

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

THURSDAY, SEPTEMBER 28, 2017 – 8:00 A.M.

**H. H. PURDY BUILDING BOARD ROOM
125 W. Lincoln Street
Caro, MI**

125 W. Lincoln Street
Caro, MI 48723

Phone: 989-672-3700
Fax : 989-672-4011

- 8:00 A.M. Call to Order – Chairperson Bardwell
Prayer – Rev. Dr. Jason Garwood, Colwood Church
Pledge of Allegiance – Commissioner Young
Roll Call – Clerk Fetting
Adoption of Agenda
Action on Previous Meeting Minutes (See Correspondence #1)
Brief Public Comment Period for Agenda Items Only
Consent Agenda Resolution (None)
New Business
- Closed Session to Consider an Opinion from the
County Lawyer 8:00 a.m.
 - Chris Olson-Caro City Manager
 - Resolution Celebrating 125th Anniversary of the Richville Fire
Department (See Correspondence #2)
 - Update Regarding Potential Dental Clinic (See Correspondence #3)
 - Vassar EDC/TIF (See Correspondence #4)
 - Vanderbilt Park Update (See Correspondence #5)
 - Cyber Security Update and Cyber Incident Response Plan (See
Correspondence #6)
 - Legal Matters Regarding Prayer at Commissioner Meetings (See
Correspondence #7)
 - Escrowed Wind Revenue Funds (See Correspondence #8)
 - Comments Sent to MAC Regarding County Finances (See
Correspondence #9)
 - 911 UPS Bids
 - 911 Recording System Upgrade (See Correspondence #10)
 - Community Corrections Advisory Board-State Grant (See
Correspondence #11)
 - Recycling Assistant Director Appointment
 - City of Caro Request for Water Test Wells at State Police Post
Location
 - Road Commission Millage Transfer Requests (See Correspondence
#12)
- Old Business
Update Regarding Caro Regional Center
Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

Economic Development Corp/Brownfield Redevelopment
Caro DDA/TIFA
MAC Finance
MAC 7th District
Local Unit of Government Activity Report
TRIAD
Behavioral Health Systems Board
MAC Workers Comp Board

KIRKPATRICK

Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
MI Renewable Energy Coalition
MEMS All Hazards
MAC Environmental Regulatory – Vice Chair
Cass River Greenways Pathway
Local Unit of Government Activity Report
NACO- Energy, Environment & Land Use
Jail Planning Committee
Saginaw Bay Coastal Initiative
Tuscola In-Sync
Region VI Tourism Discussions

BIERLEIN

Genesee Shiawassee Thumb Works
Human Development Commission (HDC)
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Great Start Collaborative Council
Local Unit of Government Activity Report
MAC Board of Directors
Human Services Collaborative Council
MAC Judiciary Committee
Tuscola County College Access Network
MAC Agricultural/Tourism Committee

VAUGHAN

Board of Health
Planning Commission
Economic Development Corp/Brownfield Redevelopment
Local Unit of Government Activity Report

Mid-Michigan Mosquito Control Advisory Committee
Parks and Recreation Commission
Tuscola County Fair Board Liaison

YOUNG

Dispatch Authority Board
County Road Commission Liaison
Board of Public Works
Senior Services Advisory Council
Saginaw Bay Coastal Initiative
Local Unit of Government Activity Report
MAC Agricultural/Tourism Committee
Strategic EDC Planning Committee
Jail Planning Committee
Genesee Shiawassee Thumb Works
Region VI Economic Development Planning
Tuscola 2020

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 September 14, 2017 Full Board & Statutory Finance Committee Minutes
- #2 Resolution Honoring Richville Fire Department
- #3 Dental Clinic Update Information
- #4 Vassar EDC/TIF Memo
- #5 Vanderbilt Park Update Information
- #6 Draft Cyber Incident Response Plan
- #7 Legal Opinion Regarding Prayer at Commissioner Meetings
- #8 Escrowed Wind Revenue Fund Options
- #9 Comments Regarding County Finances
- #10 Dispatch Director Request for Recording System Upgrade
- #11 2018 Community Corrections Agreement
- #12 Road Commission Millage Transfer Requests
- #13 September 7, 2017 Road Commission Minutes
- #14 Response from Representative Canfield Regarding the Property Tax Act and Emergency Telephone Services Enabling Act
- #15 Senate Bill 386 Information
- #16 September 15, 2017 Health Department Report
- #17 Bay County Resolution Regarding Physical and Behavioral Health Integration Policy Changes

Draft
TUSCOLA COUNTY BOARD OF COMMISSIONERS
September 14, 2017 Minutes
H. H. Purdy Building

Commissioner Thomas Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the City of Caro, Michigan, on the 14th day of September 2017, to order at 8:00 o'clock a.m. local time.

Prayer – Pastor Todd Gould, Cass City Evangelical Free Church

Pledge of Allegiance – Commissioner Bardwell

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 – Thomas Bardwell, District 4 - Craig Kirkpatrick

Commissioner Absent: District 3 - Kim Vaughan, District 5 – Matthew Bierlein

Also Present: Mike Hoagland, Jodi Fetting, Eean Lee, Tisha Jones, Mike Miller, Pastor Todd Gould, Register John Bishop, Steve Anderson

Adoption of Agenda -
17-M-150

Motion by Kirkpatrick, seconded by Young to adopt the agenda as presented.
Motion Carried.

Action on Previous Meeting Minutes -
17-M-151

Motion by Kirkpatrick, seconded by Young to adopt the meeting minutes from the August 31, 2017 meeting. Motion Carried.

Brief Public Comment Period for Agenda Items Only -

-Register Bishop had out a packet and explained the pictures are of Tuscola County Register of Deeds documents.

Consent Agenda Resolution -
17-M-152

Motion by Young, seconded by Kirkpatrick that the following Consent Agenda Resolution from the September 11, 2017 Committee of the Whole Meeting be adopted. Motion Carried.

CONSENT AGENDA

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/11/17
- Description of Matter:** Move that the Board Chair be authorized to sign the form to certify the 2016 county cost allocation plan as prepared by MGT of America.
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/11/17
- Description of Matter:** Move that per the September 6, 2017 request from the Medical Examiner that compensation for Medical Examiner Investigators be increased from \$150 per case to \$190 per case effective immediately.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/11/17
- Description of Matter:** Move that Ann Westover be appointed to the county planning commission effectively immediately to fill the term of Louis Smallwood which ends December 31, 2019.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/11/17
- Description of Matter:** Move that the County Clerk be authorized to advertise to fill a vacancy on the county planning commission.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/11/17
- Description of Matter:** Move that authorization is provided to post and advertise to fill a vacant custodian position.

- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/11/17
- Description of Matter:** Move that the bid for picnic tables for Vanderbilt County Park be awarded to Great Lakes Lift who was the low bidder for an amount of \$502 per table. (This action is contingent upon approval from the state as part of the passport grant).

New Business -

-Recycling Job Description Proposed Change - Mike Miller has presented proposed job description and is requesting authorization to post.

17-M-153

Motion by Kirkpatrick, seconded by Young that per the request of the Recycling Director and Recycling Committee, that authorization is given to post for an Assistant Director of Recycling to perform functions as outlined in the job description for this position with a starting pay of \$17.33 which follows the same wage schedule as the Assistant Director of Buildings and Grounds. (This position will be filled with a current recycling personnel member and will not increase the number of recycling staff). Motion Carried.

-Accounting for Mental Health Planning Grant -

17-M-154

Motion by Young, seconded by Kirkpatrick that a county fund be established to account for the new 2018 Mental Health Planning Grant funds which were awarded to Tuscola County 54th Circuit Court. Motion Carried.

-Indigent Dental Clinics - Ann Hepfer provided the requested information. Mike Hoagland explained the basics of the contracts. Mike would like to submit to the county attorney for further review.

-Board of Canvassers Appointments -

17-M-155

Motion by Young, seconded by Kirkpatrick that based on the ballot vote taken by the Board of Commissioners that Norma Wallace be appointed as the Republican Canvasser and Beverly Read be appointed as the Democratic Canvasser. The term for each canvasser will be for 4 years beginning on November 1, 2017. Motion Carried.

-Vital Records Software -

Clerk Fetting explained to the Board the need to upgrade the current vital records software. Clerk Fetting has worked with Eean Lee to research different possible software solutions. Their recommendation is to enter into an agreement with Kofile Technologies to begin discovery process.

17-M-156

Motion by Kirkpatrick, seconded by Young that the County Clerk be authorized to enter into an Agreement for the Records Management and Imaging System with Kofile Technologies, Inc. to upgrade the current vital records software program that is currently provided by ACS Enterprises Solutions. By entering into the agreement now, the discovery process can begin to allow for a smooth transition between vendors. The current vital records contract with ACS Enterprise Solutions (a.k.a. Xerox or Conduent) expires April 16, 2018. Also, all necessary budget adjustments concerning this matter are authorized. Motion Carried.

-Election Reporting Software -

Clerk Fetting and Eean Lee attended the training for the Election Software. The software program is more than originally budgeted as the RFP was not settled with the state until Spring of 2017.

17-M-157

Motion by Young, seconded by Kirkpatrick that per the request of the County Clerk, the 2017 election equipment software budget be increased from \$10,000 to \$19,200 for upgrades as recommended by the Information Technology Director. Also, budget amendments are authorized through the use of fund balance in the equipment fund. (These funds are to purchase Election Management System Hardware and Results Transmission and Election Night Reporting System from Election Source). Motion Carried.

-Jail Planning Committee Meeting - Mike Hoagland provided an update from the meeting and certain items that will need to be planned for.

-Request to Use Courthouse Lawn -

17-M-158

Motion by Young, seconded by Kirkpatrick that per the request of Susan Rickwalt-Holder, that authorization is given to temporarily place pinwheels on the courthouse lawn to denote the number of year to date suicide victims in the State pursuant to approval of placement by Mike Miller, Buildings and Grounds Director. Motion Carried.

-Plat Map Restoration -

Register Bishop reviewed the quote received from Kofile Technologies to restore permanent records that have deteriorated. Board discussed matter and steps that Kofile would take to restore the documents.

17-M-159

Motion by Kirkpatrick, seconded by Young that Tuscola County be authorized to sign an agreement with Kofile Technologies for an amount of \$75,159.00 to restore plat maps with \$20,000.00 from the automation fund and \$55,159.00 from the capital improvement fund with billing to begin in 2018. Motion Carried.

Old Business -

-Part-time Custodian Position -

17-M-160

Motion by Kirkpatrick, seconded by Young to concur with the appointment of Paul Fuller to the vacant part-time custodian position effective September 18, 2017.
Motion Carried.

-Plat Book Information - Board discussed providing GIS information for the Plat Books. No action taken.

Correspondence/Resolutions -

-Thank you letter received from Bud Isel, Vietnam Veteran.

COMMISSIONER LIAISON COMMITTEE REPORTS

KIRKPATRICK - No updates.

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison

MI Renewable Energy Coalition

MEMS All Hazards

MAC Environmental Regulatory – Vice Chair

Cass River Greenways Pathway

Local Unit of Government Activity Report

NACO- Energy, Environment & Land Use

Jail Planning Committee

Saginaw Bay Coastal Initiative

Tuscola In-Sync

Region VI Tourism Discussions

BIERLEIN - absent

Genesee Shiawassee Thumb Works

Human Development Commission (HDC)

Recycling Advisory Committee

Local Emergency Planning Committee (LEPC)

Great Start Collaborative Council

Local Unit of Government Activity Report

MAC Board of Directors

Human Services Collaborative Council

MAC Judiciary Committee

Tuscola County College Access Network

MAC Agricultural/Tourism Committee

VAUGHAN - absent

Board of Health

Planning Commission

Economic Development Corp/Brownfield Redevelopment

Local Unit of Government Activity Report

Mid-Michigan Mosquito Control Advisory Committee

Parks and Recreation Commission

Tuscola County Fair Board Liaison

YOUNG

Dispatch Authority Board - meets next week.

County Road Commission Liaison - Update provided from last meeting.

Board of Public Works

Senior Services Advisory Council - Meets September 27th. Dance will be September 21st at the Polish American Hall.

Saginaw Bay Coastal Initiative

Local Unit of Government Activity Report - Attended the local fire chiefs meeting and provided an update on another pager option that Bay County uses and is satisfied with.

MAC Agricultural/Tourism Committee - Meets in October

Strategic EDC Planning Committee - Update provided. Board discussed upcoming EDC meeting in regards to the MEDC agreement.

Jail Planning Committee

Genesee Shiawassee Thumb Works - Updated provided.

Region VI Economic Development Planning - Meets next week.

Tuscola 2020 - Meets in October.

BARDWELL

Economic Development Corp/Brownfield Redevelopment

Caro DDA/TIFA - Meets September 27th.

MAC Finance - No update.

MAC 7th District - Meets November 20th in Huron County.

Local Unit of Government Activity Report

TRIAD

Behavioral Health Systems Board - Meets September 21st.

MAC Workers Comp Board - Update provided.

Other Business as Necessary -

-Mike Hoagland has a conference call scheduled with the attorney regarding Vassar DDA/TIFA.

-Tom Young asked if the MSUE meeting was still on September 20th and Mike Hoagland will try to determine the details.

-Don Brown from Congressman Mitchell's office is meeting with Commissioner Bardwell at noon.

-Equifax Security Breach discussed.

Extended Public Comment -

- Eean Lee provided an overview of the conference that he just returned from.
- Tisha wondered if there was an update regarding prayer at the Board of Commissioner's meeting. Mike Hoagland stated that he has forwarded the information to the attorney.
- Commissioner Bierlein will be inducted as the incoming President for Michigan Association of Counties on September 25th.

Meeting adjourned at 10:59 a.m.

Jodi Fetting
Tuscola County Clerk

Statutory Finance Committee Minutes
September 14, 2017
H.H. Purdy Building
125 W. Lincoln St, Caro MI

Meeting called to order at 10:59 a.m.

Commissioners Present: Young, Bardwell, Kirkpatrick

Commissioners Absent: Vaughan, Bierlein

Also Present: Mike Hoagland, Clerk Fetting, Tisha Jones, Eean Lee

Claims and Per Diems were reviewed and approved.

Public Comment - None

Meeting adjourned at 11:01 a.m.

Jodi Fetting
Tuscola County Clerk

TUSCOLA COUNTY BOARD OF COMMISSIONERS
Resolution Celebrating the 125th Anniversary of the
Richville Fire Department

Whereas, the Richville Fire Department recently celebrated 125 years of exemplary service provided to the Richville community and surrounding area and,

Whereas, it is the past and present volunteer firefighters of this long standing, highly regarded fire department that we honor and,

Whereas, it is the volunteer firefighters unwavering commitment to help us in a time of need that is the foundation which built this outstanding fire department and,

Whereas, we pay tribute to the exceptional unsung firefighters of Richville for being the special people that they are by getting out of bed in the middle of the night, by serving weekends on call, and by sacrificing family events to help and protect others and,

Whereas, let us not forget that these firefighters are our friends and neighbors who have demonstrated time and time again that they will courageously do everything possible to help us even under difficult and dangerous conditions and in some cases risking their own lives.

Whereas, let us never forget how grateful and relieved we are to see these dedicated firefighters arrive at the scene during our time of need.

Now Therefore Be It Resolved, that on behalf of the citizens of Tuscola County, the County Board of Commissioners extend their heartfelt appreciation to past and present volunteer firefighters from Richville for 125 years of unselfish dedication to their community and for helping to keep us safe.

Be It Further resolved, that we congratulate and thank Richville Firefighters for a job well done!

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 28, 2017.

Date _____

 Jodi Fetting
 Tuscola County Clerk

#:

mhoagland@tuscolacounty.org

From: mhoagland@tuscolacounty.org
Sent: Friday, September 22, 2017 9:15 AM
To: Clayton Johnson
Cc: Ann Hepfer; Clayette Zechmeister (Clayette Zechmeister); 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Subject: FW: Dental
Attachments: MCDC Contingent Agreement with Tuscola County DRAFT.docx; MCDC Service Agreement with Tuscola County DRAFT.docx; MCDC Summary Tuscola- 2017 v5.docx

Clayton

A couple of years ago your law firm assisted the county in reviewing the benefit/cost and legal issues involving forming a dental clinic for indigent adults to serve the counties of Huron, Sanilac and Tuscola. The name of this non-profit organization is My Community Dental Centers (MCDC). You may recall local dentists had some concerns with this approach and worked on an alternative plan that was not completed. County health officials have explained there is still a major need for dental assistance for indigent adults.

Since the last review of this matter a significant change has occurred in that the county is no longer required to provide the dental facility. County Commissioners and Board of Health members have a renewed interest in considering establishing an MCDC operation in the county.

The Tuscola County Health Officer is gathering additional information from other county Health Officers including specifics concerning the intergovernmental transfer, acceptance of local dentists in other MCDC locations and any other issues that may have occurred.

Please review the attached documents and explain any concerns or other advice you may have. You may want to review how these documents have changed since the last time this matter was reviewed. I believe you and I along with the County Health Officer and County Commissioners that serve on the Board of Health should conference call after you prepare your recommendations.

Thank you.

Mike

Michael R. Hoagland
 Tuscola County Controller/Administrator
 989-672-3700
mhoagland@tuscolacounty.org

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

From: Ann Hepfer [mailto:ahepfer@tchd.us]
Sent: Tuesday, September 12, 2017 12:37 PM
To: mhoagland@tuscolacounty.org
Subject: Dental

Hi Mike

Attached are the draft contracts for the dental clinic. In FY 2018 the state is providing the required funds for the Intergovernmental Transfer. If and when the state dollars end then the County/Health Department would be responsible for the IGT. See the message below in regards to this:

From: Kimberly Singh [<mailto:KSingh@mydental.org>]
Sent: Thursday, August 24, 2017 8:41 AM
To: Ann Hepfer
Subject: RE: MCDC partnership

Ann - also in terms of cash flow if health department is responsible for quarterly Intergovernmental Transfer - it is based on the actual services provided to Medicaid adults (not HMP or kids) and does vary by quarter - our estimate for a 4 chair center, operating 5 day per week - once ramped up say 1+ years is \$98,000-\$115,000 annually (divided by 4 payments) for a six chair the range is \$150,000-\$170,000 annually. Again will be based on actual services provided the previous quarter. This would take effect once/if there are not State funds. Let me know when you may be available to chat. I can also send over signed Sanilac agreements for further reference. Kim

Kimberly Singh, M.A., C.H.E.S.
Director of Community and Governmental Affairs



My Community Dental Centers
621 New St.
Stanton, MI 48888
Phone: 616-225-6144
www.mydental.org

The IGT is actually a match for the Medicaid billings, you get your money back but it also has to be available for the quarterly match so it does tie up the funds.

Kim thinks that if we want to see a clinic, then we should travel to the Howell Clinic as it would be closer to the type of clinic they would be looking to build in Tuscola. Would you like me to set something up is so for how many people on your end? Deb Cook and I would go on behalf of the health department.

Ann Hepfer

Health Officer for:

Tuscola County Health Department
1309 Cleaver Rd
Suite B,
Caro, MI 48723
Phone: 989-673-8117
Fax: 989-673-7490

Huron County Health Department
1142 S. Van Dyke Rd
Bad Axe, MI 48413
Phone: 989-673-8117
Fax 989-269-4181

Like TCHD on Facebook:

Like HCHD on Facebook:

mhoagland@tuscolacounty.org

From: Gary E. Gudmundsen <gargud@BraunKendrick.com>
Sent: Friday, September 22, 2017 11:20 AM
To: 'mhoagland@tuscolacounty.org'
Cc: Clayton J. Johnson
Subject: RE: City Manager Contact Info

Mike -

In follow up to our last phone call, please note the following:

The first question at hand is whether a TIFA authority, such as that established by the City of Vassar ("Vassar TIFA"), can act to extend its boundaries. Notably, the Vassar TIFA was established under PA 450 of 1980 (the "TIFA Act"). As a general note, tax increment financing authorities established under the TIFA Act are inherently different in how they operate compared to similar authorities established under later acts. In particular, the TIFA Act [MCL 125.1829(1)] prohibits the establishment of any new TIFA authorities and any expansion of a TIFA authority's boundaries after January 1, 1987. Accordingly, and as noted previously, it is apparent therefore that the Vassar TIFA could not expand the TIFA district boundaries to include the foundry property. In order to expand to include new property within the authority, Vassar would have to consider establishing a completely new financing authority under a separate statute such as the Local Development Financing Act ("L DFA"). If a new financing authority were to be established, such would present the opportunity for the County to opt-out of capture, in whole or in part, as the case may be, as to taxes assessed within the district created under the new financing authority,.

The second question is whether a renewal of the term or extension of the term of the existing Vassar TIFA plan triggers an opt-out event for taxing authorities that are subject to capture within the Vassar TIFA district boundaries. Upon researching the same, it appears that it does not. As noted above, the TIFA Act is unique among the redevelopment enabling statutes in Michigan in that it does not contain any opt-out provision for a local taxing authority. Additionally, the TIFA Authority can continue in existence, and therefor renewed or extended, until the purposes for which it was organized are completed. To the point, we were unable to locate any case law which would support the argument that the renewal/extension of the term of a TIFA plan formed under the TIFA Act would allow taxing authorities within TIFA district boundaries to opt-out of capture. Accordingly, even if the existing TIFA plan were renewed, the applicable County taxes would remain subject to capture.

In light of the above, the question becomes whether Vassar would be interested in created a new authority for purposes of development of the foundry property, and whether the County in such instance would be inclined to opt out entirely from tax capture, or on a 50% basis as per its policy.

Let us know if you would like to further discuss.

Thanks.

Gary.

GARY E. GUDMUNDSEN
Attorney
Tel: 989.399.0215

From: mhoagland@tuscolacounty.org
Sent: Monday, August 14, 2017 12:55 PM
To: Mark Trumbauer
Cc: Mike Miller (Mike Miller); 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Subject: Vanderbilt Park Funding Request

Mark

As you know Tuscola County and the Michigan Renewable Energy Collaborative have been in a long-term dispute with NextEra regarding assessing and taxation of wind turbines. You have explained that you want to rebuild relations with the county and improve overall public confidence in your company. To be candid, let me say an important start would be for NextEra to honor its earlier commitment to the Tuscola County Board of Commissioners to provide financial assistance for improvements at Vanderbilt County Park.

A recent comprehensive review has identified the basic park improvements needed and estimated costs which are listed below. The total estimated cost is \$57,300. Of this total, the grant received from the Michigan Department of Natural Resources will pay \$10,700. This leaves a balance of **\$46,600 which is the request to NextEra.**

Amended Grant:

1. Water spigot - \$5,000
2. Picnic tables - \$5,700

NextEra Funding Request:

1. Grading, leveling and gravel road leading to campsites - \$11,000
2. Grading, leveling and gravel road leading to pavilion - \$7,000
3. Parking lot gravel and compacting - \$5,000
4. Basketball court - \$7,000
5. Volleyball court - \$3,000
6. Additional picnic tables - \$10,000
7. Match for grant - \$3,600

We are aware NextEra builds roads when installing Wind Turbines. We have also heard that NextEra has the expertise and equipment needed to make these road repairs at Vanderbilt Park. As an alternative to reduce the direct dollar outlay could NextEra use their equipment, provide the gravel and make the road repairs? If this can be done the direct dollar **request would be reduced to \$23,600.**

It would be helpful to improving NextEra standing in the community by financing this valuable project. For years the county has been trying to make these park improvements but has been unsuccessful because of financial limitation. Financial assistance from NextEra would be greatly appreciated and allow us to finally make these improvements.

Mark, your assistance in making this project happen would be appreciated. It would help NextEra rebuild relations in the community. Please let me know if we can count on NextEra's help within a week. We want to bid the work and complete the project in the current building season.

Thank you..

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

#7



BRAUN KENDRICK

ATTORNEYS AT LAW

CLAYTON J. JOHNSON
Attorney
TEL: 989.399.0606
FAX: 989.799.4666
EMAIL: clajoh@braunkendrick.com

September 15, 2017

VIA ELECTRONIC MAIL

Mr. Michael Hoagland, Controller
Tuscola County
125 W. Lincoln Street
Caro, Michigan 48723

Dear Mr. Hoagland,

You have requested our recommendations regarding whether the practice of Commissioner-led prayer can be renewed in light of the recent decision in *Bormuth v. County of Jackson* ("*Bormuth*") by the Sixth Circuit Court of Appeals.

We conclude that Commissioner-led prayers can pass Constitutional review in Michigan after the *Bormuth* decision, but returning to such a practice may only be temporary, given an apparent split in Court of Appeals authority which could ultimately lead to a review of this issue by the U.S. Supreme Court.

Background

The last six months have seen significant legal developments related to the question of whether elected members of local government may lead introductory prayers during government functions. In that time, two Federal Circuit Courts of Appeal, the Sixth and the Fourth, released opinions addressing the constitutional concerns of the practice referred to as "legislative prayer." Unfortunately, the two Circuits reached opposing conclusions based on similar underlying facts. This split in authority is the basis for updating our guidance regarding the practice of County Commissioners conducting introductory prayers at Commission meetings.

As you are aware, a three judge panel of the Sixth Circuit Court of Appeals initially ruled that Jackson County's practice of allowing Commissioners to lead an opening prayer violated the Establishment Clause of the U.S. Constitution. This decision was released on February 15, 2017 and was the subject of this Firm's prior guidance to Tuscola County on February 21, 2017. In the intervening months, the Sixth Circuit decided to rehear this case before the full fifteen judge Circuit. This led to the full Court announcing an opinion on September 6, 2017 holding that the Commissioner-led prayer practice in Jackson County did not violate the Establishment Clause. Until further guidance is issued from either the Sixth Circuit or the U.S. Supreme Court, the most recent decision of the Sixth Circuit constitutes the controlling law in Michigan on this point.

{S1389710.DOCX.1}

BRAUN KENDRICK FINKREINER PLC
111 Fashion Square Blvd., Saginaw, MI 48603-5213
BRAUNKENDRICK.COM

SAGINAW
TEL 989.498.2100
FAX 989.799.4666

MIDLAND
TEL 989.631.1027
FAX 989.631.9880

MT PLEASANT
TEL 989.775.7404
FAX 989.775.3764

The Bormuth and Lund Decisions

In the *Bormuth* case, each member of the Jackson County Commission, on a rotating basis, opened the monthly Commission meeting with a brief prayer. The practice typically involved the Chairperson asking those present to “rise and assume a reverent position” or “please bow your heads and let us pray” before the prayer was offered by the appropriate Commissioner. This practice was facially neutral regarding religion in that each Commissioner was offered a chance to say the prayer regardless of that individual’s religion or lack thereof, and the Commissioners made no attempt to review or approve the content of the prayer at issue. The prayers at issue were always Christian in tone and often invoked the phrases God, Lord and Heavenly Father. The prayers often asked for guidance or for support for those suffering hardship.

The Court in *Bormuth* ultimately concluded that the Commissioner-led prayers at issue were within the tradition of legislative prayer long followed by Congress and the state legislatures and that there was no evidence that the practices of Jackson County coerced nonbelievers or nonparticipants into participation in the prayers.

In reaching this conclusion, the *Bormuth* Court outlines several key points that assist us in applying the rule of the case going forward. Generally, a “brief, solemn and respectful prayer” offered either by a member of the clergy, a layperson or, after *Bormuth*, an elected official does not violate the Establishment Clause of the Constitution. Additionally, a local government’s practice of allowing such prayers remains permissible even when those offering the prayers are predominantly of one faith. However, the practice, when taken as a whole, must not lead to denigration of nonbelievers or religious minorities, proselytizing or advancing any one belief system, threatening of damnation or preaching of conversion. Moreover, there must be no evidence that the municipality or Commissioners undertook any efforts to coerce participation in such prayer activities. Under *Bormuth*, polite requests to rise and remain quiet during a prayer do not rise to the level of coercion. However, any effort or action to single out, rebuke or make any official decision on the basis of whether an individual participated in or objected to Commissioner-led prayer is clearly impermissible and would not be defensible under *Bormuth*.

The United States Court of Appeals for the Fourth Circuit also recently decided a case concerning the Constitutionality of invocations offered by municipal leaders. In *Lund v. Rowan County* (“*Lund*”), a case decided on July 14, 2017, the Fourth Circuit found that Rowan County’s practice of Commissioner-led prayer violated the Establishment Clause. The facts that led to the *Lund* decision are similar to those in *Bormuth*. Specifically, Rowan County, North Carolina, had a practice of allowing its elected County Commissioners to lead invocations on a rotating basis as part of the regular Commission meetings. As in *Bormuth*, the Commissioners typically began by saying “Let us pray,” “Let us pray together” or something similar, and the prayers were overtly Christian in tone with the overwhelming amount referencing Jesus.

The *Lund* Court reviewed a record of five years of Commissioner-led prayers which showed the prayers to be almost exclusively Christian in nature. The Court also took issue with the tone and content of many of the prayers, finding that they often crossed the line into preaching conversion to Christianity or possibly denigrating other faiths. Some of the passages that the *Lund* Court found most troubling are:

- “We can’t be defeated, we can’t be destroyed, and we won’t be denied, because of our salvation through the Lord Jesus Christ.”
- “You saved us and you call us with the holy calling. We are the recipients of your immeasurable grace and glory. We are the richest people in the world...”
- “Father, I pray that all may be one as you, Father, are in Jesus, and He in you. I pray that they may be one in you, that the world may believe that you sent Jesus to save us from our sins.”
- “Although you sent Jesus to be Savior of the world, we confess that we treat Him as our own personal God. Although you are one, and the body of Christ is one, we fail to display that unity in our worship, our mission, and our fellowship.”

Additionally, the Court found that the act of the Commissioners instructing those present to join in prayer essentially amounted to coercion to participate in prayer. Under the Fourth Circuit’s analysis, allowing an elected government official to lead a prayer, instead of an outside minister or other layperson, pushed the prayer practice into unconstitutional territory.

The stark differences between the Sixth and Fourth Circuit approaches to similar prayer practices increases the likelihood that the U.S. Supreme Court may ultimately decide the issue of Commissioner-led prayer in a separate decision. It is too early at this point to predict if that will happen or how such a case may ultimately make its way to the Supreme Court. It is clear that there is now a strong chance that neither the *Bormuth* nor the *Lund* decision will be the final word on this issue.

Recommendations

Aside from the split in authority between the Federal Circuit Courts of Appeal, some important guide points can be established based on the case law as it stands. First, until such time as there is additional clarification from the Sixth Circuit or the Supreme Court, *Bormuth* is the applicable law in Michigan. As such, the practice of County Commissioners opening a County meeting with a “brief, solemn and respectful prayer” is permissible. Though the practice may be permissible, caution is still warranted in how it is applied and conducted. Several points remain clear:

- Prayers that stray into the areas of advancing one specific religion or proselytizing are not permissible;
- Prayers that disparage or denigrate any faith are not permissible;
- There can be no mandate for those present to participate;
- The County and the Commissioners may not single out or embarrass anyone who chooses to refrain from participation or who chooses to criticize the practice of offering prayers;

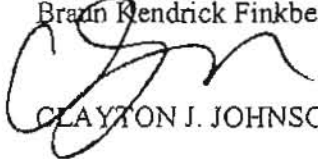
These may seem like straightforward rules to follow, but, as the *Lund* decision makes clear, some comments that may not cause any concern in most citizens can turn out to be the basis for a lawsuit. For example, the phrase “You saved us and you call us with the holy calling. We are the recipients of your immeasurable grace and glory. We are the richest people in the world...” was cited in the *Lund* decision as an example of the Commissioners “proclaiming that Christianity is exceptional and suggesting that other faiths are inferior.”

September 15, 2017

Page 4

Given the risk of litigation involved when Commissioners lead prayers, the County should consider allowing Commissioners to join in the rotation of those offering invocations without eliminating the community involvement which was implemented after the initial *Bormuth* decision. We also recommend that the County continue to refrain from asking that the meeting attendees participate in the prayer. While *Bormuth* did not find fault in such common phrases such as "rise and assume a reverent position," the better practice is to suggest that attendees please rise while a prayer or invocation is offered. Finally, once the opportunity to offer a prayer or invocation is given, the County should not review, censor, or otherwise edit the content of the prayer offered.

Yours Very Truly,
Brian Kendrick Finkbeiner P.L.C.



CLAYTON J. JOHNSON

Commissioners

Recently we received great news that NextEra dismissed the lawsuit filed with the Michigan Tax Tribunal against certain townships in Tuscola County. After inquiry with the Michigan Renewal Energy Coalition attorney he confirmed these cases were dismissed without prejudice which means they cannot be brought up again. **Our attorney has advised that all escrowed funds for both of the NextEra projects in Tuscola County can now be remove from escrow.** Attached is the email from our attorney regarding this matter.

Tuscola County has annually escrowed portions of wind turbine funds since the cases were first filed by NextEra. **The attached spreadsheet shows the amount of escrowed funds for the general and special purpose millage funds.** It provides a breakdown of the amount escrowed for NextEra and Consumer Energy projects for each county millage based fund.

The first recommendation is to reduce the amount of escrowed monies shown in the last column of the attached spreadsheet because NextEra has dismissed the lawsuit. This would leave the amounts escrowed in the middle column for the unresolved dispute involving the Consumer Energy wind projects. Funds that are no longer escrowed for special purpose millage funds can now be used for service needs in each respective fund.

The \$667,774 that has been escrowed in the general fund has the most flexibility for use to meet specific needs. The county jail is aging and has may needs including overall infrastructure, holding cells, control panels, laundry room changes, additional cells, cell upgrades, administrative office areas, etc. The county has understood these needs for many years but has lacked the funding required to implement improvements.

The possibility of creating a jail capital improvement fund using the \$667,774 in available escrowed general fund monies has been discussed with the finance commissioners and jail planning committee. This fund would be used to finance a jail expansion/upgrade by building the necessary amounts over several years. The fund would probably need \$2 to \$3 million for a construction project. It would take many years to build this amount but the transfer of the \$667,774 would be a good start. **The second recommendation is to establish a new jail capital improvement fund and \$667,774 of previously escrowed general fund wind revenue be transferred to the new jail capital improvement fund.**

Future transfer of funds to the jail capital improvement fund would attempt to be made annually but first county operational needs and then other capital improvement and equipment needs have to be met. If after meeting these needs a determination would then be made as to whether monies can be transferred to the jail capital improvement fund. Much of the potential to build a jail capital improvement fund depends on additional future wind energy development and the ability of the county to sustain operational costs knowing that eventually the amount of revenue received from wind turbines will decline.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

VISIT US'ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

Wind Reserves through 2017

	Reserved through		
	2017	Keep for Consumers	Avail FB
General Fund	\$ 970,000	\$ (302,226.00)	\$ 667,774.00
Road Patrol	\$ 139,683	\$ (24,198.00)	\$ 115,485.00
Voted Road	\$ 149,880	\$ (25,964.00)	\$ 123,916.00
Recycling	\$ 23,281	\$ (4,033.00)	\$ 19,248.00
Voted Mosquito	\$ 98,026	\$ (16,982.00)	\$ 81,044.00
Voted Veterans	\$ 20,753	\$ (4,571.00)	\$ 16,182.00
Voted Bridge	\$ 74,606	\$ (12,924.00)	\$ 61,682.00
Voted Senior Citizens	\$ 31,041	\$ (5,377.00)	\$ 25,664.00
Voted Medical Care Facility	\$ 38,801	\$ (6,722.00)	\$ 32,079.00
Voted MSU	\$ -	\$ (2,689.00)	\$ (2,689.00)
GRAND TOTAL ALL FUNDS	\$ 1,546,071	\$ (405,686.00)	\$ 1,140,385.00

mhoagland@tuscolacounty.org

From: Sundquist, Richard A. <RSundquist@ClarkHill.com>
Sent: Wednesday, September 13, 2017 5:29 PM
To: mhoagland@tuscolacounty.org
Cc: Clayette Zechmeister (Clayette Zechmeister); Angie Daniels; 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'; Sundquist, Richard A.; Longworth, Gregory N.; Jensen, Ingrid A.; Stankiewicz, Gina
Subject: RE: Escrowed NextEra Funds
Attachments: 20170913102052.pdf

Mike.

Thanks! And , thanks to your entire team for supporting our efforts. We are very pleased that these appeals could be put to rest.

I have attached the final dismissals orders for Tuscola Wind II and Pheasant Run. There is no need to continue any escrow for any Nextera appeals for 2014-2017. These appeals have been dismissed with prejudice and they cannot be reinstated.

Escrows for Consumers Energy should continue. The judge has asked us whether those cases will be taken out of their current abeyance status. I am waiting to hear from Steve Schneider with respect to both the Consumers and DTE appeals.

Approximately how much money has been held in escrow for the Nextera parks?

Best regards,

Rick

Richard A. Sundquist

CLARK HILL PLC

313.965.8227 (Direct) | 313.309.6827 (Fax) | 248.207.2900 (Cell)

From: mhoagland@tuscolacounty.org [mailto:mhoagland@tuscolacounty.org]
Sent: Tuesday, September 12, 2017 11:51 AM
To: Sundquist, Richard A.
Cc: Clayette Zechmeister (Clayette Zechmeister); Angie Daniels; 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Subject: Escrowed NextEra Funds

Rick

Great news regarding the NextEra dismissal. The work of you and your team is appreciated.

We have escrowed substantial wind turbine revenue pending the outcome of the dispute with the wind companies. Because these public funds were escrowed they have not been able to be used for several years. With the dismissal, we would now like to put them to use to meet many county needs. We want to obtain your direction before we discontinue the escrow of the NextEra portion of these

funds and begin using them. The Consumers Energy funds will continue to be escrowed pending the Tax Tribunal decision on this case.

Even though NextEra is dismissing the cases involving the two wind farms in Tuscola County could they resurrected them in the future? If so, can we ever take these funds out of escrow? Is it unlikely but possible they could resurrected the case?

Your advice at your earliest convenience is appreciated.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the message sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

LEGAL NOTICE: This e-mail, along with any attachment(s), is considered confidential and may be legally privileged. If you have received it in error, please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. Thank you for your cooperation.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Tuscola Wind II LLC,
Petitioner,

v

MTT Docket No. 15-003473

Akron, Fairgrove, Gilford
and Wisner Townships,
Respondent.

Tribunal Judge Presiding
Steven H Lasher

ORDER REMOVING CASE FROM ABEYANCE

ORDER GRANTING JOINT MOTION TO WITHDRAW

ORDER OF DISMISSAL

On September 11, 2017, the parties filed a joint motion requesting that the Tribunal permit Petitioner to withdraw its appeal, without costs to any party.

The Tribunal, having given due consideration to the motions and the case file, finds good cause to remove the case from abeyance and dismiss it in accordance with the joint request to withdraw.¹ Therefore,

IT IS ORDERED that this case is REMOVED FROM ABEYANCE.

IT IS FURTHER ORDERED that the Joint Motion to Withdraw is GRANTED.

IT IS FURTHER ORDERED that this case is DISMISSED.

This Order resolves all pending issues and closes the case.

Entered: SEP 12 2017

By _____



¹The case was placed in abeyance on August 19, 2016, pending final resolution of *Tuscola Bay Wind LLC v Blumfield Township and Gilford Township*, MTT Docket No. 14-003271.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Tuscola Wind II LLC,
Petitioner,

v

MTT Docket No. 16-003686

Akron, Fairgrove, Gilford,
and Wisner Townships,
Respondent.

Tribunal Judge Presiding
Steven H Lasher

ORDER REMOVING CASE FROM ABEYANCE

ORDER GRANTING PETITIONER'S MOTION TO AMEND

ORDER GRANTING JOINT MOTION TO WITHDRAW

ORDER OF DISMISSAL

On May 11, 2017, Petitioner filed a motion requesting that the Tribunal permit it to amend the petition filed in the above-captioned case to include tax year 2017.

Respondent did not file a response to the motion.

On September 12, 2017, the parties filed a joint motion requesting that the Tribunal permit Petitioner to withdraw its appeal, without costs to any party.

The Tribunal, having given due consideration to the motions and the case file, finds that Petitioner's Motion to Amend is properly granted, as the motion was timely filed, included the necessary information and filing fee, and otherwise met all requirements as set forth in MCL 205.737 and MCL 205.735a. The Tribunal also finds good cause to remove the case from abeyance and dismiss it in accordance with the joint request to withdraw.¹ Therefore,

IT IS ORDERED that this case is REMOVED FROM ABEYANCE.

IT IS FURTHER ORDERED that Petitioner's Motion to Amend is GRANTED.


IT IS FURTHER ORDERED that the Joint Motion to Withdraw is GRANTED.

IT IS FURTHER ORDERED that this case is DISMISSED.

This Order resolves all pending issues and closes the case.

Entered: September 13, 2017

By



¹ The case was placed in abeyance on August 25, 2016, pending final resolution of *Tuscola Bay Wind LLC v Blumfield Township and Gilford Township*, MTT Docket No. 14-003271.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Pheasant Run Wind LLC,
Petitioner,

v

MTT Docket No. 15-003443

Brookfield, Sebewaing, Fairhaven, Oliver
and Winsor Townships,
Respondent.

Tribunal Judge Presiding
Steven H Lasher

ORDER REMOVING CASE FROM ABEYANCE

ORDER GRANTING JOINT MOTION TO WITHDRAW

ORDER OF DISMISSAL

On September 11, 2017, the parties filed a joint motion requesting that the Tribunal permit Petitioner to withdraw its appeal, without costs to any party.

The Tribunal, having given due consideration to the motions and the case file, finds good cause to remove the case from abeyance and dismiss it in accordance with the joint request to withdraw.¹ Therefore,

IT IS ORDERED that this case is REMOVED FROM ABEYANCE.

IT IS FURTHER ORDERED that the Joint Motion to Withdraw is GRANTED.

IT IS FURTHER ORDERED that this case is DISMISSED.

This Order resolves all pending issues and closes the case.

Entered: SEP 12 2017

By _____



¹ The case was placed in abeyance on August 19, 2016, pending final resolution of *Tuscola Bay Wind LLC v Blumfield Township and Gifford Township*, MTT Docket No. 14-003271.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Pheasant Run Wind LLC,
Petitioner,

v

MTT Docket No. 16-003829

Brookfield, Fairhaven, Oliver,
and Winsor Townships,
Respondent.

Tribunal Judge Presiding
Steven H Lasher

ORDER REMOVING CASE FROM ABEYANCE

ORDER GRANTING PETITIONER'S MOTION TO AMEND

ORDER GRANTING JOINT MOTION TO WITHDRAW

ORDER OF DISMISSAL

On May 11, 2017, Petitioner filed a motion requesting that the Tribunal permit it to amend the petition filed in the above-captioned case to include tax year 2017.

Respondent did not file a response to the motion.

On September 12, 2017, the parties filed a joint motion requesting that the Tribunal permit Petitioner to withdraw its appeal, without costs to any party.

The Tribunal, having given due consideration to the motions and the case file, finds that Petitioner's Motion to Amend is properly granted, as the motion was timely filed, included the necessary information and filing fee, and otherwise met all requirements as set forth in MCL 205.737 and MCL 205.735a. The Tribunal also finds good cause to remove the case from abeyance and dismiss it in accordance with the joint request to withdraw.¹ Therefore,

IT IS ORDERED that this case is REMOVED FROM ABEYANCE.

IT IS FURTHER ORDERED that Petitioner's Motion to Amend is GRANTED.

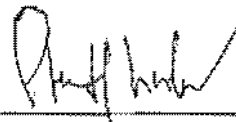
IT IS FURTHER ORDERED that the Joint Motion to Withdraw is GRANTED.

IT IS FURTHER ORDERED that this case is DISMISSED.

This Order resolves all pending issues and closes the case.

Entered: September 13, 2017

By



¹The case was placed in abeyance on August 25, 2016, pending final resolution of *Tuscola Bay Wind LLC v Blumfield Township and Gilford Township*, MTT Docket No. 14-003271.

mhoagland@tuscolacounty.org

From: mhoagland@tuscolacounty.org
 Sent: Wednesday, August 2, 2017 10:44 AM
 To: 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
 Cc: Clayette Zechmeister (Clayette Zechmeister)
 Subject: Thoughts Regarding County Finances

Commissioners

Below is some thoughts related to county finances. I was going to send this to Deena Bosworth at the Michigan Association of Counties but first I wanted to see if you have any thoughts or changes.

Mike

DRAFT

Deena

Some thoughts regarding county finances.

As you know, more counties are experiencing financial difficulties largely driven by an over dependency on property tax (PT) revenue and lack of alternative methods of revenue generation. MAC has documented that for many years county revenue growth has not kept pace with inflation. Traditionally, the solution has been for counties to ask for millage increases to generate more PT revenue. However, using millage to generate PT revenue is already at or fast approaching a point of saturation. There is strong public "push back" to more requests and millage to generate PT revenue is simply headed down a dead end street. For example, in Tuscola County the general fund (GF) allocated millage is fixed at 3.9141 mills. There are nine special purpose county millages totaling 3.848 mills that have been used to relieve the GF of costs. With the low allocated GF millage and limited tax base, Tuscola County officials have had to resort to funding almost all non-mandated services with special purpose millages. This was done to take financial pressure off the GF which could no longer sustain these costs.

The problem in Tuscola County like some other counties is there are no remaining meaningful non-mandated GF services that can be funded with another special purpose millage. Funding mandated services with special purpose millages would cause greater problems if the millage was not renewed because where would funding come from for these state mandated services. Asking for a "Headlee Override" or increasing the allocated millage has in almost every case proven unsuccessful in Tuscola and other counties. Unless a county is experiencing significant new growth and development, PT revenue growth has been minimal. At best, the millage PT revenue door is quickly closing and more realistically shut and locked which is a major financial concern. Counties are getting more "boxed in" because they lack alternative methods of revenue generation and are unable to keep pace with inflation. I have read and heard presentations regarding Headlee and Proposal A provisions and how they are negatively impacting property tax revenue growth and how this should be changed. In my opinion, it is unrealistic to think the state constitution will be changed for these provisions. So other alternative solutions are needed.

One short term advantage for Tuscola County is wind turbine revenue. Without this fairly recent revenue source, I cannot image how the Tuscola County GF budget could be balanced. The GF budget is approximately \$13 million and \$1 million of the revenue needed to balance the budget is obtained from wind revenue. Unfortunately, the amount of revenue received from wind turbines which are taxed as personal property declines significantly with time. Also, the amount received is in dispute with the wind energy companies which may result in the county receiving even less revenue. Wind turbine revenue only provides temporary help. There are other counties with a similar makeup to Tuscola that do not have wind turbines. I believe these counties are or will be experiencing even greater financial difficulties without a solution. Alternative solutions need serious discussion, evaluation and implementation.

One alternative for consideration is to conduct a comprehensive review of all county fees that are set by the state and where appropriate implement adjustments. Legislative changes to provide for annual inflationary fee adjustments could be considered. Perhaps there are new fees and fines that should be considered, especially those that could benefit the GF. These fees and fines are for services provided so the argument is if you do not use the service you do not pay the fee or fine. It is suspected that it has been years since county fees set by the state have been adjusted. It seems an approach would be to determine all fees set by the state and which ones could help the GF and consider inflationary adjustments. In some cases, when these fees are split between the county and state, the state share of the fee amount may be increasing. If this is happening, this situation may need to be reviewed. Changes in fees set by the state can have a material impact. For example, Register of Deeds recording fee increases were recently approved by the state. It is estimated that in Tuscola County an additional \$100,000 will be generated from this one fee change.

Thank you for reviewing this information and give me a call if you would like to discuss this further.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

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

Sandra Nielsen, Director

September 26, 2017

From: Sandra Nielsen, Director
Subject: Recording system upgrade
To: Board of Commissioners

Dear Commissioners,

Central Dispatch is requesting approval for \$5,869.00 from our capital outlay line item to make changes to our current recording set up. When we switched from the EF Johnson radio system to the MPSCS radio system we needed to also upgrade our recording system. This upgrade allowed us to be able to record only the selected State trunked radio channels into one file. At the time this system was installed the cost to record individual talk groups on the Equature recording system was very expensive, in excess of \$100,000.00. Anderson radio has developed a way to record individual talk groups much less expensive. For Tuscola the cost is \$5869.00.

What this will do for Central Dispatch is organize the logging of the MPSCS radio traffic into separate talk groups and therefore greatly reduce the time to make recordings plus organize the radio traffic recordings for ease of access. Currently all radio traffic is recorded into one file and to make a recording one has to sort through all radio traffic for all talk groups.

Thank you,



Sandra Nielsen, Director
Tuscola County Central Dispatch



Anderson Radio, Inc.

Tuscola County Central Dispatch.
Attn: Robert Klenk
Caro, MI

September 8, 2017

PRODUCTS AND SERVICES

ITEM QTY.

DESCRIPTION

800 Mhz CONTROL STATION ANTENNA COMPONENTS

1. 806 – 896 Mhz, 8 Port Control Station Combiner. Yagi 6 Db gain, 4 Element antenna, 100' 1/4" Super flex Coax Cable and N-Male and Mini-U connectors. Includes Polyphaser lightning protection and ties to existing ground point.
5. 110v /13.5v Hooded Power supplies for XTL 2500 Mobile Radios to convert To control Station receivers.
1. System set-up and Installation of all equipment at Customer Location. Includes Providing declamation point for ties into existing Central dispatch recording System.

Cost. \$14,965.00

OPTION

Replace Control Station Combiner with 5 separate Control Station antennas and lightning protection Including Installation of all components with 1/4" Hardline Coax cable and Connectors.

Subtract - \$5,869.00

*All Components are based on Customer providing 19" rack mount and component shelves for installation in Back equipment room. Cable installation based on existing cable portal to exterior of building to existing Tower.

Add 1.5% Shipping & Handling and MI sales tax if applicable.

Allow 3 - 5 weeks for delivery from receipt of order.

Quote valid for 30 days.

Prepared by: Mark Brechtelsbauer 9/12/17.

6149 Westside Saginaw Rd Bay City, MI 48706 * 989-684-9969 * Fax: 989-684-8986

* Email: m.brecht@andersonradio.com * Website: www.andersonradio.com

mhoagland@tuscolacounty.org

From: Renee Francisco <renee@tuscolacounty.org>
Sent: Friday, September 22, 2017 1:24 PM
To: Mike Hoagland
Subject: Fwd: 2018 Community Corrections Agreement

Mike,

Here is the information I received from David Stevens regarding the CCAB program....he'll be in Tuscola a couple of days next week if you want to meet with him.

Renee Francisco
Administrative Assistant
Tuscola County Controller's Office
989-672-3709

----- Forwarded message -----

From: David Stevens <dstevens@lapeercounty.org>
Date: Fri, Sep 22, 2017 at 11:39 AM
Subject: RE: 2018 Community Corrections Agreement
To: Renee Francisco <renee@tuscolacounty.org>
Cc: Wendy Parks <wparks@lapeercounty.org>

Renee,

The information in the contract that I sent you is correct. I thought I was keeping everyone on the same page as to the changes being made by the State. I sent out an email on August 3rd with the recommendation from the State attached for everyone's review. I also asked if there were any questions please feel free to contact me and that I would be attending the State board meeting on August 22nd when everything would become final. At the last TARCCAB meeting held in Tuscola on August 30th, everything was reviewed and discussed in detail, including the elimination of your Day Reporting Program, the reduction in the Gatekeeping Program funding for both counties and the reduction in funding for Lapeer County's Substance Abuse program.

I am not sure where the break in information dissemination is, but please let me know what more I can do and I will do my best to correct any issues that come to light. I will be in Tuscola next week on the 27th and 28th, let me know if anyone wants to meet with me.

Sincerely,

David

From: Renee Francisco [mailto:renee@tuscolacounty.org]
Sent: Friday, September 22, 2017 10:33 AM
To: David Stevens
Subject: 2018 Community Corrections Agreement

Good Morning David,

I received the 2018 agreements today and it has raised some questions for Mike and I. Comparing it to last year's, we notice that the Gatekeeper Services has dropped from \$9120 to \$1884 and it appears that the Supervision Services-Day Reporting has been eliminated. Is this the case or will we be receiving a separate agreement for the Day Reporting?

Thanks for your help with our questions.

Renee Francisco

Administrative Assistant

Tuscola County Controller's Office

989-672-3709

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the message sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

THUMB AREA REGIONAL
COMMUNITY CORRECTIONS ADVISORY BOARD
SERVICE AGREEMENT

For
TUSCOLA COUNTY COMMUNITY CORRECTIONS SERVICES

This Service Agreement is entered into on the 1st day of October 2017, by and between the Thumb Area Regional Community Corrections Advisory Board and Tuscola County.

It is agreed between the parties as follows:

Tuscola County will provide Gatekeeper Services (I25) as approved within the applicable grant award approved by the Michigan Department of Corrections – Office of Community Corrections. All services must be provided in accordance with P.A. 511 (1988).

The County shall use the following funds to operate the aforementioned program and service based on the grant award for the period from October 1, 2017 to September 30, 2018.

Gatekeeper Services (I25)	\$1,884.00
Total	\$1,884.00

Tuscola County may use the funds to pay staff, contractors, suppliers and other such vendors as deemed appropriate to operate the above listed programs. Tuscola County agrees to follow all State guidelines, restrictions and contractual obligations placed on Community Corrections Funds by the State of Michigan. In the event that the State of Michigan determines that expenditures were inappropriate and subject to reimbursement of the State, Tuscola County agrees to be responsible for the replacement of the disallowed expended funds.

Tuscola County agrees to provide appropriate statistical and narrative reports on program performance, as determined by the Thumb Regional Community Corrections Advisory Board.

Invoices for Tuscola County expenses must be submitted to Thumb Area Regional Community Corrections Advisory Board by the tenth day of each calendar month. Actual costs will be reimbursed as soon as prudently possible due to economic circumstances created by a delay in payments and pass through from the State up to an allocated maximum annualized amount of \$1,884.00.

It is understood by both parties that this program is currently funded exclusively by P.A. 511 funding provided through the FY 2018 Thumb Area Community Corrections Advisory Board Application for Community Corrections Funds.

It is understood that the Michigan Office of Community Corrections funds referred to above can be used to match or leverage other funds for this program should such funds be identified. The use of the funds must be cleared with all signatories prior to their use in this manner. The Thumb Area Regional Community Corrections Advisory Board reserves the right to re-negotiate the use of such funds in future years.

Substance abuse programming and data entry activity shall be provided by List Psychological Services as outlined and not to exceed the funding levels provided in the "Thumb Area Regional Community Corrections Advisory Board Service Agreement for Substance Abuse Outpatient

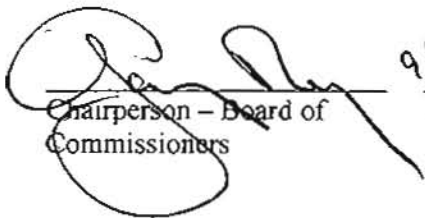
Services (G18), DDJR – Intensive Outpatient (Z01-Z02), Cognitive Change - Thinking Matters Program (C01) and Courage to Change Program (B16).”

The financial, data, and programmatic reporting requirements of the Agreement between the State of Michigan Department of Corrections and Lapeer County shall be incorporated herein. All services will be provided in accordance with the existing contractual agreement between Lapeer County and MDOC – Office of Community Corrections.

Any of the parties of this agreement may terminate the agreement by providing written notification to the other parties of its intent to do so thirty days prior to the actual date of termination.

The individual provisions of this agreement are severable. If any of the provisions are found to be in violation of State law, the remaining provisions shall remain in effect.

This agreement shall automatically terminate on September 30, 2018.

 _____ 9/14/17 _____ 9/14/17
Chairperson – Board of Date Witness Date
Commissioners

Chairperson – Board of Date Witness Date
Commissioners

Regional Coordinator Date Witness Date

THUMB AREA REGIONAL
COMMUNITY CORRECTIONS ADVISORY BOARD
SERVICE AGREEMENT

For

SUBSTANCE ABUSE -OUTPATIENT SERVICES (G18)
DDJR – INTENSIVE OUTPATIENT (Z01-Z02)
THINKING MATTERS PROGRAM (C01)
COURAGE TO CHANGE PROGRAM (B16)

This Service Agreement is entered into on the 1st day of October 2017, by and between the Thumb Area Regional Community Corrections Advisory Board and List Psychological Services PLC, 467 State St., Caro, MI 48723.

It is agreed between the parties as follows:

The List Psychological Services hereby referred to as the **contractor**, will provide treatment programs that are based on “evidence based practices” and focus on cognitive change principals and are not solely limited to substance abuse treatment. Treatment programs will begin in the jail or in the community depending on the nature of the sentence and if started in the jail will continue until completion in the community, in the event a client is released prior to the conclusion of a treatment program. One requirement of the DDJR/IOP Program is that it must be a specific treatment program targeting drunk drivers in an Intensive Outpatient process. The Intensive Outpatient Program is restricted for funding purposes to Intermediate cell offenders and specific Straddle Cell offenders as outlined in the Community Corrections Programs manual. Reimbursement for all programs is limited to sentenced felony offenders unless specific approval is received. Program participation, however, is not restricted and is open to other offenders in the criminal justice system at the discretion of List Psychological Management. Alternative funding sources and/or offender fee based participation is permitted.

The Contractor shall perform an intake assessment on each participant, if needed and maintain statistics on the programs. Failure to abide by the CCAB service agreement terms may disqualify contractor from receiving payment. It is the sole discretion of the TARCCAB director as to whether criteria have been met.

Cognitive/Substance Abuse:

The therapy program will be open to substance and non-substance abuse client(s) with a two stage component outlined below. The programs may start in the jail and could continue upon release. Any client non-compliance will require notification to the jail and/or probation staffs.

- ◆ **First Stage:** Treatment shall consist of nine (9) sessions with an educational component. The therapy sessions are to be conducted by a therapist from List Psychological Services. Each session shall last one and a half (1½) hours.

1 - 7 October 1, 2017 (FY 2018 Contract) List Psychological Services, PLC.

Program Description: Program contains the above elements in an intensive manner meeting three (3) times per week for three (3) hours for five (5) weeks. Primary emphasis will be based on "Evidence Based Practices" that meet the individual needs of the participants. It incorporates the skills of Relapse Prevention, Anger Management, Journey Toward Change and Thinking for a Change cognitive skills.

- The program is limited to Intermediate cell offenders and certain Straddle Cell offenders for reimbursement from this funding source. Other Straddle cell offenders may participate, however, funding must come from the Cognitive/Substance Abuse Program source or if the client can pay through an alternative source.
- Program funding limit is **\$19,450.00**.

Thinking Matters Program:

- Program Description: Program contains the above elements in an intensive manner meeting two (2) times per week for one and a half (1 ½) hours for twelve (12) group sessions. Primary emphasis will be based on THINKING MATTERS – EXPLORING MY THINKING material and training provided in the manual distributed by Abe French and/or the MDOC/OCC Department. This is an "evidence based practice" material and is recognized by the MDOC.
- For this specific program, non-substance abuse offenders determined through the COMPAS Risk/Needs assessment and ordered by the court would be the main target, however, substance abuse users would be considered for participation.
- Program funding limit is **\$8,334.00**.

Courage to Change Program:

The Program teaches: Healthy relationships and behaviors, effective communication, conflict resolution, managing difficult feelings, accepting feedback from others, anger triggers, stress reduction, decision making skills, healthy personal relationships, nutrition and healthy eating, overall wellness with sleep and physical activity, basic budgeting.

The Program will consist of 12 sessions at which time the above topics will be taught. Billing will be @ **\$30.00** per person, per session for a total of **\$360.00** maximum.

Program funding limit: **\$9,000.00**.

Progress and Program Completion Reporting:

3 - 7 October 1, 2017 (FY 2018 Contract) List Psychological Services, PLC.

IOP Exit Interview	\$100.00/Client	Discharge Form Invoice
Thinking Matters	\$90 per group per 1½ hour session	Certified Class Roster Invoice
Courage to Change	\$30 per person, per 1½ hour session	Certified Class Roster Invoice

Invoices must be submitted to the Thumb Area Regional Community Corrections Advisory Board by the tenth day of each calendar month. The Contractor shall maintain proof that any client services billed to the Thumb Area CCAB Programs meet the eligibility requirements. The Compas Risk Assessments and court documents are examples of support documentation for P.A. 511 client eligibility.

All of the activities performed will be in compliance with the program's description as outlined in the FY 2018 Thumb Area Community Corrections Advisory Board Application for Community Corrections Funds.

Licensure/Accreditation:

The contractor agrees to maintain appropriate and current State of Michigan licensing requirements for the outpatient treatment of substance abuse problems. Current accreditation is through the Council on Accreditation (COA). A copy will be provided to the Manager of the Thumb Area Regional Community Corrections Advisory Board upon request.

Tuscola County agrees to provide the required space in the Jail to conduct the necessary group therapy and education sessions. The sessions shall be scheduled with the Tuscola County Jail Administrator or designee.

All parties to this agreement shall adhere to the Incarceration Reduction Policy, General and Specific Eligibility Requirements and Operational Procedures outlined in the FY 2018 Thumb Area Community Corrections Advisory Board Application for Community Corrections Funds.

It is understood by both parties that this program is currently funded exclusively by P.A. 511 funding provided through the FY 2018 Thumb Area Community Corrections Advisory Board Grant Award for Community Corrections Programs. Total expenditures for the Tuscola County Cognitive, Substance Abuse – Outpatient, the DDJR - IOP 5 - 7 October 1, 2017 (FY 2018 Contract) List Psychological Services, PLC.

The individual provisions of this agreement are severable. If any of the provisions are found to be in violation of State law, the remaining provisions shall remain in effect.

This agreement shall automatically terminate on September 30, 2018.

_____ Chairperson - Board of Commissioners	_____ Date	_____ Witness	_____ Date
--------------------------------------------------	---------------	------------------	---------------

_____ Chief Operating Officer, List Psychological Services, PLC.	_____ Date	_____ Witness	_____ Date
------------------------------------------------------------------------	---------------	------------------	---------------

_____ Regional Coordinator - Thumb Regional CCAB	_____ Date	_____ Witness	_____ Date
--------------------------------------------------------	---------------	------------------	---------------

#12

Voucher # 01-17

Date: September 26, 2017

\$816,024.83

TO: COUNTY CLERK, TUSCOLA COUNTY, STATE OF MICHIGAN

Please draw a warrant on the Treasurer of Tuscola County, Michigan payable to TUSCOLA COUNTY ROAD COMMISSION for the above amount, for payment of bills as listed hereon.

Exp. Vou No.	Payable To	Amount
	Primary Road Millage	
	2016 Balance	\$816,024.83

The above accounts have been carefully checked and audited and you are hereby directed to draw your warrant upon the County Treasurer for the above amount, payable from the County Road fund.

ROAD COMMISSIONERS

It is hereby certified that the above accounts are true and correct, and that no part of same has been paid.



CLERK

Primary Roads Millage Fund Balance
01/01/2016 to 12/31/2016

Job Number	Amount	Collected	Fed/State Aid	Balance
308	\$15,097.63	\$1,179.81	\$2,191.92	\$11,725.90
332	377,570.75	369,782.09		7,788.66
350	6,597.42	1,222.11	4,569.01	806.30
386	266,183.27			266,183.27
439	3,695.85		238.99	3,456.86
445	2,079.86		292.19	1,787.67
449	431.94			431.94
451	140.73	111.32	29.41	-
468	76,486.17	32,147.45		44,338.72
469	1,414,061.19	65,517.55	1,076,805.46	271,738.18
525	1,600.00	550.00		1,050.00
529	41,284.11	21,399.55		19,884.56
540	103,138.73	98,183.12		4,955.61
574	381,406.68	18,760.44	222,172.00	140,474.24
580	91,044.51	47,440.32		43,604.19
615		2,201.27		(2,201.27)
Totals	<u>\$2,780,818.84</u>	<u>\$658,495.03</u>	<u>\$1,306,298.98</u>	<u>\$816,024.83</u>

Voucher #01	11/08/2016	\$584,134.35
Voucher #02 See Bridge		-
Voucher #03	12/21/2016	74,360.68
Voucher #04 See Bridge		-
		<u>\$658,495.03</u>

Voucher # 01-17

Date: September 26, 2017

\$232,616.03

TO: COUNTY CLERK, TUSCOLA COUNTY, STATE OF MICHIGAN


Please draw a warrant on the Treasurer of Tuscola County, Michigan payable to TUSCOLA COUNTY ROAD COMMISSION for the above amount, for payment of bills as listed hereon.

Exp Vou. No.	Payable To	Amount
	Local Bridge Millage	
	2016 Balance	\$232,616.03

The above accounts have been carefully checked and audited and you are hereby directed to draw your warrant upon the County Treasurer for the above amount, payable from the County Road fund.

ROAD COMMISSIONERS

It is hereby certified that the above accounts are true and correct, and that no part of same has been paid.



CLERK

Local Bridge Millage Fund Balance
01/01/2016 to 12/31/2016

Job Number	Amount	Collected	Fed/State Aid	Township Funds	Balance
2013	\$ 5,385.00	\$ 5,385.00			\$ -
2047	400.00	400.00			-
2058	5,086.59	612.54		772.69	3,701.36
2107	1,618.90		599.18		1,019.72
2133	5,877.53	612.54		890.09	4,374.90
2134	6,112.00	612.54		901.83	4,597.63
2222	18,663.63	14,120.00			4,543.63
2226	725,318.92	122,021.70	557,202.66	2,000.00	34,094.56
2228	1,268,662.39	117,270.46	1,088,512.13	2,000.00	60,879.80
2261	13,316.45	12,422.00			894.45
2279	2,458.18	1,966.18	389.50		102.50
2328	3,657.64	612.54		578.69	2,466.41
2362	286,665.05	285,556.49		2,000.00	(891.44)
2364	40,706.81	22,766.34		2,000.00	15,940.47
2365	232.72				232.72
2372	135,235.19	60,567.51			74,667.68
2374	13,950.00	13,950.00			-
2375	1,000.00	1,000.00			-
2376	37,157.26	17,793.81		2,000.00	17,363.45
2378	5,083.93	612.54		766.94	3,704.45
2379	4,935.68	612.54		753.90	3,569.24
2380	1,600.00	1,600.00			-
2382	5,998.14	4,643.64			1,354.50
Totals	\$2,589,122.01	\$685,138.37	\$1,656,703.47	\$14,664.14	\$232,616.03

Voucher #01 (For 2015)	10/17/2016	
Voucher #02	11/08/2016	348,957.60
Voucher #03 (See Road)		
Voucher #04	12/29/2016	336,180.77
		<u>\$685,138.37</u>

September 7, 2017

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, September 7, 2017 at 8:00 A.M.

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

Also present: County Commissioner Thomas Young.

Motion by Parsell seconded by Matuszak that the minutes of the August 24, 2017 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$101,497.21 and bills in the amount of \$822,302.27 covered by vouchers #17-46 and #17-47 were presented and audited.

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

Brief Public Comment Segment:

(1) County Commissioner Thomas Young reported to the Board that NextEra Energy Resources has withdrawn their tax appeal with the Michigan Tax Tribunal for the Tuscola-Bay I Wind Turbine Project.

Management and the Board further discussed a letter received from Tuscola County Central Dispatch regarding the Road Commission's emergency contact protocol. Management reported to the Board that the Tuscola County Road Commission's emergency contact protocol is very similar to the surrounding County Road Commissions regarding their communication with Central Dispatch. After further discussion, the Tuscola County Road Commission will continue its current emergency contact protocol, and that Management will confirm the appropriate contact phone numbers with Tuscola County Central Dispatch.

Management and the Board further discussed the issue of dead trees collecting at county bridges along the Cass River. Management discussed with the Board a couple of options for removing the dead trees, and will continue to review other available options and report back to the Board.

Motion by Sheridan seconded by Parsell granting Kenneth Sebert a Medical Leave of Absence through October 8, 2017, all in accordance with the Union Agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

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

Motion by Parsell seconded by Matuszak that the quotes for the Federal Aid Bridge Design of the Van Buren Road Bridge over the Sheboygan Drain be accepted and awarded to OHM Advisors. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 8:30 A.M. the following bids were opened for the Livingston Brine Well Liner Installation:

<u>Bidder</u>	<u>Project Total</u>
N.A.L. Services, Inc.	\$ 18,865.88

Motion by Parsell seconded by Sheridan that the bid for the Livingston Brine Well Liner Installation be accepted, reviewed by Management, and tabled until the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan to approve the request from the Watertown Township Board that the Tuscola County Road Commission will provide the funding for the replacement of the storm sewer under Garfield Road from Catch Basin 7 to Catch Basin 4, as well as the section from Catch Basin 4 east to the buried catch basin in the main line west of Catch Basin 5; all within the Village of Fostoria. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

At 8:45 A.M. the following bids were opened for the Grade, Base, and Drainage Project on Cass City Road between Graf Road and French Road in Columbia Township:

<u>Bidder</u>	<u>Project Total</u>
Kappen Excavating, LLC	\$ 209,815.80
Nicol and Sons, Inc.	217,284.75
Gentner Excavating, LLC	245,786.50
BP Contracting	253,111.00
Kalin Construction Co., Inc.	267,083.15
Marlette Excavating Company	270,834.00

Motion by Zwerk seconded by Matuszak that the bids for the Grade, Base, and Drainage Project on Cass City Road between Graf Road and French Road in Columbia Township be accepted, awarded to the low bidder Kappen Excavating, and forward the results to the Columbia Township Board for their approval. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Sheridan seconded by Parsell that the Annual Actuarial Valuation Reports from the M.E.R.S. of Michigan pension plan and the Massachusetts Mutual pension plan be received, and that representatives from the respective plans attend a board meeting in October to further discuss the reports. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Management and the Board discussed the Chip Seal projects completed by Fahrner Asphalt Sealers this season.

At 9:25 A.M. Secretary/Clerk Michael Tuckey was excused from the meeting.

Management and the Board discussed the Road Commission's brine wells and its brine operations. Management will further review the Road Commission's brine well operations and discuss at the next regular meeting of the Board.

Motion by Parsell seconded by Matuszak that the meeting be adjourned at 9:35 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board

#14



84TH DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514

MICHIGAN HOUSE OF REPRESENTATIVES

EDWARD J. CANFIELD, D.O.

STATE REPRESENTATIVE

PHONE: (517) 373-0476
FAX: (517) 373-9852
E-MAIL: edwardcanfield@house.mi.gov

September 20, 2017

Tuscola County Board of Commissioners
125 W. Lincoln St., Suite 500
Caro, MI 48723

Dear Commissioners,

Thank you for contacting me to express your opposition to amending the Property Tax Act and your support of amending the Emergency Telephone Services Enabling Act. I greatly appreciate you taking the time to share your opinions with my office.

Senate Bill 386 was introduced by Senator Judy Emmons on May 18, 2017. As you may know, this legislation would allow an individual claiming to have an interest in property foreclosed due to unpaid taxes to seek to invalidate the foreclosure on certain grounds. It would also require, as opposed to allow, a governmental unit to cancel a foreclosure under certain circumstances including if the property was not subject to taxation or taxes had been paid. Both changes would only be applicable if the property had not been transferred to a person other than the governmental unit. The bill was passed by the Senate with 28 in favor, 8 opposed, and 1 excused on July 12, 2017, and is currently before the House Committee on Tax Policy for further review.

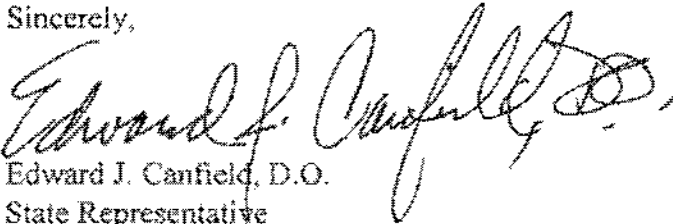
The bill was written in reaction to a rare case involving the possible violation of an individual's property rights. The property's foreclosure, and the individual's subsequent loss of their home, resulted from the non-payment of taxes that should not have been owed. However, increasing the burden on local governments and lengthening a costly litigation process may be more detrimental to taxpayers in the long run. I will be sure to closely examine this legislation and keep your comments in mind should Senate Bill 386 come to a vote in the House of Representatives.

Senate Bill 400 and House Bill 4651 were introduced by Senator Rick Jones and Representative Jason Sheppard earlier this year. The bills would reduce the population requirement for a regional 911 service district from 1.8 million to 1,650,000 people and increase the state charge for 911 service from 19 cents to 25 cents. It would also allow a county Board of Commissions to increase the service charge from 42 cents per month to 55 cents per month and revise how the money is distributed to communities and the state. The bills are respectively before the House Committee on Communications and Technology and the Senate Committee on Energy and Technology, but have not been subject to a hearing.

It is vital that first responders are able to quickly and accurately locate distressed callers during an emergency. With wireless calls constituting more than 80 percent of calls to 911 operators, a modern system is required to replace outdated copper lines. I appreciate your detailed resolution and will consider the Board of Commissioner's support should either Senate Bill 400 or House Bill 4651 come to a vote.

Thank you again for reaching out to me to express your thoughts on these important issues. If I can be of any assistance, or you have further questions regarding state government, please do not hesitate to contact my office at (517) 373-0476 or email EdwardCanfield@house.mi.gov.

Sincerely,



Edward J. Canfield, D.O.
State Representative
84th House District

Senate Bill 386, sponsored by Sen. Judy Emmons (R-Montclair) would allow the invalidation of a foreclosure in certain instances.

Under the bill, **opposed by MAC**, the ability to vacate a foreclosure where a county would still have possession of property would be expanded to include instances that are covered under Michigan Court Rule 2.612 and would be retroactive to Jan. 1, 2015. This rule allows a court to relieve a person from judgements for grounds such as a mistake, fraud or new evidence. Additionally, the rule provides a catch-all provision that allows the consideration of any other reason justifying relief. This could potentially have far-reaching effects across for many tax-collecting units and create both title issues and funding issues for the delinquent tax revolving fund.

The bill quickly passed the Michigan Senate, but has not seen action in the Michigan House. MAC encourages counties that have not already done so to convey to their lawmakers the impact that this retroactive change could have. A **sample resolution may be found here**.

For more information on this issue, contact Deena Bosworth, bosworth@micounties.org or 517-372-5374.

#16

Tuscola County Health Department
Board of Commissioners Monthly Report for Sept 15, 2017
Ann Hepfer RN, B.S Health Officer

Outcomes for the Month:

1. **Veterans Affairs:** Advertising is underway to fill two vacancies on the Veteran's Committee.

2. **Dental Update:** We are in the exploratory first phase of bringing a public dental clinic into the county. This clinic would service the indigent and Medicaid populations for all ages. There is a lot to consider in regards to meeting the Inter-Governmental Transfer (Medicaid match), and the public health requirements. Working with Kim Singh from Michigan Community Dental Center to set-up a site visit at the Howell Dental Clinic. The Howell Dental Clinic would closely resemble a Tuscola Clinic.

3. **Flu Clinics:** Flu Clinics are scheduled and available 5 days a week. We accept all insurances, and also have Senior Mileage to pay for seniors who have no means of paying for the vaccination.

4. **Drug Task Force:** Next Meeting scheduled for October 19th from 8:30-10:30 at the White Pine Room in the Medical Care Facility Business Annex.

BAY COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 12, 2017

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/5/17)

WHEREAS, The State of Michigan is required by MCL 330.1116 "...to promote and maintain an adequate and appropriate system of community mental health services programs" and "shift primary responsibility for the direct delivery of public mental health services from the state to a community mental health services program."; and

WHEREAS, The State of Michigan is required by MCL 330.1202 to "financially support, in accordance with chapter 3, community mental health services programs that have been established and that are administered according to the provisions of this chapter."; and

WHEREAS, The Bay County Board of Commissioners and Arenac County Board of Commissioners established, by enabling resolutions on June 19, 2001 and June 12, 2001 respectively, Bay Arenac Behavioral Health, a community mental health authority as provided for in MCL 330.1210; and

WHEREAS, Bay Arenac Behavioral Health is required by MCL 330.1206 and 330.1208 to provide a comprehensive array of services and supports to residents of Bay and Arenac Counties with the most severe forms of mental illness, developmental disabilities, and serious emotional disturbances; and

WHEREAS, Bay Arenac Behavioral Health is required by MCL 330.1222 to have a governing board of director's representative of the local community and inclusive of persons and families receiving public mental health services; and

WHEREAS, The State of Michigan is considering Physical and Behavioral Integration policy objectives that may transfer the responsibility for the direct delivery of public mental health services to private interests with no accountability to the community mental health service programs; and

WHEREAS, The State of Michigan is considering Physical and Behavioral Integration policy objectives that may transfer 98% of public mental health funding to private interests with no accountability to the Bay or Arenac County Boards of Commissioners; and

WHEREAS, The State of Michigan is considering Physical and Behavioral Health Integration policy objectives that may transfer current governmental functions in the management of public mental health services to private interests thereby severing the immunity protections afforded to community mental health services programs as governmental entities; and

WHEREAS, The State of Michigan is considering Physical and Behavioral Health Integration policy objectives that may abrogate the consumer and community-based representation requirements for management of public mental health services for the residents of Bay and Arenac Counties; Therefore, Be It

RESOLVED, That the Bay County Board of Commissioners urges the State of Michigan to give due consideration to the relevant state laws cited above in the development of any Physical and Behavioral Health Integration policy changes and preserve the community mental health service programs that have been duly established by county governments.

MICHAEL E. LUTZ, CHAIR AND COMMITTEE

RESOLUTION SPONSORED BY COMMISSIONER ERNIE KRYGIER, 2ND DISTRICT AND COMMISSIONER TOM RYDER, 6TH DISTRICT COMMISSIONER

BABHA - Physical & Behavioral Health Integration Policy Changes
MOVED BY COMM. LUTZ

SUPPORTED BY COMM. KRYGIER

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			TOM RYDER	X						

VOTE TOTALS:
 ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0
 DISPOSITION: ADOPTED X DEFEATED WITHDRAWN
 AMENDED CORRECTED REFERRED

