling, Shelly Lutz, Mike Miller, Eean Lee, Carmell Pattullo, Nancy Laskowski, Wayne Koper, Jonathan Lauderbach, Magistrate Joe VanAuken, Art Graff, Ann McLaughlin, Eric King, Eileen Doering, Jamie Nisidis, Barbara Ruckle, Ken Hecht, Tim Kinney, Carrie Nichols, John Schneider, Tisha Jones-Holubec, Jim Tussey

Finance/Technology
Committee Leaders-Commissioners Young and Jensen

Primary Finance/Technology -

1. **Cost Allocation Plan Contract for Audit Years 2019, 2020 and 2021 - Board** discussed contract and slight increase in cost for this contract renewal. Matter to be placed on the Consent Agenda.

**On-Going and Other Finance
Finance**

1. Preparation of Updated Multi-Year Financial Plan
2. Continue Review of Road Commission Legacy Costs

Technology

1. Increasing On-Line Services/Updating Web Page
2. Implementation of New Computer Aided Dispatch System
3. Disaster Recovery Lunch and Learn - Frankenmuth Insurance and SIS have invited local partners to the event. Eean will be a keynote speaker. The event will be on March 13, 2020 at Uptown North Main in Frankenmuth.

Personnel
Committee Leader-Commissioners Vaughan and Bardwell

Primary Personnel

1. **Paperless Payroll - Board** discussed implementation of not issuing paper payroll checks. Shelly to complete further research in offering only direct deposit or a payroll card option. Magistrate VanAuken expressed that some businesses do not accept payroll cards unless the employee's name is on the card. The goal is to have a decision made and implementation around July 1, 2020.
2. **Out of State Travel Request for Chief Information Officer - CIO Eean Lee** explained his request for out of state travel and costs associated with the request. Matter to be placed on the Consent Agenda.

PARK HOST
JOB DESCRIPTION

GENERAL SUMMARY: Under the direction of the Director of Building and Grounds, provides services to maintain the Vanderbilt County Park & Campground. This is considered to be a part-time position.

TYPICAL DUTIES AND RESPONSIBILITIES:

1. Responsible for the management of the park every hour while the park is in operation during normal business hours.
2. Collection of all monies, including: parking and camping fees and the sale of firewood and turning over of monies weekly to the County Controller's Office. All money shall be turned in by the end of the month. All receipts or voided receipts must accompany said monies and be entered into the daily receipt book supplied by the County. All checks taken for payment of fees must be made payable to Tuscola County.
3. Any incidental expenditures that are deemed necessary by the Park Host must be approved by the Director of Building and Grounds before such expenditure is eligible for reimbursement or purchase.
4. Responsible for the restroom facilities, including keeping them in clean and usable conditions for campers and guests of the park and campground.
5. Responsible for taking reservations for campsites and will be provided a cellular phone by the County for such purpose. This cellular phone is to be used for Park business and emergency situations only.
6. Payment shall be made for 25% of the fees for park and campground use collected for the previous month. Payment will be issued with the first payroll of the month. The Park Host shall receive FREE camping including a campsite with electrical power. The Park Host is to provide their own means of housing (ie: camper/RV).
7. Employment can be terminated with a 30-day written notice from either of the parties involved in this contract.
8. The Park Host, upon termination of employment will return to the County all records, keys, notes, documentation and other items that were used or controlled by the Park Host during the time of employment.
9. The Park Host agrees to indemnify and hold harmless the County from all claims, losses, expenses, fees including attorney fees, costs, and judgements that may be asserted against the County that result from the acts or omissions of the Park Host.
10. The Park Host is eligible to receive a per diem and mileage payment for attending Parks & Recreation Committee meetings to provide updates regarding Vanderbilt Park activities and issues.

MINIMUM QUALIFICATIONS: Must possess a high school diploma or equivalent. A self-starting person is a necessity. Dependability and honesty are required.

**Tuscola County
Parks & Recreation Commission**

125 W. Lincoln Street
Caro, MI 48723

989-672-3700
Fax: 989-672-4011
www.tuscolacounty.org

CONTRACT FOR PARK MANAGEMENT

Amended March 26, 2015

This Contract for Park Management (referred to as Contract) is made effective as of October 1, 2008 by and between Tuscola County of 440 N. State Street, Caro, MI 48723 and

Mark Shook of 4441 Bath Road, Fairgrove, MI 48733
Pamela Shook of 4441 Bath Road, Fairgrove, MI 48733

In this Contract, the party who is contracting to receive services will be referred to as County, and the parties who will be providing the services will be referred to as Park Hosts.

- 1 **Description of Services:** Beginning on October 1 of 2008, the Park Host will provide the following services (collectively referred to as Services).
 - a. The Park Host is to maintain the Vanderbilt County Park & Campground and shall be responsible for the management of the park every hour while the park is in operation during normal business hours
 - b. The Park Host shall be responsible for the collection of all monies, including parking and camping fees, and the sale of firewood. All monies collected must be turned over weekly to the assigned overseer of the County during normal County business hours. All receipts or voided receipts must accompany said monies and be entered into the daily log book supplied by the County. All checks taken for the payment of fees must be made payable to Tuscola County.
 - c. Any incidental expenditures that are deemed necessary by the Park Host must be approved by the assigned overseer before such expenditure is eligible for reimbursement.
 - d. The Park Host shall also be responsible for the restroom facilities, including keeping them in clean and usable conditions for campers and guests of the park and campgrounds.
 - e. The Park Host will be responsible for taking reservations for campsites and will be provided a cellular phone by the County for such purpose. This cellular phone is to be used for Park business and emergency situations only.
 - f. The Park Host shall be generally responsible for the overall management of the Park subject to the supervision of County officials (i.e. Commission, Maintenance Supervisor and/or Parks & Recreation Commission Chairman). This agreement shall refer to the Park Host as Contracted Services as stated in the County insurance policies

- 2 **Payment for Services:** One of the Park Hosts shall be paid 25% of the fees collected for park and campground use, but no payment shall exceed \$1,000 in any one month. This will be paid to the Park Host on the 15th of each month. The Park Host shall receive FREE camping including a campsite with electrical power. The Park Host is to provide their own means of housing (i.e. camper/RV)

3. **Term/Termination:** This Contract can be terminated with a 30-day written notice from either of the parties involved in this contract.

4. **Confidentiality:** The Park Hosts, upon termination/conclusion of this Contract will return to the County all records, keys, notes, documentation and other items that were used, or controlled by the Park Host during the term of this Contract.

5. **Indemnification:** The Park Hosts agree to indemnify and hold harmless the County from all claims, losses, expenses, fees including attorney fees, costs, and judgements that may be asserted against the County that result from the acts or omissions of the Park Hosts and/or Host's employees, agents and/or representatives

6. **Per Diem & Mileage Payment:** One of the Park Hosts is able to receive a per diem and mileage payment for attending Parks & Recreation Committee meetings to provide updates regarding Vanderbilt Park activities and issues.

7. **Entire Agreement:** This Contract contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written concerning the subject matter hereunder. This Contract supersedes any prior written or oral agreements between the parties.

8. **Severability:** If any provision of this Contract will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a court finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed and enforced as so limited

Recipient of Contracted Services:

Tuscola County, Agent for Vanderbilt County Park & Campground

Name (print): Michael Hoagland, County Controller/Administrator

By: Michael R Hoagland Date: 3/27/15

Providers of Contracted Services:

Name (print): Mark Shook

By: Mark Shook Date: 4-20-15
Signature of Park Host

Name (print): Pamela Shook

By: Pamela Shook Date: 4/15/15
Signature of Park Host



[EXTERNAL] Re: Vanderbilt Park Host

1 message

Pam Shook <shookpj1@gmail.com>

Fri, Mar 19, 2021 at 1:57 PM

To: Renee Francisco <renee@tuscolacounty.org>, Clayette Zechmeister <zclay@tuscolacounty.org>

Good Afternoon Ladies

Pending Board of Commissioners approval of part time employee, we Mark and Pam Shook agree to terminate the current contract with no 30 day waiver. We (Mark and Pam Shook) accept the position of park host with payment (Mark Shook) as is currently.

Thank you

Mark and Pam Shook

On Fri, Mar 19, 2021 at 8:58 AM Pam Shook <shookpj1@gmail.com> wrote:

Good Morning,

Pending Board of Commissioners approval of part time employee, we Mark and Pam Shook agree to terminate the current contract with no 30 day waiver. I (Pam Shook) accept the position of park host with payment (Mark Shook) as is currently.

Thank you

Mark and Pam Shook

On Thu, Mar 18, 2021 at 9:31 AM Renee Francisco <renee@tuscolacounty.org> wrote:

Hi Pam,

I heard back from our current auditors and they are in agreement with making the Park Host position a 'part-time employee' rather than an Independent Contractor....yay!! Clayette will take this to the Board next week.

In order to make this happen, we need to terminate the current Contract we have with you and Mark. We also need your approval to **immediately** terminate the contract, waiving the 30 day notice as stated in the contract (as we know you are eager to get this started). We will employ you as the Park Host (as you bring in the payments and do the legwork), with payment being made to Mark if you prefer this.

If you could please send me an email stating that:

- 1. Upon agreement from the Board of Commissioners, you and Mark are both in agreement with immediate termination of the current Park Contract.**
- 2. That you accept the position of Park Host, but prefer that Mark receive payment.**

After approval by the Board, we will need to have Mark fill out the necessary paperwork for payroll payment....direct deposit is an option if you prefer.

Thanks...let me know if you have any questions :)

Renee Francisco

Financial Coordinator

Tuscola County Controller's Office

125 W. Lincoln Street

Caro, MI 48723

phone: 989-672-3709

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