TUSCOLA COUNTY BOARD OF COMMISSIONERS MEETING AGENDA

THURSDAY, OCTOBER 28, 2010 – 6:00 P.M.

AKRON TOWNSHIP HALL 4380 BEACH STREET AKRON, MI 48701

207 E. Grant Street Caro, MI 48723-1660

Fax: 989-672-4011

Phone: 989-672-3700

6:00 P.M. Call to Order – Chairperson Bardwell

Prayer – Commissioner Kern

Pledge of Allegiance - Commissioner Petzold

Roll Call - Clerk White

Adoption of Agenda

Action on Previous Meeting Minutes (See Correspondence #1)

Brief Public Comment Period

Consent Agenda Resolution (See Correspondence #2)

New Business

- -Drain Resolution (See Correspondence #3)
- -2011 Drain-at-Large Assessment
- -FEMA Base Flood Information (See Correspondence #5)
- -Probate Register
- -Recycling Agreements
 - Annual Tire Permit from MDNRE
 - Annual Municipal Recycling Contracts
 - Annual MDA Pesticide Grant
 - Approval of School Inspection Authority

Old Business

Correspondence/Resolutions

COMMITTEE AND LIAISON REPORTS

Committee of the Whole - FINANCE FOCUS (See Correspondence # 4)

Commissioner Peterson/Commissioner Bardwell

Other Business/On-Going Matters

Next Meeting Date Thursday, October 28, 2010 – Immediately Following Board Meeting

Committee of the Whole – PERSONNEL FOCUS (See Correspondence # 4)

Commissioner Peterson/Commissioner Roggenbuck

Other Business/On-Going Matters

Next Meeting Date Thursday, October 28, 2010 – Immediately Following Board Meeting

Committee of the Whole - BUILDING AND GROUNDS FOCUS (See

Commissioner Kern/Commissioner Petzold Corre

Correspondence # 4)

Other Business/On-Going Matters

Next Meeting Date Thursday, October 28, 2010 – Immediately Following Board

Meeting

COMMISSIONER LIAISON COMMITTEE REPORTS

PETZOLD

Recycling Advisory
Resource Conservation and Development District
Mid-Michigan Mosquito Control Technical Advisory Committee
Thumb Area Consortium
Multi-County Solid Waste
TRIAD
Local Unit of Government Activity Report
Road Commission
Health Board

ROGGENBUCK

Board of Public Works
Local Unit of Government Activity Report
Human Services Coordinating Council
MAC Judiciary & Public Safety Committee
Great Start Collaborative – Tuscola County
Parks & Recreation
NACo Agricultural Committee
NACo Rural Action Caucus
MAC Agriculture & Tourism

BARDWELL

Caro DDA
Brownfield Redevelopment Authority
Economic Development Corporation
Tuscola 2011
MAC Economic Development/Taxation
MAC 7TH District
Local Unit of Government Activity Report
Michigan Association of Counties – Board of Directors
NACo

BOARD AGENDA.....10/28/10.....Page 3

KERN

Thumb Area Consortium
Human Development Commission
Health Board
Senior Services Advisory
Local Unit of Government Activity Report
Community Corrections Advisory Board
Behavioral Health Board
DHS/Medical Care Facility Liaison

PETERSON

Enterprise Facilitation
Human Development Commission
MEMS
Michigan Association of Counties – Aging Work Group
Michigan Association of Counties – Environmental
LEPC
NACo
Local Unit of Government Activity Report
Parks & Recreation
Dispatch Authority Board
County Planning Commission

Closed Session (If Necessary)

Other Business as Necessary

Extended Public Comment

Adjournment

Note: If you need accommodations to attend this meeting please notify the Tuscola County Controller/Administrator's Office (989-672-3700) two days in advance of the meeting.

CORRESPONDENCE

#1	October 14, 2010 Full Board Minutes
#2	Consent Agenda Resolution
#3	Drain Resolution
#4	October 14, 2010 Committee of the Whole & Statutory Finance Committee Minutes
#5	FEMA Base Flood Information
#6	Recognition of Dispatch Director for Certificate of Excellence
#7	September 30, 2010 Road Commission Minutes
#8	October 2010 Health Department Monthly Report
#9	October 7, 2010 Recycling Advisory Committee Minutes

DRAFT

Tuscola County Board of Commissioners

October 14, 2010 Minutes Courthouse Annex

Chairman Thomas Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the County Annex Building in the City of Caro, Michigan, on the 14th day of October, 2010 to order at 8:36 a.m., local time.

Prayer by Commissioner Roggenbuck Prayer by Commissioner Kern

COMMISSIONERS PRESENT:

District #1 Amanda Roggenbuck, District #2 Thomas Bardwell, District #3 Tom Kern, District #4 Roy Petzold, District #5 Gerald Peterson

10-M-204

Motion by Peterson seconded by Petzold to adopt the agenda as amended. Motion carried.

10-M-205

Motion by Kern seconded by Roggenbuck to approve the minutes of the 9/29/10 regular meeting. Motion carried.

Brief Public Comment - none

10-M-206

It was moved by Peterson and supported by Petzold that the following Consent Agenda Resolution be adopted:

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 9/29/10

Description of Matter: Move that the three members at-large who serve on the County

Parks and Recreation Commission be allowed to telephone

conference for County Parks and Recreation Commission meetings and have full voting rights regarding County Parks and Recreation matters (legal opinion confirms voting can occur by telephone). Agenda Reference:

Entity Proposing: COMMITTEE OF THE WHOLE 10/5/10

В

Description of Matter: Move that the draft #1 county budget reviewed at the October 5,

2010 Committee of the Whole meeting be authorized to be

submitted to appropriate elected and appointed county officials for review and comment by the end of the day on October 13, 2010.

Agenda Reference: C

Entity Proposing: COMMITTEE OF THE WHOLE 10/5/10

Description of Matter: Move that per the recommendation of the Sheriff, the Sheriff's

Department forward the appropriate information to the State Department of Corrections before the October 15, 2010 deadline indicating that Tuscola County chooses option number 1 as the method of reimbursement from the State for the County Jail

Reimbursement Program.

Agenda Reference: D

Entity Proposing: COMMITTEE OF THE WHOLE 10/5/10

Description of Matter: Move that the County Prosecutor be requested to review the lease

for office space related to the two-year Domestic Violence grant to

assure the county is protected from liability.

IT IS FURTHER RESOLVED that any motion, resolution, or other act of Tuscola inconsistent with this Resolution is hereby rescinded, modified, replaced or superseded by this Resolution.

YEAS: all

NAYS: none

ABSTENTIONS: none

RESOLUTION ADOPTED.

Probate Judge W. Wallace Kent, Jr. appeared to request approval to hire a deputy probate register.

MSU-E representative Hal Hudson appeared regarding the Farmers' Market.

10-M-207

Motion by Kern seconded by Roggenbuck to approve a two-year agreement between Tuscola County and the Caro Chamber of Commerce for use of the courthouse lawn by the Famers' Market and authorize all appropriate signatures. Motion carried.

10-M-208

Motion by Peterson seconded by Petzold that per the request of the Circuit/Family Court Administrator and in order to leverage an additional \$13,000 reimbursement for the county DHS Child Care Fund, approve line item transfers and authorize all appropriate signatures. Motion carried.

10-M-209

Motion by Roggenbuck seconded by Peterson that per the recommendation of the County Prosecutor, approve the lease of office space for the Domestic Violence Program grant and authorize all appropriate signatures. Motion carried.

10-M-210

Motion by Kern seconded by Roggenbuck that per the recommendation of Thomas R. Luplow (county attorney), approve the Baseline Environmental Assessment Report and form for the HH Purdy property and authorize all necessary signatures and submission to the Michigan Department of Natural Resources to provide environmental liability protection to Tuscola County. Motion carried.

10-M-211

Motion by Kern seconded by Petzold to accept and place on file the letter of resignation from the Probate Register effective October 1, 2010. Motion carried.

Extended Public Comment - none

Meeting adjourned at 10:35 a.m.

Margie A. White Tuscola County Clerk

'DRAFT'

COUNTY OF TUSCOLA

STATE OF MICHIGAN

RESOLUTION TO ADOPT CONSENT AGENDA

of Tuscola, Michigan, held at the Akron Township Hall located at 4380 Beach Street, Akror Michigan, on the 28 th day of October, 2010 at 6 o'clock p.m. local time.				
COMMISSIONERS PRESENT:				
COMMISSIONERS ABSENT:				
It was moved by Commissionerthat the following Consent Ager				

CONSENT AGENDA

Agenda Reference:

Α

Entity Proposing:

COMMITTEE OF THE WHOLE 10/14/10

Description of Matter:

Move that the Workers Compensation Transfer Agreement Forms be approved to change Claims Service Contract from the Accident Fund to CompOne coverage at no additional cost to the county.

At a regular meeting of the Board of Commissioners of the County

Agenda Reference:

В

Entity Proposing:	COMMITTEE OF TH	E WHOLE 10	0/14/10	
Description of Matter:	Move that the Notice Airport Zoning Ordina 23, 2010 issue of the	ance be appro	oved and placed in	
IT IS FURTHER RE inconsistent with this Reso Resolution.	SOLVED that any mo lution is hereby rescin			
YEAS:				
NAYS:				
ABSTENTIONS:				
RESOLUTION ADOPTED.				
Thomas Bardwell, C Tuscola County Board of C	•		Margie White Tuscola County	

CONSENT AGENDA.....10/28/10.....Page 2

At a regular meeting of the Board of Commissioners of the County of Tuscola held or	1
October 28, 2010.	
PRESENT:	-
ABSENT:	-
The following resolution was moved by and supported by:	¥
RESOLUTION AUTHORIZING ISSUANCE OF DRAIN IMPROVEMENT BONDS	

RESOLUTION AUTHORIZING ISSUANCE OF DRAIN IMPROVEMENT BONDS (AKRON MAIN STREET TILE DRAIN IMPROVEMENTS), SERIES 2010

WHEREAS, proceedings have been taken by the Tuscola County Drain Commissioner, acting on behalf of the Akron Main Street Tile Drain Drainage District (the "Drainage District"), for constructing improvements to the Akron Main Street Tile Drain (the "Project") under the provisions of Chapter 8 of the Drain Code of 1956, as amended (the "Drain Code"), pursuant to a petition filed with the Drain Commissioner; and

WHEREAS, if the Project were to be financed under the Drain Code, the Drain Commissioner would assess the cost of the Project to benefiting property owners in the Village of Akron (the "Village") and the Township of Akron (the "Township") in the Drainage District, and to the Village, the Township and the County of Tuscola (the "County") at large; and

WHEREAS, the Drain Commissioner has determined that in order to provide the most cost effective financing to the property owners and public corporations in the Drainage District, the financing must be spread over a term of at least thirty years; and

WHEREAS, while the maximum term for financing the Project under the Drain Code is twenty years, the Project may be financed for a term of at least 30 years under the provisions of Act 185, Public Acts of Michigan, 1957, as amended ("Act 185"); and

WHEREAS, the County, under the provisions of Act 185, has established a Department of Public Works for the administration of the powers conferred upon the County by Act 185, which department is under the immediate control of the Board of Public Works, and under the general control of the Board of Commissioners of the County; and

WHEREAS, at the request of the Village and the Township, the County Board of Commissioners, by resolution adopted on May 26, 2009, established a sewage disposal system, which under Act 185 includes storm sewer facilities, designated as the "Akron Main Street Tile Drain" and approved as a County project under Act 185 the acquisition and construction of the Project; and

WHEREAS, Act 185 authorizes a county to acquire, improve, enlarge, extend, finance and operate sewage disposal systems as defined therein; and

WHEREAS, by the terms of Act 185, (i) the County, the Village, the Township and the Drainage District are authorized to enter into a contract for the acquisition, construction, financing and operation of the Project and for the payment of 25% of the cost thereof by each of the Village, the Township and the County, with interest, over a period of not exceeding forty (40) years, and (ii) the Board of Public Works is authorized to levy and has levied special assessments against property in the Drainage District that is benefited by the Project to pay 25% of the cost of the Project (the "Special Assessments"), and the County is then authorized, pursuant to appropriate action of its Board of Commissioners, to issue its bonds (the "Bonds") to provide the funds to pay the cost of the Project, secured primarily by the full faith and credit contractual obligations of the Village, the Township and the County and by the Special Assessments, and secondarily by the full faith and credit of the County; and

WHEREAS, a proposed Akron Main Street Tile Drain 2010 Improvements Contract (the "Contract") dated as of October 1, 2010, among the County, the Village, the Township and the

Drainage District, has been submitted to the Board of Commissioners for approval, which Contract provides for the acquisition, construction and financing of the Project pursuant to Act 185, including the issuance of the Bonds by the County in anticipation of payments to be made by the County, the Village and the Township and of the Special Assessments, which payments and Special Assessments will be sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, there has been submitted for approval and adoption by this Board, plans, specifications, an estimate of the cost of the Project and an estimate of the period of usefulness of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA, MICHIGAN, as follows:

1. <u>DEFINITIONS</u>. Whenever used in this resolution, except when otherwise indicated by the context:

"ARRA" means the American Recovery and Reinvestment Act of 2009, being Public Law No. 111-5, 123 Stat. 115 (2009), enacted on February 17, 2009 by the Congress of the United States.

"Bonds" means the bonds authorized by Sections 4 and 5 of this resolution.

"Build America Bonds" means Bonds that meet the definition of a "build America bond" in Section 54AA(d) Code and the definition of a "qualified bond" under Section 54AA(g)(2) of the Code and for which the County will be allowed a Refundable Credit, all as authorized by Section 1531, Title I of Division B of ARRA.

"Code" means the Internal Revenue Code of 1986, as amended.

"Director of Public Works" means the County Director of Public Works, appointed and acting in such capacity under Act 185.

"Issue Date" means the date on which the Bonds are issued and delivered to the United States of America.

"Refundable Credit" means with respect to the Bonds, an amount equal to 35 percent of the interest due on the Bonds on each interest payment date, to be paid to the County by the United States Department of Treasury in accordance with Sections 54AA and 6431 of the Code.

- 2. <u>PLANS AND SPECIFICATIONS</u>; <u>ESTIMATES OF PERIOD OF USEFULNESS AND COST</u>. The plans and specifications for the Project and the estimate of \$400,000 as the cost thereof and of 30 years and upwards as the period of usefulness thereof, as submitted to this Board of Commissioners, are approved and adopted.
- 3. <u>APPROVAL OF CONTRACT</u>. The Contract, in the form presented to this meeting, is approved and adopted, and the Chairperson and Secretary of the Board of Public Works are authorized and directed to execute and deliver the same for and on behalf of the County, in as many counterparts as may be deemed advisable, after the Contract has been executed by the appropriate officials of the Village, the Township and the Drainage District.
- 4. <u>AUTHORIZATION OF BONDS PURPOSE</u>. Bonds of the County aggregating the principal sum of not to exceed Four Hundred Thousand Dollars (\$400,000), as shall be determined by the Director of Public Works at the time of sale, shall be issued and sold pursuant to the provisions of Act 185, and other applicable statutory provisions, for the purpose of defraying the cost of acquiring and constructing the Project.
- 5. <u>BOND DETAILS</u>. The Bonds shall be designated "Drain Improvement Bonds (Akron Main Street Tile Drain Improvements), Series 2010." The Bonds shall be dated as of the Issue Date; shall be issued in the form of a single fully-registered bond, designated No. 1, in the principal amount of the Bonds; shall bear interest at the rate of 3.00% per annum, payable on such dates as shall be determined by the Director of Public Works at the time of sale; and shall mature in such principal amounts and on such dates as shall be determined by the Director of Public Works at the time of sale, provided, however, that the final maturity date shall not be later than December 1, 2040.
- 6. <u>PAYMENT OF PRINCIPAL AND INTEREST</u>. The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal and interest shall be

paid when due by check or draft mailed by the bond registrar and paying agent to the registered owner at the address shown on the registration books.

- 7. PREPAYMENT OF PRINCIPAL. Principal installments may be prepaid prior to maturity without premium and in such order as shall be determined by the County on any date other than a Saturday, Sunday or holiday. Principal installments that have been prepaid shall be noted on the Bonds and such installments no longer shall be considered outstanding for any purpose. Thirty days' notice of the prepayment of any principal installment shall be given to the registered owner of the Bonds at the address shown on the registration grid.
- 8. <u>BOND REGISTRAR AND PAYING AGENT</u>. The County Treasurer shall be the bond registrar and paying agent for the Bonds. In the absence of the County Treasurer or if the County Treasurer is unable to act, the Director of Public Works may perform the duties of the bond registrar and paying agent.
- 9. <u>EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS</u>. The Bonds shall be executed in the name of the County by the manual signatures of the Chairperson of the Board of Commissioners and the County Clerk, and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the bonds. After the Bonds have been executed, they shall be delivered by the County Treasurer to the purchaser upon receipt of the first principal payment from the purchaser. The first and each subsequent principal payment received by the County from the purchaser shall be noted on the registration grid of the Bonds.
- 10. <u>EXCHANGE AND TRANSFER OF BONDS</u>. The Bonds, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be transferred to another party. The Bonds shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent. Upon the exchange or transfer of the Bonds, the bond registrar and paying agent shall register the Bonds in the name of the transferee on the registration books of the County and shall note such transfer on the registration grid.

The County and the bond registrar and paying agent may deem and treat the person in whose name any Bond shall be registered upon the books of the County as the absolute owner of such Bond, whether the such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 4 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner. Registration of the Bonds shall not be transferred less than five (5) days prior to an interest payment date.

For every exchange or transfer of the Bonds, the County may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

11. FORM OF BONDS. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA STATE OF MICHIGAN COUNTY OF TUSCOLA DRAIN IMPROVEMENT BOND

(AKRON MAIN STREET TILE DRAIN IMPROVEMENTS), SERIES 2010

No. 1 \$400,000

The County of Tuscola (the "County"), State of Michigan, acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the sum of Four Hundred Thousand Dollars (\$400,000) on the dates and in the amounts set forth on Exhibit A attached hereto and made a part hereof, unless redeemed prior thereto as hereinafter provided, with interest on such principal sum from the date each principal payment is received by the County as set forth on the Registration Grid of this bond at the rate of three and 00/100 percent (3.00%) per annum, payable on the first days of _____ and ____ of each year commencing on _____ 1, 2011. Principal and interest are payable in lawful money of the United States of America and shall be paid by check or draft mailed to the Registered Owner at the address shown on the Registration Grid.

This bond is one of a series of bonds aggregating the principal sum of Four Hundred Thousand Dollars (\$400,000) issued by the County under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 185, Public Acts of 1957, as amended) and a bond authorizing resolution adopted by the Board of Commissioners of the County (the "Resolution") for the purpose of defraying the cost of acquiring and constructing improvements to the Akron Main Street Tile Drain in the Village of Akron (the "Village") and the Township of Akron (the "Township"). The bonds of this series are issued in anticipation of and secured (i) by payments to be made by the Village, the Township and the County in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000) pursuant to a contract among the County, the Village, the Township and the Akron Main Street Tile Drain Drainage District (the "Drainage District"), (ii) by special assessments imposed by the Board of Public Works against property in the Drainage District in the aggregate principal amount of One Hundred Thousand Dollars (\$100,000), and (iii) by certain refundable credits to be received from the United States. The full faith and credit of the County, the Village and the Township have been pledged to the prompt payment of their respective share of the foregoing amount to be paid under the contract and the interest thereon as the same become due. As additional security the full faith and credit of the County have been pledged for the prompt payment of the principal of and interest on the bonds of this series. Taxes levied by the County, the Village and the Township to pay the principal of and interest on the bonds of this series are subject to applicable constitutional and statutory tax limitations.

This bond shall be registered as to principal and interest, as provided in the Resolution, in the name of the Registered Owner upon the books of the County kept for that purpose by the County Treasurer as bond registrar and paying agent, and such registration shall be noted on the Registration Grid. This bond may be transferred only by submitting the same, together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing, to the bond registrar and paying agent for registration in the name of the transferee on the registration books and for notation on the Registration Grid. This bond may not be transferred less than five (5) days prior to an interest payment date.

Principal installments of this bond may be prepaid prior to maturity at the option of the County without premium and in such order as shall be determined by the County, on any one or more dates other than a Saturday, Sunday or holiday. Principal installments that have been prepaid shall be noted on Exhibit A and such installments shall no longer be considered outstanding for any purpose. Thirty days notice of redemption shall be given to the Registered Owner by mail to the address shown on the Registration Grid.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the County, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Tuscola, Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by the manual signatures of the Chairperson of the Board of Commissioners and the County Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon, all as of the date set forth below.

COLD INTLOD IN TO COL

	COUNTY OF TUSCOLA
	(SEAL)
By:	Ву:
County Clerk	Chairperson, Board of Commissioners
Dated:	

EXHIBIT A

COUNTY OF TUSCOLA

DRAIN IMPROVEMENT BOND (AKRON MAIN STREET TILE DRAIN IMPROVEMENTS), SERIES 2010

Due _____1

YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT
2011		2026	
2012		2027	
2013		2028	
2014		2029	
2015		2030	
2016		2031	
2017		2032	
2018		2033	
2019		2034	
2020		2035	
2021		2036	
2022		2037	
2023		2038	
2024		2039	
2025		2040	

REGISTRATION GRID

COUNTY OF TUSCOLA

DRAIN IMPROVEMENT BOND (AKRON MAIN STREET TILE DRAIN IMPROVEMENTS), SERIES 2010

NOTHING TO BE WRITTEN HEREON EXCEPT BY BOND REGISTRAR AND PAYING AGENT

<u>Date</u>	Principal Amount Received	Name and Address of Registered Owner	Signature
	\$	United States of America	
····			
	-		

END OF BOND FORM

- by the County, the Village and the Township pursuant to the Contract and (ii) the Special Assessments. The Bonds shall be secured primarily by the full faith and credit pledges made by the County, the Village and the Township with respect to such payments in the Contract pursuant to the authorization contained in Act 185, by the Special Assessments and by the Refundable Credit. As additional and secondary security the full faith and credit of the County are pledged for the prompt payment of the principal of and interest on the bonds as the same shall become due. If the payments to be made by the County, the Village and the Township pursuant to the Contract and the collections of the Special Assessment are not sufficient to pay the principal of and interest on the Bonds as the same shall become due, then an amount sufficient to pay the deficiency shall be advanced from the general fund of the County. Taxes imposed by the County shall be subject to constitutional and statutory limitations.
- Principal and Interest Fund which shall be kept in a separate bank account. All payments received from the County, the Village and the Township pursuant to the Contract, all collections of the installments of the Special Assessments and all amounts representing the Refundable Credit are pledged for payment of the principal of and interest on the Bonds and expenses incidental thereto and as received shall be placed in the Principal and Interest Fund. The County, the Village and the Township shall receive a credit in an amount equal to the Refundable Credit on its obligations under the Contract to pay their respective share of the principal of and interest on the Bonds.
- 14. <u>CONSTRUCTION FUND</u>. The proceeds of the sale of the Bonds shall be set aside in a construction fund for the Project and used to acquire and construct the Project in accordance with the provisions of the Contract.
- 15. <u>APPROVAL OF MICHIGAN DEPARTMENT OF TREASURY</u>. The issuance and sale of the Bonds is subject to approval being granted therefor by the Department of Treasury

of the State of Michigan in accordance with Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), and, if necessary, the Director of Public Works is authorized to file an application with the Department of Treasury for permission to issue the Bonds as provided in Act 34.

- 16. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Bonds shall be sold to and registered in the name of the United States of America acting through the United States Department of Agriculture, Rural Development ("Rural Development") in furtherance of Rural Development's program to provide low-interest rate, long-term loans for eligible projects (the "Program"). This Board of Commissioners hereby determines that the Program and the delivery of the Bonds directly to the United States of America as provided in this resolution will provide the County, the Village, the Township and the property owners in the Drainage District with the lowest cost of borrowing money for the Project. At the time of the sale of the Bonds, the Director of Public Works is authorized to execute and deliver an order which shall set forth the principal amount of the Bonds, principal maturities and dates, interest rate and payment dates, as well as such other terms and provisions as the Director of Public Works determines to be necessary or appropriate in connection with the sale of the Bonds. The Director of Public Works, the County Clerk, the County Treasurer and other officers and employees of the County are each authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of this resolution.
- 17. <u>DESIGNATION AS BUILD AMERICA BONDS</u>. The County hereby makes an irrevocable election under Section 54AA of the Code to designate all maturities of the Bonds as Build America Bonds.
- 18. <u>TAX COVENANT</u>. The County covenants to comply with all requirements of the Code necessary to assure that the Bonds will be and will remain "build America bonds" within the meaning of Section 54AA(d) of the Code and "qualified bonds" under Section 54AA(g)(2) of the Code. In furtherance thereof, the County covenants (i) to comply with all requirements of the Code necessary to assure that the interest on the Bonds, but for the provisions

of Section 54AA of the Code, would be and would remain excludable from gross income for federal income tax purposes under Section 103 of the Code, and (ii) to use 100% of the available project proceeds of the Bonds only for capital expenditures. The Director of Public Works and other appropriate County officials are authorized to do all things necessary to assure (i) that the interest on the Bonds, but for the provisions of Section 54AA of the Code, would be and would remain excludable from gross income for federal income tax purposes and (ii) that 100% of the available project proceeds of the Bonds will be used only for capital expenditures.

- 19. <u>COVENANT AS TO DEFEASANCE</u>. The County covenants that it will not defease this resolution with respect to the Bonds so long as registered owner of the Bonds is the United States of America or an agency or department thereof.
- 20. <u>CONFLICTING RESOLUTIONS</u>. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

YEAS:		 	
	4		
NAYS:			

RESOLUTION ADOPTED.

STATE OF MICHIGAN) SS: COUNTY OF TUSCOLA)

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County of Tuscola at a regular meeting held on October 28, 2010, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the open meetings act.

County Clerk

County of Tuscola

BLOOMFIELD 9011-10 1077980

DRAFT

Tuscola County Board of Commissioners Committee of the Whole – Thursday, October 14, 2010 After the 8:30 A.M. Board of Commissioners' Meeting Minutes 207 E. Grant Caro, MI 48723

Commissioners present: Roggenbuck, Bardwell, Kern, Petzold, Peterson. Also present: Mike Hoagland, Margie White, Mary Drier, Dan Grimshaw, Jim Will, Jim Miklovic, Mark Ransford, Dennis Stein, Mike Miller, Donna Fraczek, Ione Vyse, Dutch Guthrie, Joe Bixler, Steven Lark

Finance

Greenstone Farm Credit Services – interested in promoting other services offered Departmental Comments Regarding 2011 County Budget – the District Judge would like to meet with the commissioners, Remonumentation has requested \$4000, Circuit, Family Courts and FOC

Register of Deeds – presented an overview regarding microfilm duplication, new software, scanning index books and new equipment associated with office relocation

19-26-Year-Old Health Insurance Coverage Cost Estimates – potentially represents a \$40,000 increase to the county's budget

MCF – questions posed to the commissioners including, who is accountable? Where does the money to pay the fine come from? What caused the fine? A private company who specializes in managing medical care facilities would like to talk to the board.

Secondary/On-Going Finance Items

- 1. Treasurer Bank Statement Reconciliation
- 2. Emergency Services
- 3. DELEG Energy Grant
- 4. Tire Collection Program
- 5. Three-Year Dog Licensing
- 6. Juror Card Program
- 7. Probate Court Budget Change Request
- 8. Allied Information Systems
- 9. Draft Policy Confidential Information on Copiers and Fax Machines
- 10. Jail Prisoner Overcrowding Alternatives
 - House Arrest Services Tether Program
 - Evaluation of Housing More Prisoners in Tuscola Jail

Personnel

Relocation of November Department Head Meeting – cannot meet at GreenStone; MSU-E is available

Workers' Compensation Transfer Agreement Form – recommended by Rummel Insurance, Tom Zuelig (see consent agenda resolution)

Secondary/On-Going Personnel Items

- 1. Circuit/Family Court Personnel Policies
- 2. MERS Bridged Benefits Valuation
- 3. Labor Negotiations
- 4. Relocation of November Department Head Meeting

Building and Grounds

Airport Zoning Ordinance

- Updated Airport Zoning Ordinance Available on County Website
- Notice of Public Hearing to occur 8:30 a.m., Nov. 10 (see consent agenda resolution)
- Potential Ordinance Administration Fees draft reviewed
- Potential RFP for Airport Zoning Ordinance Administration Services independent contractor?

Office Space Planning – Next Steps – paging system associated with the phone system for security purposes - scrapped

Public Comment Period - none

Meeting adjourned at 12:16 p.m.

Margie A. White Tuscola County Clerk

Statutory Finance Committee Minutes Thursday, October 14, 2010 Annex Board Room 207 E. Grant St., Caro, MI

Called to order: 12:17 p.m.

Commissioners present: Roggenbuck, Bardwell, Kern, Petzold, Peterson

Also present: Mike Hoagland, Margie White

Claims and per diems were reviewed and approved

Public Comment - none

Meeting adjourned at 12:20 p.m.

Margie A. White Tuscola County Clerk

Mike Hoagland

From: Robert Mantey [rmantey@tuscolacounty.org]

Sent: Thursday, October 21, 2010 9:12 AM

To: vassartwp@mich1.net; Amanda Roggenbuck; Delores Damm; drier92@yahoo.com; Jerry Peterson;

Joy Brooks; Julius Suchy; Mike Hoagland; Pat Finn (Pat Finn); Thom Bardwell; Tom Kern

Subject: Info on Appeals Period/Communities Adopt New Maps Period

See the attached e-mails detailing information on the 90-day appeals period on proposed Base Flood Elevation maps and the time period for communities to update their ordinances to reference the new maps and when that should happen. The time period for the communities (cities, townships, villages etc) to update their ordinances would be from June to December of 2011, if the new maps are finalized in May of 2011. Please be aware of the content of the attached e-mails and let your townships, cities and villages know of the time period to update their ordinances. My office will keep everyone informed as to new deadlines and dates as they come along.

Bob Mantey

From: Menerey, Bruce (DNRE) [mailto:MENEREYB@michigan.gov]

Sent: Tuesday, October 19, 2010 10:58 AM

To: rmantey@tuscolacounty.org

Subject: RE: Tuscola County Base Flood Elevation (BFE) Notice

Hi Pattv:

The 90-day appeals period is used by FEMA to solicit comments & information on the proposed Base Flood Elevation and any corrections needed in the proposed maps. The new "paperwork" would not be required until after the Flood Insurance Rate Maps are finalized, and FEMA sends out a Letter of Final Determination, which gives the communities 6 months to adopt the new maps. The new maps would not be finalized until after the 90-day appeals period, and after FEMA addresses comments received during the appeals period. I would estimate that the new maps may be finalized in May, and that FEMA would send out the Letter of Final Determination in June, giving the communities 6 months to adopt the maps. So from June to December the communities would need to update their ordinance to reference the new Maps.

It may be a little early to start the process, but here is a link to our website that has the sample ordinances & resolutions.

http://www.michigan.gov/deg/0,1607,7-135-3313 3684 3725-122959--,00.html

If the communities have questions on the joining & adoption process, they will want to talk with Les Thomas at 517-335-3448, or e-mail thomasl@michigan.gov

So I guess the short answer is, the communities do not have to update any paperwork, yet; that process will start probably in June.

If you have any other questions, feel free to let me know.

Bruce

Bruce Menerey, P.E.
MDNRE - Water Resources Division
P.O. Box 30458
Lansing, Michigan 48909-7958
Telephone: 517-335-3181

FAX: 517-241-0275

e-mail: menereyb@michigan.gov

MICHIGAN

CHAPTER



ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS - INTERNATIONAL, INC.

Director Robert Klenk Tuscola County 9-1-1 1303 Cleaver Rd Caro, Ml. 48

October 11, 2011

Dear Bob.

You were selected by the Michigan Chapter of the Association of Public Safety Communication Officials (APCO) Awards Committee to receive a "Certificate of Excellence" for your contributions to public safety as a Communications Director. We will be making this presentation to you and other outstanding individuals at the chapter's annual APCO meeting.

The meeting will be held at **Zehnder's Restaurant**, 730 S. Main, Frankenmuth, MI, 48734, on Thursday, October 28, 2010. Each year Motorola sponsors our chicken dinner, and we would like to invite you to dinner, which will be served at 6:00 PM. You will be presented with your "Certificate of Excellence" during the awards ceremony after dinner. Your family and friends are also invited to dinner and to share in your honor as you receive your certificate. Social Hour begins at 5:00 pm, please arrive no later then 5:30pm and contact me when you arrive. Confirmation of the receipt of this letter, your attendance, and the number of guests coming will be appreciated by e-mailing me at cbartram@stclaircounty.org or by calling 810-966-1691.

Looking forward to seeing you at Frankenmuth!

Sincerely,

Cherie Bartram, ENP Awards Chairperson

APCO - Michigan Chapter

September 30, 2010

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, September 30, 2010 at 8:00 A.M.

Present: Commissioners John Laurie, Gary Parsell, and Mike Zwerk, County Highway Engineer Michele Zawerucha, Director of Finance/Secretary-Clerk Michael Tuckey.

Also Present: County Commissioner Roy Petzold.

Absent: Superintendent/Manager Jay Tuckey (C.R.A.M. Superintendent's Conference).

Chairman Laurie asked for a moment of silence to offer thoughts and prayers for Road Commission employee Lee Crosby and his family regarding a tragic farming accident last weekend.

Motion by Parsell seconded by Zwerk that the minutes of the September 16, 2010 regular meeting of the Board be approved. Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$97,406.75 and bills in the amount of \$99,841.24 covered by vouchers #10-36, #10-37, and #10-38 were presented and audited.

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

Motion by Zwerk seconded by Parsell that a letter of appreciation be sent to all Township Boards within Tuscola County for the cooperation with their township road account payments this season. Zwerk, Parsell, Laurie --- Carried.

Brief Public Comment Segment:

- (1) Mr. Ted Schunn appeared before the Board to discuss the roadside brush at his property on Kirk Road in Juniata Township. The Board recommended that Mr. Schunn apply for a Right-Of-Way Permit and the Superintendent/Manager will contact him regarding removing the brush.
- (2) Millington Township Supervisor Bob Worth asked the Board for the proper procedures for cleaning a roadside ditch.

Motion by Parsell seconded by Zwerk that the bids for the Flashing Beacon and Installation at the Intersection of Sheridan Road and Millington Road taken and accepted at the last regular meeting of the Board be awarded to the low bidder that met the specifications, J. Ranck Electric, Inc. Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell to grant Akron Township a one-year variance of the Local Road Improvement and Township Allowance Policy for the 2010 season approving to suspend resurfacing Thomas Road from M-25 to Bay Park and instead resurface Ringle Road from Ackerman to Bay Park in 2010, with the understanding that in 2011 Akron Township will return to the policy requiring the oldest surface fifteen years old or older to be resurfaced. Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell to deny the request from the Elmwood Township Board for a one-year variance of the Local Road Improvement and Township Allowance Policy for the 2010 season since Elmwood

Township has not initiated any roadwork in accordance with the Township Agreement for Road Improvements. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the following resolution be adopted:

As provided by the MERS Plan Document, 3 years, 0 months additional credited service is granted Gary Swalwell by resolution adopted by the Board of Tuscola County Road Commissioners at its meeting on September 30, 2010. It is understood that the calculation of service purchase cost is based on actuarial assumptions. Actual, future events and experience may result in changes different than those assumed, and liability different than that estimated. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the agreement between LaBudde Group, Inc. and the Tuscola County Road Commission allowing Designated and Special Designated All-Season loads for Rayl Road from the north village limit of Akron north to their driveway on Rayl Road be extended for an additional two (2) years with the conditions specified in the agreement. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to approve advertising for bid one (1) Tandem Axle Dump Truck and one (1) Sign Truck as part of the revised 2010 Capital Outlay Budget. Zwerk, Parsell, Laurie --- Carried.

Motion by Zwerk seconded by Parsell to approve the Road Commission's revised 2010 Capital Outlay Budget as presented. Zwerk, Parsell, Laurie --- Carried.

Management and the Board reviewed and discussed the proposed 2010-2011 C.R.A.M. Legislative Priorities. The Board will further discuss the issues at the next Blue Water Highway Council Meeting.

Motion by Zwerk seconded by Parsell that addendum bid item #18 of the 2010 Furnishing & Placing Crushed Limestone bids be awarded to Burroughs Materials, as specified by the Arbela Township Board. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to authorize additional advanced warnings, including message boards, for the new 4-way Stop at the intersection of Sheridan Road and Millington Road at the discretion of the County Highway Engineer. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to allow Road Commission hourly and salaried employees to donate vacation time to employee Lee Crosby. Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk to approve the Road Commission post two (2) hourly job openings within the Laborer classification in accordance with the Union Labor Agreement. Zwerk, Parsell, Laurie --- Carried.

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



Tuscola County Health Department

Board of Commissioners Monthly Report for October 2010 Prepared by: Gretchen Tenbusch, RN, MSA, Health Officer Visit our website at www.tchd.us

Outcomes for the Month:

- The Health Department continues to give Influenza vaccinations. Demand for Influenza vaccinations has been down so far this year.
- The Childrens Special Health Care Services program had a review by the Michigan Department of Community Health. This is the first audit in 18 years. We are in compliance in all areas. They did provide us with some suggestions for program enhancement. We are very pleased with the results. In the next accreditation cycle, July 23, 2012, this program will be included as a review section.

Issues under consideration by the Local Health Department:

- The Health Department is beginning preparations for the implementation of Insight as our new Electronic Health Record system.
- Our FY10-11 budgets were submitted to the Michigan Department of Community Health by the September 24, 2010 deadline.

Issues to be brought to Board of Commissioners:

FY10-11 appropriation

Tuscola County Health Department Board of Health Meeting 10/15/10

Contract/Letter of Agreement Ratification Log for the Period of 9/17/10-10/14/10 Signed by Gretchen Tenbusch, RN, MSA, Health Officer

Contract/Letter of Agreement	Purpose	Date Span	Amount/ Type	Date Signed
Darcy Schlund- Tenbusch	Specially Funded Nurse Practitioner	FY10-11	\$41/br	9/30/10
Sue Montei	Specially Funded Nurse Practitioner	FY10-11	\$41/hr	9/30/10
Susanne Brooks	Specially Funded Nurse Practitioner	FY10-11	\$41/hr	9/30/10
Mary Smith	Specially Funded – Registered Nurse	FY10-11	\$25/hr	10/5/10

Tuscola County Health Department Board of Commissioner Meeting 9/29/10

Contract/Letter of Agreement Ratification Log for contracts Signed by Gretchen Tenbusch, RN, MSA, Health Officer per Tuscola County Board of Commissioner motions made on 9/29/10

Contract/Letter of Agreement	Purpose	Date Span	Amount/ Type	Date Signed
Century Tel	Special Circuit Service Agreement	8/14/10 - 8/13/13	\$437.40 (1 time installation) plus \$54/mo.	9/29/10 per TCBOC motion 10-M-196
Century Tel	Dedicated Internet Lease Agreement	8/14/10 — 8/13/13	Fees included in Special Circuit Agreement	9/29/10 per TCBOC motion 10-M-195

Contracts Signed by the Tuscola County Board of Commissioners on behalf of the Tuscola County Health Department per Tuscola County Board of Commissioners motions made on 9/29/10

Contract/Letter of Agreement	Purpose	Date Span	Amount/ Type	Date Signed
Netsmart Technologies	Insight Software, Service and Support 5 year lease	9/30/10 — 9/30/15	\$154,946	9/29/10 by Tom Bardwell per motion 10-M-194
Geneva Software Company	Quantum Software, Service and Support 5 year lease	9/30/10 – 9/30/15	\$58,620	9/29/10 by Tom Bardwell per motion 10-M-194

EABOH Monthly Reports\Tuscola\TuscolaContract Ratification Form 7-10.doc

Tuscola County Recycling Advisory Committee

Tod Fackler

Chairperson

989-823-7831

TodFackler@sbcglobal.net

Sharon Mika
Vice Chairman
989-673-6956
mantooth@centurytel.net

Kate Neese
Recycling Coordinator
989-672-1673
recycle@tuscolacounty.org

October 7, 2010 Meeting Minutes

MEMBERS PRESENT: Patricia Frazer, Jim McMinn, Sharon Mika, Don Duggar, Jane Ryba & Norma Wallace

MEMBERS EXCUSED: Tod Fackler

OTHERS PRESENT: Commissioner Roy Petzold, Kate Neese; Tuscola County Recycling Coordinator, Frank Kieltyka and Beth Tetil

Sharon Mika called the meeting to order at 4:30pm and Kate Neese took roll.

The minutes from the August 5, 2010 meeting were reviewed. Ms. Frazer moved to accept the minutes as corrected and Mr. McMinn seconded the motion. The motion carried.

No Public Comment at this time.

Ms. Neese reviewed some program updates at this time. She stated the satellite tire collection was moving forward and seven municipalities have signed on to host a collection (six of which have already been concluded). Ms. Neese has been coordinating, promoting and publicizing these events as they are scheduled. As of this date, two other municipalities have expressed an interest but have yet to sign the contract (Almer and Novesta Townships). Ms. Mika asked what the tire recycler is charging per trailer and Ms. Neese explained that it is the same rate they charge the Recycling Center which is approximately \$1,000 per trailer.

Ms. Neese informed the Committee that she is working with the Multi-County Solid Waste Task Force (MCSWTF) to renew with our current vendor on an annual basis. Ms. Neese informed the Committee that Tuscola County held a Household Hazardous Waste collection on Friday October 1st during regular business hours. Thirty three residents participated in this fall collection.

The 2011 budget development is ongoing and Ms. Neese is awaiting the Controller's rewrite of her submitted budget. Discussion was held.

The 6 Year Projected Budget scenario and Dashboard was reviewed and discussed at this time. Discussion was held in regards to Indirect Costs. The Committee would like to see the actual formula used to determine these costs because they feel it is an unfair amount. The Committee asked Ms. Neese to obtain a copy of the formula, yearly charges and the annual report. Ms. Neese stated the main building needs to be reshingled. The Building and Grounds Director will be working a new roof into the 2012 budget. Ms. Neese is continuously working on these documents to give the Committee the most accurate projections possible.

The "Goals & Objectives" sheet was reviewed at length. The ultimate goal of the Recycling Center is to strive to become cost neutral. Mr. Duggar explained this won't

happen for a number of reasons. Specifically, it is difficult to make a government program profitable. The Center's current size is an issue and it may take over one million dollars to become efficient. Also, recycling markets are very unpredictable making revenue unpredictable as well. Mr. McMinn stated we need to be aware of what we are telling our general public. He stated the Recycling Center should strive to become cost neutral or cost effective. Mr. Duggar agreed with Mr. McMinn and stated the Center needs to continue to reduce costs and improve operations. Ms. Frazer stated the Center needs to be a good steward of the millage. Mr. McMinn feels it is important to sell ourselves as doing the best job we can. Reducing user fees to better serve our taxpayers was discussed at length. Ms. Ryba stated it is important to note the Center is doing the best it can with taxpayer money. She pointed out that during the campaign for the Center's millage renewal; the Committee was able to tell people that the Center had fulfilled its original promises. Ms. Neese reminded the Committee that some programs at the Center cost money and require constant education. Ms. Mika stated the Center needs to solicit and bring in more material. Discussion was held on how to get more residents to start recycling. Recycling markets were discussed at this time. The value of material continues to change every month and although there has been a slight increase in this value this year, the markets are still shaky.

The Committee discussed the need for measurable objectives to support the goal. Ms. Mika would like to see the current list reduced to three or four measurable objectives. The Committee is encouraged to work on these objectives and bring their comments and input to the December 2nd meeting.

New Business was discussed at this time. The current sale of materials report & division figures for 2010 were reviewed. Total volume is approximately 485 tons for 2010 which is a little more than half of what was collected in 2009. This decrease is due in part to electronics being diverted to the Goodwill store and the satellite tire collections. The current Budget Status Report was distributed and reviewed. The Budget Status Reports could be found online at www.tuscolacounty.org/finreports/ under "Monthly Budgetary Status Reports".

The Committee agreed that more people are recycling and using the Center.

Mr. Duggar moved to adjourn the meeting at 5:45pm and Ms. Ryba seconded the motion. The motion to adjourn was carried. The next meeting is December 2, 2010 at 4:30pm and will be held in the Board of Commissioner's room at the Annex Building. All meetings are open to the public.