

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
MEETING AGENDA  
THURSDAY, SEPTEMBER 26, 2019 – 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 – Worship Director, Nicholas Schmelter, First  
Presbyterian Church, Caro  
Pledge of Allegiance – Commissioner Grimshaw  
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 **(See Correspondence #2)**

**New Business**

- RFP for Farm Leased Land **(See Correspondence #3)**
- Tuscola County Health Department Personnel Policies **(See Correspondence #4)**
- Tuscola County Health Department Fee Schedule **(See Correspondence #5)**
- Closed Session for Labor Negotiations **(9:30)**

**Old Business**

- Child Care Fund Parent Education and Supervised Visitation Contract for 2019/2020 **(See Correspondence #6)**
- Vanderbilt Park Dump Station
- EDC Articles of Incorporation Review **(See Correspondence #7)**
- Treasurer Account Clerk III Position Refill **(See Correspondence #8)**
- KC Communications Contract Continuation

Correspondence/Resolutions

## COMMISSIONER LIAISON COMMITTEE REPORTS

### JENSEN

Board of Health  
Community Corrections Advisory Board  
Dept. of Human Services/Medical Care Facility Liaison  
Genesee Shiawassee Thumb Works  
Jail Planning Committee  
Local Emergency Planning Committee (LEPC)  
MAC Judiciary Committee  
MEMS All Hazard  
Local Units of Government Activity Report

### BARDWELL

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

### YOUNG

Board of Public Works  
County Road Commission Liaison  
Dispatch Authority Board  
Genesee Shiawassee Thumb Works  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
MAC Agricultural/Tourism Committee  
MI Renewable Energy Coalition (MREC)  
Region VI Economic Development Planning  
Saginaw Bay Coastal Initiative  
Senior Services Advisory Council  
Tuscola 2020  
Local Units of Government Activity Report

### VAUGHAN

Board of Health  
County Planning Commission  
Economic Development Corp/Brownfield Redevelopment  
MAC Environmental Regulatory  
Mid-Michigan Mosquito Control Advisory Committee  
NACO-Energy, Environment & Land Use

**VAUGHAN (cont'd.)**

Parks and Recreation Commission  
Tuscola County Fair Board Liaison  
Local Units of Government Activity Report

**GRIMSHAW**

Behavioral Health Systems Board  
Recycling Advisory  
Local Units of Government

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 12, 2019 Full Board & Statutory Finance Minutes
- #2 Consent Agenda Resolution
- #3 RFP Farm Leased Land
- #4 Tuscola County Health Department Changes in the Personnel Policies
- #5 Tuscola County Health Department Fee Schedule
- #6 Child Care Fund Parent Education and Supervised Visitation Contract for 2019/2020
- #7 EDC Articles of Incorporation
- #8 Treasurer Recommendation to Fill Position Letter
- #9 Capital Services Contract
- #10 Board of Health Report 9-20-19
- #11 Community Corrections Inmate Man Hours August 2019
- #12 Committee of the Whole Minutes 09-23-19
- #13 Road Commission Minutes 09-05-19 Meeting
- #14 Iosco County Resolution Opposing the Trial Court Funding Commission Interim Report dated April 8, 2019.
- #15 Arenac County Resolution 2019-10 Opposes Forcing a Candidate for County Commissioner to run as a "Non-Partisan" Candidate.
- #16 Baraga County Various Resolutions
- #17 Grand Traverse County Resolution in Support of Line 5 Tunnel



*Draft*  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
September 12, 2019 Minutes  
H. H. Purdy Building

Commissioner 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 12th day of September 2019, to order at 8:00 o'clock a.m. local time.

Prayer – Pastor Paul McNett, Caro Church of the Nazarene

Pledge of Allegiance – Commissioner Vaughan

Roll Call – Chief Deputy Clerk Caryl Langmaid

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan, District 4 - Mark Jensen, District 5 – Daniel Grimshaw (arrived at 8:16 a.m.)

Commissioner Absent: None

Also Present: Clerk Jodi Fetting (arrived at 9:07 a.m.), Chief Deputy Clerk Caryl Langmaid, Clayette Zechmeister, Eean Lee, Pastor Paul McNett, Steve Anderson, Thomas Raymond, Nancy Laskowski, Register John Bishop, Treasurer Patricia Donovan-Gray, Nancy Erdody, Marilyn Holt, Mark Haney, Norm Stephens, Carmell Pattullo

*Adoption of Agenda -*

19-M-164

Motion by Young, seconded by Jensen to adopt the agenda as amended.

Motion Carried.

*Action on Previous Meeting Minutes -*

19-M-165

Motion by Young, seconded by Jensen to adopt the meeting minutes from the August 29, 2019 Regular Board and Statutory Finance meetings. Motion Carried.

*Brief Public Comment Period for Agenda Items Only - None*

*Consent Agenda Resolution -*

19-M-152

Motion by Young, seconded by Jensen by that the Consent Agenda Minutes and Consent Agenda Resolution from the September 9, 2019 Committee of the Whole Meeting be adopted. Motion Carried.

## CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 9/09/19

Description of Matter: Move that authorization is provided to post and advertise to refill a vacant Full time Account Clerk III in the County Treasurer's office.

### *New Business -*

-Request for Annual Delegation of School Plan Review - Clayette Zechmeister informed Board of the request for the annual school plan review for Kingston Schools.

19-M-153

Motion by Vaughan, seconded by Jensen that as in previous years South Central Construction Code Commission be approved for the administration and enforcement for plan review and inspection of school buildings. Also, authorizing documents are approved for signature. (Annual approval of this inspection work is a requirement of the State). Motion Carried.

-Homeland Security Fiduciary Assignment to City of Midland - Steve Anderson explained to the Board the need for the Fiduciary Assignment.

19-M-154

Motion by Young, seconded by Jensen to enter into the Sub-recipient Funding Agreement with the City of Midland, who will be acting fiduciary for the 2018 Homeland Security Grant Program. Also, all appropriate signatures are authorized. Motion Carried.

-Appointment of Republican Party and Democratic Party Representative to Board of Canvassers - Matter handled in Old Business to allow Clerk Fetting to address the matter.

-County Annual Audit (matter added) - Clayette Zechmeister updated the Board on the County Annual Audit contract with Gabridge and Company. The original contract was with the option to continue the contract with Gabridge and Company for years 2019 and 2020.

19-M-155

Motion by Vaughan, seconded by Young to continue the county audit award (Comprehensive Annual Financial Report) with Gabridge and Company for fiscal years 2019 for \$37,740.00 and 2020 for \$37,740.00 as previously presented. Previous motion allowed the option to renew the contract for 2019 and 2020. Also, all appropriate signatures are authorized. Motion Carried.



*Old Business -*

-EDC Board Information - Commissioner Grimshaw stated he is concerned with the current EDC Board members not being in line with the EBC By-laws. Under Article III, Section 2 the by-laws states "Of the ten geographic areas, (Akron-Fairgrove, Caro, Cass City, Gagetown, Mayville, Millington, Kingston, Reese, Unionville, and Vassar), the board has a goal of seven geographic areas being represented, and ideally a maximum of five from one geographic area". Commissioner Grimshaw felt this is not happening, as there are more board members from the Caro and Cass City areas than other areas and some areas not being represented at all. Commissioner Grimshaw would like to see candidates from these areas. Commissioner Bardwell requested to see a current EBC Board member list. The Board requested to review EDC's budget. Clayette Zechmeister to provide this information to the Board. Commissioner Bardwell felt the EDC Board needed to follow the current By-laws and if that is not possible to change them. Matter discussed at length.

Clerk Fetting arrived at 9:07 a.m.

*-EDC Board Appointments -*

19-M-156

Motion by Vaughan, seconded by Jensen that the following appointments be made to the Economic Development Commission (EDC) Board: Kim Stevenson, Chemical Bank; Doug Daniels, Greater Thumb Real Estate; Mike Pattullo, Walbro; Jeff Laverty, Quality Roasting; Jody Dean, Village of Millington; Joe Pomeroy, Labudde Group. Terms expiring 12-31-2024. Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - no; Bardwell - no. Motion Carried.

-Appointment of Republican Party and Democratic Party Representative to Board of Canvassers (from New Business) - Clerk Fetting explained the process of appointing members to the Board of Canvassers as governed by MCL 168.24. Clerk Fetting presented the names nominated from the District Chairs of the Democratic and Republican parties on a ballot. After votes were recorded, Clerk Fetting read the results out loud. Michael Slocum received the most votes for the Republican Party and Michael Warchuck received the most votes for the Democratic Party.

19-M-157

Motion by Young, seconded by Jensen to appoint Michael Slocum as the Republican Party Representative to the Board of Canvassers for a four (4) year term beginning November 1, 2019. Motion Carried.

19-M-158

Motion by Vaughan, seconded by Jensen to appoint Michael Warchuck as the Democratic Party Representative to the Board of Canvassers for a four (4) year term beginning November 1, 2019. Motion Carried with Grimshaw dissenting.

-MAC 7th District (matter added)- Commissioner Bardwell spoke with Steve Currie regarding St. Clair County expressing interest to not being a member of the District Association.

-SCMCCI Building Codes (matter added) - Commissioner Young and Commissioner Jensen shared concerns that have been brought to their attention in difficulties people have experienced with SCMCCI. Board would like to review the contract prior to the next meeting. Commissioner Grimshaw would like to know if there is a Request for Annual Delegation of School Plan Review and Inspection Authority to a Local Unit of Government Enforcing Agency (BCC-939) for Reese Public Schools. Board would like a financial report from 2015 - 2018 to review at the next meeting. Board would like Curtis Stowe to attend the next meeting. The above matters shall be handled at the next Committee of the Whole meeting.

Village of Reese Manager, Thomas Raymond, addressed the Board regarding his concerns of issues in the Village of Reese and the lack of response of received from Curtis Stowe.

*Correspondence/Resolutions -*

-Commissioner Bardwell received communication of a bankruptcy notice that was provided to Clayette Zechmeister.

**COMMISSIONER LIAISON COMMITTEE REPORTS**

**GRIMSHAW**

Behavioral Health Systems Board - Report provided regarding upcoming budget.

Recycling Advisory

Local Units of Government - The Village of Reese's issue with SCMCCI discussed earlier in the meeting.

**JENSEN**

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison

Genesee Shiawassee Thumb Works

Jail Planning Committee

Local Emergency Planning Committee (LEPC)

MAC Judiciary Committee

MEMS All Hazard - Steve Anderson presented the matter earlier in the meeting. Will begin to meet bi-monthly.

Local Units of Government Activity Report - Report provided from the Arbela Township and Watertown Township meetings. Watertown is considering entering into a police contract with the Sheriff's Department.



**BARDWELL**

Behavioral Health Systems Board  
Caro DDA/TIFA  
Economic Development Corp/Brownfield Redevelopment  
MAC 7<sup>th</sup> District  
MAC Workers Comp Board - Meeting was yesterday and report provided.  
TRIAD  
Local Units of Government Activity Report

**YOUNG**

Board of Public Works  
County Road Commission Liaison -11 new driveway permits were applied for by Pegasus in Fairgrove and Gilford Townships.  
Dispatch Authority Board  
Genesee Shiawassee Thumb Works  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
MAC Agricultural/Tourism Committee  
MI Renewable Energy Coalition (MREC)  
Region VI Economic Development Planning  
Saginaw Bay Coastal Initiative  
Senior Services Advisory Council  
Tuscola 2020  
Local Units of Government Activity Report - Commissioner Young has spoken to Ann Hepfer regarding the Dental Clinic in Tuscola County. She is still working on the project but is in need of Dentists.

**VAUGHAN** - No Report

Board of Health  
County Planning Commission  
Economic Development Corp/Brownfield Redevelopment  
MAC Environmental Regulatory  
Mid-Michigan Mosquito Control Advisory Committee  
NACO-Energy, Environment & Land Use  
Parks and Recreation Commission  
Tuscola County Fair Board Liaison  
Local Units of Government Activity Report

*Other Business as Necessary - None*

Extended Public Comment - None

Meeting adjourned at 10:33 a.m.

Jodi Fetting  
Tuscola County Clerk

Caryl Langmaid  
Chief Deputy Clerk

Statutory Finance Committee Minutes  
September 12, 2019  
H.H. Purdy Building  
125 W. Lincoln St, Caro MI

Meeting called to order at 10:34 a.m.

Commissioners Present: Young, Bardwell, Vaughan, Jensen, Grimshaw

Commissioners Absent: None

Also Present: Clerk Jodi Fetting, Eean Lee, Thomas Raymond, Nancy Erdody, Marilyn Holt, Clayette Zechmeister, Renee Francisco

-Board discussed an expense for Caro 4 Michigan Rally in the amount of \$570.00 paid to Capital Services. The email outlining the request for reimbursement from Capital Services was reviewed. Clayette Zechmeister explained why she approved the bill without bringing it to the Board first. Any future expenses with Capital Services or KC Communications should be brought before the Board prior to authorizing payment.

-The City of Caro has contributed \$3,000 with \$1,500 yet to be billed for their agreed upon portion of the Save the Caro Center expenses. The City of Caro has not agreed to contribute any funds toward the additional 3 months of the contract extension at this point.

-Eean Lee provided a report regarding the power outage experienced on September 11, 2019 causing interruption of internet services.

-Claims and Per Diems were reviewed and approved.

Public Comment - None

Meeting adjourned at 11:01 a.m.

Jodi Fetting  
Tuscola County Clerk

**'DRAFT'**

**COUNTY OF TUSCOLA**

**STATE OF MICHIGAN**

**RESOLUTION TO ADOPT CONSENT AGENDA**

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the Village of Caro, Michigan, on the 26<sup>th</sup> day of September, 2019 at 8:00 a.m. local time.

COMMISSIONERS PRESENT:

\_\_\_\_\_

COMMISSIONERS ABSENT:

\_\_\_\_\_

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

**CONSENT AGENDA**

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 9/23/19
- Description of Matter:** Move to approve the two month contract with Capitol Services through November 30th 2019 for \$4,200 each month.  
Also, all signatures and budget amendments be authorized.

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

YEAS:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

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Thomas Bardwell, Chairperson  
Tuscola County Board of Commissioners

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Jodi Fetting  
Tuscola County Clerk



COUNTY OF TUSCOLA

DEPARTMENT OF BUILDINGS & GROUNDS

125 W. Lincoln St  
Caro, Michigan 48723-1660  
(989)672-3756

MICHAEL MILLER  
Director

THOMAS McLANE  
Assistant Director

**TO: INTERESTED FARM OPERATIONS**

**FROM: MIKE MILLER**

**DATE: September 26, 2019**

**RE: FARM LEASE BID**

Tuscola County will be accepting bids on 50 tillable acres located at the corner of Luder rd and Deckerville rd in Caro.

**The following specifications shall be considered in your bid:**

1. Lessee shall only be allowed to use the property for crop production only (no Cannabis).
2. Lessee shall keep and maintain the leased property in good condition.
3. Leased property is not tiled.
4. Lessee shall provide proof of general liability insurance to cover claims against the leased property for personal injury, death, and property damage.
5. This lease will be for 3 years.
6. County will be responsible for any real estate taxes if any.
7. Property description: CITY OF CARO SEC 34 T13N R9E COM AT N 1/4 COR OF SEC, TH N 88 DEG 03' 11" E 682.06 FT, TH S 02 DEG 10' 30" E 336 FT, TH N 88 DEG 03' 11" E 648 FT, TH S 02 DEG 10' 30" E 1637.83 FT, TH S 88 DEG 05' 33" W 1340.33 FT, TH N 01 DEG 52' 37" W 1972.86 FT TO POB
8. Your bid shall be per acre.

If you have, any questions please call 989-672-3756.

Closed sealed proposals labeled "FARM LEASE" shall be submitted to the Tuscola County Controllors office in the Purdy building, 125 W. Lincoln St., Caro, MI 48723 no later than 4:00 P.M. October 11, 2019.

**Disclaimer**

Tuscola County reserves the right at its sole discretion to reject any and all proposals received without penalty and not to enter a contract as a result of this RFP. The County also reserves the right to negotiate separately with any source whatsoever in any manner necessary to attend to the best interests of the County, to waive irregularities in any proposal and to accept a proposal which best meets the needs of the County, irrespective of the bid price."

By submitting a bid, the bidder is acknowledging that there will be no contractual relationship between Tuscola County and the bidder until both parties have formally approved and signed a written contract to be developed by Tuscola County legal counsel.

The County reserves the right to make an award without further discussion of any proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the offer can propose. There will be no best and final offer procedure. The County does reserve the right to contact an offer for clarification of its proposal."

TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
Introduction	<p><b>Introduction</b></p> <p><del>The Tuscola County Health Department (TCHD) has been serving the residents of Tuscola County since 1966. The TCHD operates under the Public Health Code and complies with all associated statues and regulations. The Health Department functioned in either an Associated or District relationship with Huron and Sanilac Counties for over seven years and became a single county entity in 1998. Once again, the TCHD became Associated with the Huron County Health Department on February 1, 2002. The Michigan Department of Health and Human Services approved TCHD's Organizational Plan on July 20, 2009. The county health departments of Huron, Sanilac, Lapeer, District II and Tuscola Associated on July 1, 2009 for the purpose of sharing a Medical Director.</del></p> <p><del>The Tuscola County Board of Health is appointed by the Tuscola Board of Commissioners under Act 368 of 1978, as amended, in accordance with the Tuscola County Health Department Board of Health Bylaws and Rules of Order.</del></p> <p><del>The TCHD mission states we actively strive to enhance our community's quality of life by disease prevention, health protection and healthy lifestyle promotion. Activities will encompass the individual, family, community and the environment and will be provided regardless of race, religion, beliefs, culture, gender, sexual orientation, diagnosis/health status, and/or the ability to pay for services. The TCHD vision states the Tuscola County Health Department will be recognized as a valuable asset to our community. The philosophy of TCHD is to view individuals as complex social beings, who relate with others in multiple environments, including the family. The family consists of persons who are closely associated and who mutually provide emotional, physical, financial, and/or social support. The TCHD believes that each individual or family unit has the right to receive professional services to help them achieve optimal health status. Public health professionals will assist the members of this functional unit in attaining maximum potential for well-being through self-care and self-determination. Professional health and environmental health services directed to individuals and the family will include the following: health promotion, health maintenance, health education, coordination, and continuity of care using a holistic approach to the family and the community.</del></p>	<p>Deleting whole introduction – not necessary.</p>



**TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019**

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
<p>Section 2  Recruitment, Selection, Appointment</p>	<p><b>2.1 Unless otherwise defined by applicable law, any employment relationship with this organization is of an <i>at will</i> nature, which means the employee may resign at any time and the employer may discharge the employee at any time, with or without cause. It is further understood that this at will employment relationship may not be changed by any written document or by conduct unless such change is specifically acknowledged in writing by an authorized executive of this organization.</b></p> <p>Renumbering rest of section due to addition</p>	<p>Adding language for "at will" employment</p>
	<p><b>2.2 Application for Employment:</b> .... Applications shall be kept on file for a minimum of <del>six months</del> <b>2 years</b>.</p>	<p>Changed language to reflect labor law.</p>
	<p><b>2.8 Conditional Post Job Offer Physical Examination:</b>... Appointments are conditional upon obtaining satisfactory results of a medical examination <b>and drug screening</b>.</p>	<p>Added drug screening</p>
<p>Section 5 Compensation</p>	<p><b>5.3 Flexible Scheduling:</b>..... No additional compensation will be paid to employees who are required to work outside of the Health Department's normal business hours unless they are required to work more than seventy-five (75) hours in a two week pay period or are required to work more than forty (40) hours in any workweek. <del>Flexible time is used within the pay period it was worked.</del></p>	<p>Deleted as this is Comp time, not Flex time.</p>
<p>Section 6 Employee Benefits</p>	<p><b>6.1 Medical/Hospital/Dental/Vision Insurance:</b> ..... If an <del>full-time</del> employee (<del>working 60-75 hours per pay</del>) chooses to buy up to any of the alternate health insurance plans, they shall be responsible for the payment of the difference in premiums including any portion of the base plan that exceeds the legislative caps. New hire employees or <del>part-time</del> employees (<del>working less than 60 hrs per pay on a regular schedule</del>) who <del>become full-time employees who begin</del> (<del>working 60 hrs per pay on a regular schedule</del>) will have <del>a 30-calendar-day waiting period after the month they are hired before health insurance becomes effective (i.e. if hired on March. 15th they would not be eligible until May 1st; if hired on April 1st they would be eligible May 1st).</del> Note: If an employee is presently on BCBS from another source and is transferring to the TCHD Health Insurance plan, there will be no waiting period to transfer from this plan <b>enroll in</b> the TCHD Health Insurance plan. <del>The measurement period of new employees for their first year will be from 12 months following the first of the month following date of hire.</del></p>	<p>Changing policy to enroll all new hires immediately, not just those with Blue Cross coverage at time of hire.</p>



**TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019**

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
	<p><b>6:14 Health Care Savings program:</b>..... Changes in designated group contributions may only be made in January of each year and are effective February 1st. <b>Exceptions for changes to an agreement outside of open enrollment will only be allowed with authorized approval of the Health Officer.</b></p>	Change to policy to make it easier for staff to change HCSP
Section 8 Discipline & Voluntary Demotion	<p><b>8.1 Disciplinary Action - Application:</b> <b>The steps in our progressive-discipline system serve as general guidelines and are not mandatory. There are varying degrees of seriousness that pertain to performance and/or infractions of policies. There are certain instances where conduct and/or performance is of such a serious nature that immediate termination, without prior warning or consultation, may be taken.</b> The application of disciplinary actions are within the discretion of the Department Head or Division Head <del>within these guidelines of uniformity.</del></p>	Clarification of discipline language
Section 10 Hours of Work	<p><b>10.3 Lunch Periods and Rest Periods:</b> Each employee shall be allowed a half hour lunch period. The Health Department shall be closed from 12:00 to 12:30 PM to accommodate the lunch period. Due to evening clinics, some programs will be taking their lunch period later in the day. <del>from 4 to 4:30pm during which time the building is closed and reopened at 4:30pm</del> <b>During late clinics this will vary depending on the program.</b></p>	Change to lunch periods during late clinics.
	<p><b>10.5 Contractual Employees:</b> <b>Contractual employees will provide their immediate supervisor a work schedule on a minimum of a monthly basis which will include times and locations of planned work. Deviations to the schedule will be communicated to the supervisor via in person, text, email or phone. In the event of a health department closure for an Act of God, contractual employees will be paid for hours scheduled to work. Work assignments that will be done offsite of TCHD offices or designated work venue (i.e. school, CBO, client home, etc.) such as an employee's home will have prior approval.</b></p> <p><b>Renumbering rest of section due to addition</b></p>	Addition
Section 11 Termination of Services	<p><b>11.3 Dismissal:</b> <del>Employees may be separated for cause.</del> <b>Unless otherwise defined by applicable law, any employment relationship with this organization is of an at will nature, which means the employer may discharge the employee at any time, with or without cause. It is further understood that this at will employment relationship may not be changed by any written document or by conduct unless such change is specifically acknowledged in writing by an authorized executive of this organization.</b></p>	Changing language for "at will" employment



**TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019**

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
	<p><b>11.8 Exit Interview:</b> Upon resignation or retirement, the employee shall be given an Exit Interview form (Attachment 12) to complete. An appointment shall be made with the <del>immediate supervisor or any supervisor above that supervisor</del> Health Officer or designee to review the Exit Interview form prior to his/her last day of work. <del>All completed copies of the Exit Interview shall be forwarded to the Health Officer for review.</del></p>	Change to policy
Section 13 Holidays	<p><b>13.1 Paid Holidays: ...</b>  <b>Annual Floating Holiday..... TBD by Administration in January</b></p> <p>(for example: if July 4<sup>th</sup> is on a Thursday, Admin would determine to work on President's day and use the floating holiday on July 5<sup>th</sup>)</p>	Proposed change – Administration could decide to work on President's day or use the holiday when it is beneficial later in the year
Section 15 Sick Leave	<p><b>15.10 Worker's Compensation:</b> In the case of work related incapacitating injury or illness for which an employee is, or may be eligible for worker's compensation benefits under the Michigan Workmen's Compensation Law.,  <del>annual/personal/sick leave credit may be utilized to make up the difference between such payments and the employee's regular salary if allowed by the plan.</del></p>	Change as this is not allowed by Workers Comp guidelines
	<p><b>15.11 Disability Coverage:</b> TCHD will provide a group policy providing short and long term disability insurance for employees (Attachment 10). The cost of these policies will be paid by TCHD. An employee must work thirty (30) hours per week to be considered eligible for disability insurance.  <b>Annual/personal/sick/PTO leave may be utilized to make up to 100% of employee's pre-disability earnings if allowed by the plan.</b></p>	Change as this is allowed by our Disability certificate
Section 16 Personal Leave	<p><b>PURPOSE:</b> To provide employees with time off for events that cannot be taken care of outside of regular business hours and other events of personal significance that are not covered under Annual or Sick Leave. <del>This section pertains to employees hired before June 1, 2016.</del></p>	This was originally added when PTO policy enacted, recently discussed at EPC to add 4 Personal days to PTO so this would need to be deleted
Section 18 PTO (Paid Time Off) Leave	<p><b>18.1 Allowance:</b> New full-time (75 hours per pay) employees will be awarded eighteen (18) paid time off (PTO) days. Part-time employees will be awarded PTO days pro-rated in proportion to their budgeted position. These days may be used for reasons such as personal appointments, sick time (<b>as required by the Michigan Paid Medical Leave Act</b>), annual time, etc. The eighteen days are awarded annually based on the hire date.</p>	Added to comply with MI Paid Medical Leave Act



TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
	<p><b>18.6 Personal Days:</b> See section 16 for details.</p>	Addition
Section 20 Professional Development	<p><del><b>20.2 Trainings, Conferences and Seminars:.... An employee will be expected to share a summary of pertinent details with other Health Department employees upon completion of the training/conference/seminar. The employee will need to complete a Conference Attendance Form (Attachment 19) and turn it in to their Division Head within seven (7) days of returning to work. The Division Head will forward this completed form to the Administrative Services Coordinator.</b></del></p> <p><del><b>20.3 Tuition Reimbursement:</b> The Health Department has established a Tuition Reimbursement program for employees to be offered as funds are available. All full-time employees who have completed a minimum of one year of service are eligible to participate in the program. Part-time, Specially Funded or Independent Contractual employees are not eligible for Tuition Reimbursement. Under the program, educational assistance is provided for courses offered by approved educational institutions. Courses must be directly related to the employee's job or in line with a position that the Health Department believes the employee can reasonably achieve. Courses must not interfere with job responsibilities and must be taken on the employee's own time. To qualify for reimbursement, the employee must receive a passing grade (B or better). Reimbursement covers 50% of actual costs of tuition and registration fees only and is limited to a maximum of six (6) credits per semester for approved courses.</del></p> <p><del>To be eligible for reimbursement, the employee must submit a Tuition Reimbursement form (Attachment 20) to his/her Division Head prior to the scheduled commencement of the course(s), receive written approval from the Division Head and Health Officer in advance. On completion of the course, the employee must submit to the Division Head an official transcript from the school, indicating the grade received, and a proof of payment. If an employee leaves the Health Department employ voluntarily, all tuition for those courses completed two (2) years prior to separation shall be reimbursed by the employee to the Health Department unless it is waived by the Board of Health.</del></p>	No longer our policy



**TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019**

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
Section 22 Vehicle Policy	<p><b>22.10 Driver's Responsibilities:</b> Each Health Department employee using a Health Department vehicle shall be responsible for the following:</p> <p>G) The Health Department vehicle shall be kept neat, clean and free of food, wrappers, cans, bottles and wastepaper at all times. <del>The Health Department's primary vehicle driver will be responsible for cleaning and washing the vehicle.</del></p>	Policy change – done by outside service
Section 23 Work Rules	<p><b>23.2 Confidentiality:</b> Information contained in reports, forms, records, written communication or verbal communication regarding clients served by the Health Department shall be treated confidentially. Unauthorized disclosure of such information by an employee shall result in the disciplinary action up to and including suspension or dismissal. All Health Department employees <del>and volunteers</del> will be required to sign a Confidentiality statement (GOG Attachment 34) <b>annually.</b></p>	Volunteers are addressed under a different work rule so this section only pertains to employees.
	<p><del>23.4 Drug-Free Work Place: Employees shall not engage in the unlawful manufacture, distribution, dispensing, illegal possession or use of a controlled substance or alcohol on a Health Department worksite or while carrying out their assigned duties and responsibilities. Violation of this policy shall result in disciplinary action up to and including dismissal.</del></p> <p><b>Renumbering rest of section due to deletion</b></p>	Deleted from this section – New drug policy Section 24
	<p><b>23.5 Tobacco/Smoke-Free Work Place:</b> In recognizing the Health Department's responsibility to promote and maintain a safe and healthy work environment for clients and employees alike and in compliance with the Tuscola County Smoking Ordinance (Attachment 23), the use of any tobacco products within the structural facilities, grounds and Health Department vehicles is strictly prohibited. <b>Use of E-cigarettes/Vaping is also prohibited.</b> Use of tobacco products or <b>E-cigarettes</b> is allowed in private vehicles parked on county property.</p>	Addition
	<p><del>23.7</del> <b>23.6 Unexpected Absences:</b> <b>An employee shall report his/her inability to report to work and reason directly to his/her immediate supervisor via phone, e-mail or text by 8:00 a.m. Confirmation from the supervisor of receipt of notification is required before the employee discontinues attempts of contact. An employee shall report his/her inability to report to work and reason for same, directly to his/her immediate supervisor shortly after 8:00 a.m.</b> If his/her supervisor is not available, report absence to another supervisor <del>(preferably the next person in the line of communication as outlined in the organizational chart).</del></p>	Change and Clarify absence reporting

TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;"><del>Health Officer/Administrative Services Coordinator</del></div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;"><del>Division Director or Department Coordinator</del></div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;"><del>Program Coordinator/Supervisor</del></div> <div style="border: 1px solid black; padding: 5px; text-align: center;"><del>Clerks, Clinic Assistants, Technicians, Public Health Nurses, Sanitarians, Billing &amp; Account Clerks, Veteran Affairs Director, Dietitian, Social Worker, Specially Funded Employees</del></div> <p>Employees are asked not to call in and leave a message on <b>voicemail</b>. <del>the answering machine or with the receptionist</del>. If you are in a situation where a phone will not be available to you <b>around at or before</b> 8:00 a.m., leave a message on <del>the</del> your <b>answering machine supervisor's voicemail</b> with a phone number where you may be called to identify your day's assigned work tasks, so they may be reassigned.</p>	
	<p><del>23.14</del> <b>23.13 Conference Room Set-Up:</b> <del>The three adjoining Health Department conference rooms have a standard set up (see set up plan posted in the conference room). (????) If a deviation from this standard set up is needed, the conference rooms must be returned to this set up before the next scheduled meeting or the next morning, whichever is first. If refreshments were served at the meeting, the employee in charge of set-up will be responsible to clean the tables and chairs and remove all utensils and food. Also, it is the employee's responsibility to utilize the conference room sign-out sheet, located on the iNet, to schedule the use of one or more of the conference rooms.</del></p>	Policy change
	<p><del>23.17</del> <b>23.16 Printer/Copier/UPS usage:</b> Employees are allowed to use, on a limited basis, agency printers and copiers for personal use. The employee is required to pay per sheet printer or copier cost (<b>Attachment 25</b>) and may only use these items during breaks and nonwork hours. <del>Employees may also receive UPS packages at the Health Department.</del></p>	Policy change



**TUSCOLA COUNTY HEALTH DEPARTMENT  
CHANGES IN PERSONNEL POLICIES 2019**

SECTION	LANGUAGE CHANGE, DELETION OR ADDITION	REASON FOR CHANGE
	<p><del>23.18</del> <b>23.17 Interagency Communication:</b> A newsletter called the Tidbits is distributed to employees each month and contains information regarding the agency. It is important that all employees read the entire newsletter <del>each month</del>. A communicable disease newsletter is also available for employees to read. This contains the latest communicable disease and agency programmatic information. Memos/<del>emails/iNet and emails</del> may also be used for communication. An agency wide meeting is held <del>every month except July and August throughout the year</del> and allows for an interchange of information between all employees.</p>	Adding language to reflect process
	<p><del>23.19</del> <b>23.18 Suggestion Box:</b> A suggestion box is available for employees to provide input for the benefit of agency improvement and issue resolution. Forms are provided for use. <del>All forms must be signed prior to submission to be considered.</del> All suggestions will be reviewed by the Health Officer at the Team Meetings and read or referred to the appropriate committee/supervisor for further discussion.</p>	Policy change
Section 24 Drug Policy	<p><b>This entire section is new. See Attached pages</b></p> <p><b>Renumbering sections after to keep sequential due to addition</b></p>	
Section 25 Telecommunications	<p><b>25.2 TCHD Phones</b> <del>E) Account Codes: The employee will be required to enter an account code for each long distance call made. The account code to be used shall be the Reporting Unit code for the program to which the call pertains.</del></p>	No longer use account codes
Section 27 Attachments	<p><b>Deleted the following attachments and renumbered those after</b></p> <p><del>Conference/Seminar/Training Attendance Form.....Attachment 20</del> <del>Tuition Reimbursement Form.....Attachment 21</del></p>	Attachments no longer used

<u>SECTION</u>	24	<u>SUBJECT</u>	Drug Policy
<u>PURPOSE</u>	To provide appropriate guidelines to maintain a workplace free from the use and abuse of drugs and alcohol.		
<u>EFFECTIVE DATE</u>	04/14/2017	<u>BOH ADOPTED DATE</u>	03/17/2017
<u>LAST REVIEW DATE</u>	05/15/2019	<u>BOC ADOPTED DATE</u>	03/30/2017

**24.1 Drug and Alcohol Free Workplace**

The Tuscola County Health Department maintains a workplace free from the use and abuse of drugs and alcohol and employees are prohibited from engaging in the following actions:

1. The manufacture or distribution of illegal drugs or controlled substances by any employee.
2. Using intoxicating beverages, marijuana, narcotics, illegal drugs or any controlled substance while at work or while on County property.
3. Distribution or attempted distribution of intoxicating beverages, marijuana, narcotics, illegal drugs or any controlled substance while at work or while on County property.
4. Possession of intoxicating beverages, marijuana, narcotics, illegal drugs or any controlled substance while at work or while on County property.
5. Using intoxicating beverages, marijuana, narcotics, illegal drugs or any controlled substance at such time before work that will interfere with one's mental or physical ability to satisfactorily perform assigned duties.
6. Refusing to cooperate with drug and/or alcohol testing, medical or physical tests or examinations when requested or conducted by TCHD or its designee or to respond to questioning regarding drug or alcohol usage.
7. Failing to notify TCHD of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar (5) days after such conviction. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes. "Criminal Drug Statute" means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

"Controlled substances" shall mean a controlled substance as found in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15. The term "controlled substances" shall also mean any controlled substance as defined in Michigan Public Health Code, Article No. 7, Parts 71-75, MCLA 333.7101 et seq.

"Illegal Drug" is defined as any drug that is not legally obtainable, or which is legally



obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained, prescribed drugs not being used for prescribed purposes, and any prescribed drug(s) not taken according to a prescription.

#### **24.2 Drug and Alcohol Testing**

The Tuscola County Health Department reserves the right, within the limits of federal and state laws, to examine and test for the presence of drugs and/or alcohol and employees may be asked to submit to a medical examination and/or submit to urine, saliva, breath, blood and/or hair testing for drugs and/or alcohol. The types of testing performed by the Tuscola County Health Department include, but are not limited to, the following:

A. Pre-Employment/Pre-Placement. The Tuscola County Health Department will make all offers of employment subject to the result(s) of a drug test and employment physical. Applicants will be required to voluntarily submit to urinalysis testing and sign a consent agreement that will release TCHD from liability.

B. Random. Employees of Tuscola County Health Department are employed in safety sensitive position and employees or citizens could be placed in jeopardy by an employee's use of drugs or alcohol. For the safety and health of TCHD employees and the individuals with whom they serve, all employees are subject to random, unannounced drug and/or alcohol tests. The rate of random selection for drugs and alcohol will be a percentage of the annual average employee base. Every employee has an equal chance of being chosen every time a random selection is made.

C. Reasonable Cause. Employees will be asked to submit to a drug and/or alcohol test if reasonable cause exists to suggest that the employee's health or ability to perform expected job duties is impaired. Reasonable cause will exist when an employee's appearance, behavior, speech, or body odors indicate drug and/or alcohol use.

D. Post Injury. Employees who sustain a work related injury requiring treatment will be asked to submit to a drug and/or alcohol test immediately following the incident.

E. Motor Vehicle Accident. Employees who are involved in a motor vehicle accident while on Agency business (personal vehicle or agency vehicle) will be asked to submit to a drug and/or alcohol test immediately following the incident.

F. Return-to-Duty. An employee who has tested positive and has been removed from their job duties must submit to and furnish a negative drug and/or alcohol test result prior to returning to their job duties.

G. Follow-Up. An employee who has been removed voluntarily or otherwise from their job duties due to drug and/or alcohol abuse will be subject to random, unannounced drug and/or alcohol tests. The testing can continue up to sixty (60) months from the return-to-work date.

TUSCOLA COUNTY HEALTH DEPARTMENT FEE SCHEDULE			
SECTION	3	SUBJECT	Maternal Infant Support Program (Maternal Infant Health Program)
PURPOSE	To establish fees to be charged for services rendered.		
EFFECTIVE DATE	<del>01/01/2019</del> <u>10/01/2019</u>	LAST REVIEW	<del>09/21/2018</del> <u>09/13/2019</u>
DATE ESTABLISHED	01/26/1999	LAST REVISION DATE	02/01/2013
BOH ADOPTED DATE	01/15/1999	BOH ADOPTED DATE	<del>09/21/2018</del> <u>09/20/2019</u>
BOC ADOPTED DATE	01/26/1999	BOC RATIFICATION DATE	<del>11/08/2018</del> <u>09/26/2019</u>
Service		Fee	
MSS Office Enrollment		<del>\$85</del> <u>\$88</u>	
MSS Home Enrollment		<del>\$195</del> <u>\$110</u>	
MSS Home Visit		\$95	
MSS Office Visit		\$70	
<u>ISS Office Enrollment</u>		<u>\$88</u>	
ISS Home Enrollment		<del>\$195</del> <u>\$110</u>	
ISS Home Visit		\$95	
ISS Office Visit		\$70	
ISS Visit Drug Exposed Infant		\$95	
Childbirth Education Series		\$35	

Note: Different Fees may be negotiated with Qualified Health Plans and other Health Insurance Provider as long as they are delineated in a contract which is approved by the Tuscola County Board of Health and the Tuscola Board of Commissioners.

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**INDEPENDENT CONTRACTOR AGREEMENT  
TUSCOLA COUNTY, MI  
List Psychological Services PLC, 443 N. State St., Caro, MI 48723**

This agreement, made and entered into effective October 1, 2019 to be effective through September 30, 2020, by and between Tuscola County ("County" or "Tuscola County"), and List Psychological Services P.L.C, 443 N. State St., Caro, MI 48723 ("Contractor").

**WHEREAS**, Tuscola County desires to establish an independent contractor relationship for providing services as Tuscola County deems necessary; and

**WHEREAS**, Contractor is ready, willing and able to provide services as desired by Tuscola County and is recognized as an *independent contractor*.

**NOW THEREFORE**, in consideration of this mutual agreement hereinafter contained, subject to the terms and conditions, hereby understood, and agreed by the parties hereto as follows:

**ELIGIBLE CLIENTS:** The Contractor shall provide services to referred children or families who have an active:

- Michigan Department of Health and Human Services (MDHHS) Tuscola County Child Protective Services (CPS) Category I or II cases or;
- MDHHS Tuscola County Foster Care Case (CFC) with children under the age of 18 or;
- Tuscola County Family Court Delinquency Case.

Referral source will be MDHHS or as ordered by the Court. Referrals to Contractor shall be approved by the caseworker's supervisor.

Services may continue if a move occurs into an adjacent county if the youth or family remains involved in an MDHHS Tuscola County CPS/CFC case, Tuscola County Delinquency Case or under the jurisdiction of the Tuscola County Court.

**PROFESSIONAL SERVICES AND REQUIRED DOCUMENTATION:**

- Within 7 business days of the referral, the Contractor shall:
  - Initiate contact with the referral source;
  - Confirm referral and
  - Discuss case dynamics.
- Within 10 business days of the referral, the Contactor and MDHHS caseworker or Family Court representative will meet face to face with the family and:
  - Identify family needs and strengths;
  - Identify child needs and strengths;
  - Develop service goals and objectives;
  - Identify community services already in place;
  - Identify any safety issues or anticipated concerns

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- Set up any a supervised visitation plan and
  - Establish time frames and a schedule of contacts.
- Within 15 business days of the referral, the Contractor will:
    - Develop an action plan including:
      - Identified family needs and strengths;
      - Identified child needs and strengths;
      - Service goals and objectives;
      - Identified community services already in place;
      - Identified any safety issues or anticipated concerns
      - Supervised visitation plan and
      - Established time frames and a schedule of contacts.
    - Provide a copy of the action plan to the referral source and to the family.
  - Provision of services can include but is not limited to:
    - Supervised face-to-face contact between parents and their children and/or
    - Parent education while the contractor teaches, mentors and models behaviors including but not limited to demonstrating appropriate:
      - Parenting techniques
      - Discipline
      - Family interaction
      - Nutrition
      - Money management
      - Facilitation of connections to community resources
      - Home upkeep and maintenance
      - Communication skills
      - Coordination and arrangement of parental visits (including transportation arrangement
      - Enforcement of a visitation environment that is healthy for all and complies with referral source requirements
      - Interceding on the children's behalf if inappropriate behaviors are observed
    - Planning for transportation to necessary activities when warranted
    - Maintaining ongoing conferencing with referral source
    - Testifying in court
    - Completing required documentation
  - Within 5 business days of each family visit, an emailed narrative and a Summary and Contact Sheet will be provided to the referral source. These reports will summarize the visit as it relates to the action plan including how the family has or has not met their goals and objectives as well as any strengths, weaknesses, interventions, preparation for the visit, activities, subjects discussed and any barriers in meeting the plan of action.
  - A Closing Documentation report is due upon closure of the case. This report shall address:
    - Closure reason
    - Safety issues, anticipated concerns, safety plan

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- o Placement/living arrangement of children at closure
- o Closing summary

**COMMUNICATION:** Communication with the referral source shall occur weekly informing of the progress or lack of progress that is being made. This communication can be by phone, email or face to face.

Contractor will provide a business phone number and answering point for the client, referring worker, supervisor, Tuscola County, and/or other community members to establish contact and/or leave a message.

**CLIENT RECORDS:** Contractor shall maintain and be able to produce upon request the following documents:

- Referral form;
- Date of contacts -- contact summaries;
- Methods of service delivery;
- All contacts with client;
- Documentation of events;
- Any other documentation that may pertain to clients;
- Total number of units of service delivered to each client
- Record of mileage
- Record of Specific Assistance expenses

All records and documentation shall be maintained in a safe and secure location and in compliance with any applicable state and federal regulations.

**COMPENSATION:** By the 5<sup>th</sup> business day of the following month, Contractor shall submit a payment invoice for verification of mileage, Specific Assistance expenses, units provided, and contacts made during the billing cycle at the unit rate. Reimbursement shall be made on a monthly basis. Requests for payment over 90-day period may be denied payment. A unit is defined as one hour of any of the following: (1) face to face or telephone contact with child, family, referral source, or agencies affiliated with the family or (2) email writing and/or report writing. Units shall be billed in one quarter of an hour increments. Contractor shall provide up to 2080 hours at the unit rate of **\$30.00** per hour equaling \$62,400.00. In addition, Contractor is allowed **\$500.00** in Specific Assistance reimbursement of approved purchases made on behalf of the referred client(s) and **\$5000.00** in mileage reimbursement from Contractor's Office at 651 N. State St., Caro, MI or the Tuscola County Courthouse, 440 N. State St, Caro, MI, whichever is closer to the destination. Contractor agrees to provide documentation satisfactory to the County to verify reimbursement for Specific Assistance and mileage under this Agreement. Total contract cost will not exceed **\$67,900.00**.

No other funding through fees or charges to any client is permitted under this Agreement.

**INDEPENDENT CONTRACTOR:** It is agreed that the contractor is acting as an independent contractor, representing itself to the general public as an independent contractor for the other work or contracts as contractor desires; furthermore, it is agreed that Tuscola County will not discourage or inhibit the contractor from entering into any other contracts for like or similar services; furthermore, it is agreed this agreement is not exclusive.

**CONFIDENTIALITY:** The use or disclosure of information concerning services to applicants or recipients obtained in connection with the performance of the Agreement shall be restricted to purpose directly connected with the administration of the programs implemented by this Agreement. Contractor agrees to comply with all applicable federal and state privacy statutes, rules and regulations. Contractor shall at all times treat each individual to which services are provided with dignity and respect.

**TAXES:** It is agreed that the Contractor shall accept full responsibility for any and all taxes that may be lawfully due to any governmental unit as a result of payments made by Tuscola County. Tuscola County shall provide a Form 1099 to Contractor at the end of the year for tax purposes.

**INSURANCE COVERAGE:** At all times during the pendency of this Agreement, Contractor shall maintain professional and general liability insurance in such amounts as are necessary to cover all claims which may arise out of the Contractor's operations and shall name County as an additional insured on such policies. Contractor agrees to provide County with proof of such coverage. Contract also agrees to maintain unemployment compensation coverage, and worker's compensation insurance in accordance with the applicable Federal and State law and regulations.

Contractor shall at all times be regarded as an independent contractor and shall not at any time as an agent for Tuscola County.

**LIABILITY:** The Contractor shall indemnify, save and hold harmless Tuscola County against any and all expenses and liability of any kind which Tuscola County may sustain, incur or be required to pay arising out of this Agreement, including, but not limited to, reasonable attorney fees. Further, if the Contractor becomes involved in or is threatened with litigation, the Contractor shall immediately notify Tuscola County of the same.

**TERM:** This agreement shall commence on October 1, 2019 and continue through September 30, 2020.

**TERMINATION OF AGREEMENT:** Payment source is solely based on available funds, and if availability of the funds no longer exists, the agreement is terminated immediately.

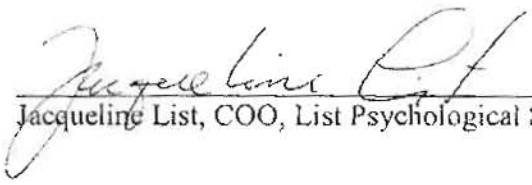
Either County or Contractor may terminate the Agreement with 30 days written notice to the other.

**CHANGES:** A review of the contract will be conducted annually. Any changes in the terms and conditions provided for under this agreement shall be agreed upon in advance by both parties in writing. Failure to agree upon such changes or failure to sign such changes shall terminate the agreement immediately.

**IN WITNESS WHEREOF:** The parties hereto have caused this agreement to be executed by their respective officers duly authorized to do so.

*[signature page to follow]*



  
Jacqueline List, COO, List Psychological Services PLC

9/24/19  
Date

Thomas Bardwell, Chairperson, Tuscola County Board of Commissioners

\_\_\_\_\_  
Date

ABBAY, ABBAY & THOMAS, PLLC

ATTORNEYS AT LAW

121 WEST GRANT STREET, SUITE 3

CARO, MICHIGAN 48723

THOMAS D. ABBAY (1997-2001)  
JAMES R. ABBAY  
S. PERRY THOMAS, JR., OF COUNCIL

TELEPHONE (888) 673-7761  
FAX (888) 673-7751  
law@abbeyabbeythomas.org

September 17, 2019

Steve Erickson, Director  
Tuscola County Economic Development Corp.  
141 S. Almer Street  
Caro, MI 48723

Dear Steve:

I was asked to provide information regarding three questions as to the management of the Tuscola County Economic Development Corporation. In order to answer those questions, I reviewed the Articles of Incorporation, Tuscola County Economic Development Corporation Bylaws, and the Michigan statutes for the establishment of economic development corporations (MCL 125.1601 - MCL 125.1636).

The first question posed was whether the Tuscola County Economic Development Corporation is separate and distinct from the governing body for Tuscola County. Article XIII of the Articles of Incorporation provides: "the corporation shall at all times be deemed to be an agency or political subdivision of the incorporating unit". The first paragraph of the Articles of Incorporation defines an incorporating unit as the County of Tuscola. Based on the Articles of Incorporation it would, in my opinion, seem that the Tuscola Economic Development Corporation, although a separate legal entity, is still part of the governing body for Tuscola County

The second question was whether there was a limit to the number of directors that can serve on the Board of Directors for the Tuscola County Economic Development Corporation. The language which controls this question is contained within state statute MCL 125.1604(2), Article VII of the Articles of Incorporation, and Article 3 of the Corporation Bylaws. The language contained within those sections does not limit the number of directors that may serve on the board other than to provide that there shall not be less than nine members, not more than three of them who are an officer or an employee of the County of Tuscola. Additionally, the provisions provide that the terms of the directors must be staggered so that they are not all replaced at the same time. Article VII of the Articles of Incorporation provides that the Directors shall be appointed by the Chief Executive Officer of the incorporating unit. Article 3 of the Bylaws provides that the Chair of the Tuscola County Board of Commissioners shall appoint Directors. Both provisions also contain the language that the appointment is with the advice and consent of the Board of Commissioners.

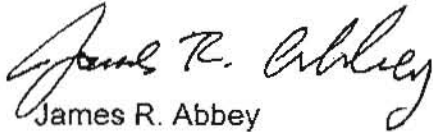
Steve Erickson, Director  
Tuscola County Economic Development Corp.  
September 17, 2019  
Page 2

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The third question present was whether the Tuscola County Economic Development Corporation operates with the full faith and credit of the county. MCL 125.1623 provides that an economic development corporation may borrow money or issue revenue bonds for the purpose of defraying all or part of its project costs. The statute further provides that the municipality shall not be liable on notes or bonds of the corporation and the notes and bonds shall not be a debt of the municipality. This language would mean that the corporation does not act with the full faith and credit of the governing body of Tuscola County.

I hope this provides the information you are looking for. If you have further questions, please feel free to contact me.

Sincerely,



James R. Abbey

JRA/hd



## ARTICLES OF INCORPORATION

These Articles of Incorporation are signed and acknowledged by the incorporators for the purpose of forming an economic development corporation (the "Corporation") for the County of Tuscola, Michigan (the "Incorporating Unit"), under the provisions of Act 338 of the Public Acts of 1974, as amended, as follows:

### ARTICLE I

The name of the Corporation is THE ECONOMIC DEVELOPMENT CORPORATION OF THE COUNTY OF TUSCOLA.

### ARTICLE II

The Corporation is organized pursuant to Act 338 of the Public Acts of 1974, as amended ("Act 338"), to perform essential public purposes and functions of the Incorporating Unit. Its purposes will be to alleviate and prevent conditions of unemployment; to assist and retain local industries and commercial enterprises to strengthen and revitalize the economy of the Incorporating Unit and the State of Michigan; to provide means and methods for the encouragement and assistance of industrial and commercial enterprises in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping and expanding within the Incorporating Unit; to encourage the location and expansion of industrial and commercial enterprises to more conveniently provide needed services and facilities to the Incorporating Unit and the residents thereof; to promote economic activity in the forestry and agricultural sectors by providing incentives to combat inflation, to reduce energy consumption, to retain the family farm unit, to reduce the rate at which urban sprawl has been devouring farm lands, and to provide farmers and foresters with a more favorable export market; to encourage the development of facilities designed to produce energy from renewable resources; and to accomplish such other purposes as may be provided from time to time in Act 338, and, to accomplish the foregoing, to do the following:

- (a) To construct, acquire by gift or purchase, reconstruct, improve, maintain, and repair the necessary lands, or interests in lands or portions of lands, for "Projects", as that term may be defined from time to time in Act 338.
- (b) To acquire by gift or purchase the necessary machinery, furnishings and equipment for Projects.
- (c) To make secured or unsecured loans, participate in the making of secured or unsecured loans, undertake commitments to make secured or unsecured loans and mortgages, sell loans and mortgages at public or private sale, rewrite loans and mortgages, discharge loans and mortgages, foreclose on a mortgage, or commence an action to protect or enforce a right conferred upon it by a law, mortgage, loan, contract, or other agreement.
- (d) To borrow money and issue its revenue bonds or revenue notes to finance or refinance part or all of the Project costs and the costs necessary or incidental to the borrowing of money and issuing of bonds or notes for such purpose, and

secure those bonds and notes by mortgage, assignment, or pledge of any of its money, revenues, income, and properties. Bonds and notes may be issued pursuant to this act to acquire and install Projects, necessary lands, or an interest in the land or portion thereof, for the site therefor, and the necessary machinery, furnishings, and equipment for a Project notwithstanding that the corporation does not own or propose to own such Projects, lands, or machinery, furnishings, and equipment. The corporation for a municipality which has a population of more than 1,000,000 persons may combine part or all of the Project costs of more than 1 Project for pollution control facilities in a single financing arrangement. However, the bonds and notes for each Project for pollution control facilities shall be secured by a separate agreement and collateral for each Project.

- (e) To enter into leases, lease purchase agreements, installment sales contracts or loan agreements with any person, firm or corporation for the use or sale of Projects.
- (f) To mortgage or create security interests in the Project, a part of the Project, a lease or loan, or the rents, revenues, or sums to be paid during the term of a lease or loan, in favor of holders of bonds or notes issued by the corporation.
- (g) To sell and convey Projects or any part thereof for a price and at a time as the Corporation determines.
- (h) To lend, grant, transfer or convey funds, described in Section 27 of Act 338, as permitted by law, but subject to applicable restrictions affecting the use of these funds.
- (i) In general, and subject to such limitations and conditions as are or may be prescribed by law, to exercise such other powers which now are or hereafter may be conferred by law upon a corporation organized by the Incorporating Unit under the above statutes and for the above purposes.

#### ARTICLE III

Location of the first registered office is: 1184 Cleaver Rd. Ste. 800 Caro, MI

The post office address of the first registered office is:

#### ARTICLE IV

The name of the first resident agent is Robert Sugden

#### ARTICLE V

Said Corporation is organized upon a non-stock basis. The amount of assets which said corporation possesses is:



- (1) Real property:                      None
- (2) Personal property:                  None

The Corporation will be financed from donations, gifts, grants and devises, either solicited or unsolicited, obtained from public authorities, individuals, corporations and other organizations, by earnings from its activities, borrowings and issuance of revenue bonds.

ARTICLE VI

The names and places of business of each of the incorporators are as follows:

<u>Jack E. Young</u>	<u>656 S. State Rd Vassar, Mi.</u>
<u>Due Beavers</u>	<u>1056 S. State Rd Vassar, Mi.</u>
<u>Don Keenath</u>	<u>7561 Vassar Rd Millington Mi</u>

ARTICLE VII

A. The Board of Directors of the Corporation shall be appointed by the chief executive officer of the Incorporating Unit with the advice and consent of its legislative body. The Board of Directors shall consist of not less than nine persons, not more than three of whom shall be an officer or employee of the Incorporating Unit. Directors shall be public officers. The term of office for directors shall be in accordance with Section 4(2) of Act 338, provided that the Corporation shall notify in writing the chief executive officer of the Incorporating Unit of the Corporation's designation of a project area, and there shall be promptly appointed, in the same manner, to the Corporation's Board of Directors two additional directors representative of neighborhood residents or business interests likely to be affected by each such project proposed by the Corporation, whose term of office shall be consistent with the provisions of Section 4(2) of Act 338.

B. (1) The Board of Directors shall designate one of its members as Chairman, one of its members as Vice-Chairman, one of its members as Secretary, one of its members as Deputy Secretary, and a Treasurer who need not be a member of the Board of Directors, each to be designated for such office for a period of one (1) year. Such officers may succeed themselves in office.

(2) The Chairman shall preside at meetings of the Board of Directors and may sign and execute all authorized bonds, contracts, checks and other obligations and execute interest coupons with his manual or facsimile signature in the name of the Corporation as and when authorized by the Board of Directors. He shall do and perform such other duties as may be fixed by the bylaws and from time to time assigned to him by the Board of Directors.

(3) The Vice-Chairman shall, in the absence of the Chairman or in the event of his inability or refusal to act, perform the duties of the Chairman and, when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairman. The Vice-Chairman shall perform such other duties as may be assigned to him by the Chairman or by the Board of Directors.

(4) The Secretary shall keep the minutes of all meetings of the Board of Directors, and of all committees thereof, in books provided for that purpose. He shall attend to the giving, serving and receiving of all notices or process of or against the Corporation. He may sign with the Chairman in the name of the Corporation all bonds, contracts and other obligations and execute interest coupons with his manual or facsimile signature in the name of the Corporation as and when so authorized by the Board of Directors, and when so ordered, he shall affix the seal of the Corporation thereto. He shall have charge of all books and records which shall at all reasonable times be open to inspection and examination by the Board of Directors or any member thereof, and by the legislative body of the Incorporating Unit, and, in general, perform all the duties incident to his office. The Secretary shall preside at meetings of the Board of Directors in the absence of the Chairman and Vice-Chairman.

(5) The Deputy Secretary shall, in the absence of the Secretary or in the event of his inability or refusal to act, perform the duties of the Secretary and, when so acting, shall have all the powers and be subject to all the restrictions upon the Secretary. The Deputy Secretary shall perform such other duties as may be assigned to him by the Secretary or by the Board of Directors.

(6) The Treasurer shall have custody of all the funds and securities of the Corporation which may come into his hands or possession. When necessary or proper, he shall endorse in behalf of the Corporation for collection, checks, notes and other obligations, and shall deposit them to the credit of the Corporation in a designated bank or depository. He shall sign all receipts and vouchers for payment made to the Corporation. He shall jointly with such other officer as may be designated by the Board of Directors sign all checks, promissory notes and other obligations of the Corporation when so ordered by the Board of Directors. He shall render a statement of his cash accounts when required by the Board of Directors. He shall enter regularly in the books of the Corporation to be kept by him for the purpose full and accurate accounts of all moneys received and paid by him on account of the Corporation, and shall, at all reasonable times, exhibit his books and accounts to the Board of Directors or any member thereof when so required. He shall perform all acts incidental to the position of Treasurer fixed by the bylaws and as assigned to him from time to time by the Board of Directors. He shall be bonded for the faithful discharge of his duties as Treasurer, the bond to be of such character, form and in such amount as the Board of Directors may require.

(7) In the absence of any officer of the Corporation or for any other reason that the Board of Directors may deem sufficient, a majority of the Board of Directors then in office, may delegate, from time to time and for such time as they may deem appropriate, the powers and duties of any officer elected or appointed, to any other officer or to any director.

C. The members of the Board of Directors or any person executing any revenue bond or revenue note on behalf of a Corporation shall not be liable personally on the revenue bond or revenue note, or be subject to any personal liability or accountability by reason of the issuance of the revenue bond or revenue note, by reason of acquisition, construction, ownership, or operation of a Project, or by reason of any other action taken or omitted by the Board of Directors. By resolution the Board of Directors may provide for the purchase of insurance indemnifying the members of the Board of Directors from and against any and all personal liability or accountability described in this section or any loss or expense related thereto.



### ARTICLE VIII

The term of the corporate existence is perpetual.

### ARTICLE IX

The regulation of the internal affairs of the Corporation, including the distribution of assets on dissolution or final liquidation is placed entirely with the Board of Directors or their successors, as provided in the bylaws of this Corporation, subject, however, to the provisions of Act 338.

### ARTICLE X

No part of the net earnings of the Corporation shall inure to the benefit of any member, trustee, officer or director of the Corporation, or any private individual (except that in case of private individuals reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes), and no member, trustee, officer or director of the Corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation. Directors of the Corporation shall serve without salary, but may be reimbursed their actual expenses incurred in the performance of their official duties, and may receive a per diem in an amount set by the legislative body of the Incorporating Unit. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

Upon the dissolution of the Corporation or the winding up of its affairs, all property and assets of the Corporation shall be distributed exclusively to the incorporating Unit or its successor.

### ARTICLE XI

The Board of Directors shall adopt a Corporate Seal.

### ARTICLE XII

All meetings of the Board of Directors shall be public and notice of such meetings will be posted in the office of the Clerk of the Incorporating Unit once at least eighteen hours prior to the date of such meeting and the Corporation shall comply with Act 267 of the Public Acts of 1976 relative to its meetings.

### ARTICLE XIII

The Corporation shall at all times be deemed to be an agency or political subdivision of the Incorporating Unit. The books and records of the Corporation and of the Board of Directors, officers and agents thereof shall be public and open to inspection and audit by the Incorporating Unit at all reasonable times. The Corporation shall submit an annual report of its activities to the legislative body of the Incorporating Unit and to the office of economic development of the



Michigan department of commerce, and shall annually publish in a newspaper of general circulation a report of its revenue and expenditures for the operating year.

ARTICLE XIV

These Articles shall become effective and the Corporation shall exist upon and after the approval of said Articles by appropriate action of the legislative body of the Incorporating Unit. The Articles of the Corporation may be amended by resolution of the Incorporating Unit's legislative body, which resolution shall be filed with the Secretary of State.

ARTICLE XV

Upon its appointment the Board of Directors shall convene, organize and by resolution adopt bylaws which may set forth the Corporation's rules of procedure and regulation of Projects. The bylaws may be altered, amended or repealed and new bylaws may be adopted by resolution of a majority of the Directors present at any regular meeting or at any special meeting, if proper notice is given.

ARTICLE XVI

The Clerk of the Incorporating Unit shall in conformity with Section 31 of Act 338, cause the appropriate filing of these Articles and shall cause the Articles to be published in the County, a newspaper of general circulation within the Incorporating Unit, which publication shall be accompanied by a statement that the right exists to question the incorporation in court as provided in Section 31 of Act 338.

We, the incorporators, sign our names this March / 1 day of 1982.

Jack E. King

Sue Reaves

Leon Kenneth

STATE OF MICHIGAN )  
 ) ss.  
COUNTY OF TUSCOLA )

On this 1 day of March, 1981, before me personally appeared Jack Stone, Lucy Bauer and Leo Steinath to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Edwin Turke

Notary Public Tuscola County, Michigan  
My Commission Expires: Nov. 3/1985

Prepared by: \_\_\_\_\_ of Miller, Canfield, Paddock  
and Stone, 110 Business and Trade Center, 200  
Washington Square North, Lansing, Michigan 48933.

JKB24h 11/13/81

ECONOMIC DEVELOPMENT CORPORATION OF THE  
COUNTY OF TUSCOLA

NAMES AND ADDRESSES OF INCORPORATORS

1. Jack S. Keagy 5390 Mertz Rd, Mayville, Mi
2. Sue Reaver 2911 E. Samlac Rd Mayville
3. Leon Kenneth 7561 Vassar Rd Millington mi



APPLICATION FOR PERMISSION TO INCORPORATE  
AN ECONOMIC DEVELOPMENT CORPORATION  
FOR THE COUNTY OF TUSCOLA, MICHIGAN

County Board of Commissioners of the  
County of Tuscola, Michigan

In conformity with and pursuant to Act 338, Public Acts of  
Michigan, 1974, as amended, the undersigned respectively make  
application to this honorable body to incorporate an economic  
development corporation for the County of Tuscola, Michigan.

Pursuant to the aforesaid Act 338 please find attached hereto and  
made a part hereof proposed Articles of Incorporation for The Economic  
Development Corporation of the County of Tuscola.

Name of Applicant

Address of Applicant

Jack E. Kuong  
Dean C. Keenath  
Sue Beaver

5390 Mertz Rd Mayville  
7561 Vassar Rd Pullington  
2911 E. Snobar Rd Mayville

Dated: Jan 6, 1982

**FILED**

FEB 4 - 1982

TUSCOLA COUNTY CLERK

PER Charles H. ...  
COUNTY CLERK

*Patricia Donovan-Gray*

TUSCOLA COUNTY TREASURER



125 W. LINCOLN STREET  
CARO, MICHIGAN 48723

989-672-3890

September 25, 2019

To: Tuscola County Board of Commissioners

Re: new employee

I have hired Garrett Smith to fill the Account Clerk III position in our office. I would like him to start on September 30, 2019.

Thank you.

*Pat Donovan-Gray*

Pat Donovan-Gray  
Tuscola County Treasurer

## RETAINER AGREEMENT

THIS AGREEMENT, made and entered this first day of October 2019 by and between Capitol Services, Inc. (CSI), a Michigan Corporation with its principal office located in Lansing, Michigan, First Party, and Tuscola County, located in Caro, Michigan, Second Party, hereinafter sometimes called the "County."

### CAPITOL SERVICES, INC. REPRESENTATIONS AND WARRANTIES

- 1.1 Capitol Services, Inc. has been duly organized and validly exists in good standing under the laws of the State of Michigan. Capitol Services, Inc. has Corporate Power to enter into and carry out this Agreement.
- 1.2 This Agreement has been duly executed and delivered by its appropriate Officers and is duly authorized by its Board of Directors.

### NEW CLIENT REPRESENTATIONS AND WARRANTIES

- 2.1 Tuscola County has been duly organized and validly exists in good standing under the laws of the State of Michigan, and its affairs and conduct are in accord with the intent and purpose of its existence as described in its charter documents of record.
- 2.2 This Agreement has been duly executed and is duly authorized by the Tuscola County Board of Commissioners.

### AGREEMENT

- 3.1 Tuscola County does hereby retain Capitol Services, Inc., and Capitol Services, Inc., does hereby agree to provide the following professional services:
  - (a) Provide direct lobbying of state legislators and Executive/department officials, in order to secure support for Tuscola County's policy priorities related to: the construction of a new state psychiatric hospital in Caro, Michigan; and the staffing, patient census, physical plant maintenance and other issues related to the ongoing operation of the current Caro Regional Mental Health Center.



(b) Continue to assist the County in executing a strategic advocacy plan to achieve its policy goals related to a new state psychiatric facility in Caro, Michigan, including coalition building and mobilization, and organizing meetings between County leaders and coalition members and key legislators and the Administration.

(c) Attend meetings with Tuscola County Commissioners upon mutually agreed upon dates.

(d) Provide written legislative updates to Tuscola County Commissioners as directed.

(e) Complete and file lobby registrations and twice-yearly Financial Report Summaries for Tuscola County, if applicable, as required by Michigan's Lobby Registration Act.

3.2 It is understood and agreed that Capitol Services, Inc. operations hereunder are those of an independent contractor, and that Capitol Services, Inc. has the authority to control and direct the performance of the details of the services to be rendered and performed, and it is further agreed that Capitol Services, Inc. officers and employees are not employees of Tuscola County, and that Capitol Services, Inc. is not, except as herein provided, subject to control by Tuscola County.

#### COMPENSATION

4.1 For and in consideration for such services, Tuscola County agrees to pay Capitol Services, Inc., and Capitol Services, Inc. agrees to accept during the term of this Agreement, the sum of \$8,400.00, payable in monthly installments of \$4,200.00.

#### COSTS AND EXPENSES

5.1 It is understood and agreed that the compensation recited in Paragraph 4.1 includes usual and ordinary costs and expenses. If it develops that Capitol Services, Inc. shall be exposed to extraordinary costs and expenses, then in that event Tuscola County shall assume and pay the same, if the nature and circumstances thereof are disclosed to and approved by Tuscola County prior to the time the expenses are incurred.

#### TERM

6.1 The term of this Agreement shall be for the period beginning October 1, 2019 and ending on November 30, 2019.

NON-ASSIGNABILITY

7.1 This Agreement shall be personal to the parties hereof and shall not be transferable or assignable by operation of law or otherwise.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date first above written.

CAPITOL SERVICES, INC.

TUSCOLA COUNTY

\_\_\_\_\_  
Todd Tennis, President

\_\_\_\_\_  
Thomas Bardwell, Chairperson  
Tuscola County Board of Commissioners

**Tuscola County Health Department**  
**Board of Health Report: September 20, 2019**  
 Ann Hepfer RN, B.S Health Officer

**Outcomes for the Month:**

**Medical Examiner Changes:** Dr. Bush is moving along with his new business, the temporary morgue and offices should be open by the beginning of October. His group will not be contracting with agency to support the County Medical Examiner office. He said they cannot afford to spend the almost \$30,000, he made an offer to Tuscola of only \$10,000 for the Medical Examiner services. Tuscola County Medical Examiner's office will close September 30, 2019. They will pay TCHD for the services we have provided since 07/1/19.

**Medical Marihuana: Accomplishments:**

**Goal 1** was to canvass Tuscola County with accurate information regarding Medical Marihuana in an attempt to reduce the stigma, -MET

**Goal 2** was messaging to *Safe Storage* of the Medical Marihuana-MET

We canvassed Tuscola County by visiting physician offices, hospital ERs, other community based organizations, three Mental Health providers, at these locations we provided the guide books "A Guide to Understanding Michigan Marijuana Laws" printed by My Compassion, prescription lock boxes, and the attached flyers for their offices.

We used the local papers that are "free" to all residents to insert the flyer. The flyer insert is attached to this email. We ran this twice with an estimated 80,000 in total receiving the ad. We also ran a radio ad that was aimed at reducing the stigma around Medical Marijuana, it provided the information on MyCompassion.org.

13 billboards were strategically placed with Tuscola County with the message Marijuana Poisoning in Child is REAL, Lock it Up, with the picture of the medication lock box and the National Poison Control number. LARA was given credit for the funding on the bottom of the billboard.

**State update and Essential Public Health Funding:** The state's plan is to release the additional Essential Public Health Funding by November 1. They still have not released the details on how much our allocation will be.

The state's budget has still not been approved. We have heard from State employees that they could be furloughed if the governor does accept the budget, the sticking point is the .45cent gas tax. The gas tax would be applied to the road funds. We have not been told this will affect local public health.

**Severe Pulmonary Disease Outbreak Associated with E-cigarettes/Vaping:**

As of September 16, 2019

*The Severe Pulmonary Disease Outbreak Associated with E-cigarettes/Vaping: Case Investigation*

Michigan received its first case report in early August, 2019 following reports from other states of cases starting in June 2019. On September 12, 2019 CDC informed the public that 380 confirmed and probable cases were reported in 36 states and one U.S. Territory, including six deaths. As of September 16, 2019, six confirmed and 1 probable case have been reporting in Michigan.



The outbreak in Michigan is expected to include cases throughout the state as health care providers report more possible cases. Key features of the outbreak response include public health surveillance and epidemiologic investigation, collaboration with CDC in all aspects of the multi-state outbreak (surveillance, public education, pathologic examination of lung tissue), collaboration with FDA in laboratory testing of equipment and substances used by reported patients, public and provider education, and institution of advisories and preventive actions based on laboratory and surveillance findings.

It is the Public Health responsibility to enter the case into MDSS, complete the interview of the client and advise the client to keep the vaping/E-cigarette paraphernalia locked up safe for we may be sending it for laboratory analysis. We will also be in close contact with the State Epidemiologist. The state is reviewing all medical records to ensure a complete investigation and that the case meets the CDC case definition.

The actual cause is still being determined they did rule out bacterial and viral infections/cause.

Community Corrections

Inmate man hours per Agency for month of **August 2019**

Human Development Center	144
Recycling Center	126
Fowler Center	261
Indian Fields TWP	146
Animal Control	37
Knights of Columbus	10
Animal Control Fence (maintenance)	60
Recycling North Painting/ Power washing	20
Maintenance (lawn Care)	9
Jail lawn	6
Unionville Fire Department	12
Octagon Barn	101
American Legion	53
Cass City Hydrants	30
Exchange Club trail spruce up	3
Falrgrove Bean Festival	104
Caro Garden Club	6
Cass City Gun Club Youth Day set-up	16

Month of August Total equals **1,144 hours**

*Draft*  
**Tuscola County Board of Commissioners**  
**Committee of the Whole**  
**Monday, September 23, 2019 – 8:00 A.M.**  
**HH Purdy Building - 125 W. Lincoln, Caro, MI**

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan, District 4 - Mark Jensen, District 5 - Daniel Grimshaw (arrived at 8:05 a.m.)

Absent: None

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Mike Miller, Nancy Laskowski, Steve Erickson, Jim McLoskey, Register John Bishop, Mark Haney, Jean Doss (via conference call), Steve Anderson, Nancy Erdody, Marilyn Holt, Chuck Heinlein, Curtis Stowe, Dan Syms, Pete Newman, Chris Hamilton, Jerry Peruski, Gene Pierce, John Sauber

**Finance/Technology**  
Committee Leaders-Commissioners Young and Jensen

**Primary Finance/Technology**

1. **Economic Development Corporation (EDC) Update (matter added)** - Steve Erickson presented a video the EDC has put together to place on their website once their website has been updated.
2. **Building Codes Update** - Curtis Stowe reviewed permits filed from 2016 to 2019. Chris Hamilton reviewed the company's revenue tracking system and how their two offices can support each other. Curtis discussed the Reese School demolition project that has been brought to the Board's attention. The SCMCCI contract was reviewed and discussed. Reese School project discussed at length. Chris suggested that research be completed regarding the process of issuing a ticket. Board would like a report provided on a semi-annual basis.
3. **Capitol Services** - Jean Doss provided an update in regards to the potential approval of the State Budget and how that could affect the Caro Center. The proposed budget includes a 100 bed facility for Caro. Jean recommends that the allies keep working together to continue the fight to maintain the funds in the upcoming budget. Matter discussed at length.

Recessed at 9:57 a.m.

Reconvened at 10:06 a.m.

4. **KC Communication Contract** - Clayette Zechmeister provided an update on behalf of KC Communications as to the plan in maintaining social presence. Board discussed if the contract should be renewed. There is still time to renew or cancel. Matter to be added to Thursday's agenda.
5. **Capitol Services Contract** - Clayette Zechmeister presented a proposed contract that is a month to month contract. Board would like to have the contract for two months and to amend the end date to be November 30, 2019. Matter to be placed on the Consent Agenda.
6. **Opioid Litigation update** - Clayette Zechmeister provided an update on the litigation case. Action on the matter is expected to be at least a year out.



7. **Financial Overview** - Clayette Zechmeister presented preliminary budget reports for the 2020 budget year. There are two departments that need to submit their budget numbers. Meetings will be scheduled between Committees and Department Heads to review requests.
8. **Drain Office Employee Restructure Request** - Drain Commissioner Manley is requesting his request to be addressed by the Board as he was directed to be included in the upcoming negotiations. Clayette Zechmeister recommends this be addressed during negotiations with AFSCME.

**On-Going and Other Finance  
Finance**

1. MREC - updates
2. Update Regarding Assessing/Taxation Disputes with Wind Turbine Companies – SB 46
3. Preparation of Updated Multi-Year Financial Plan
4. Continue Review of Road Commission Legacy Costs
5. 2020 Budget Development

**Technology**

1. GIS Update
2. Increasing On-Line Services/Updating Web Page
3. Implementation of New Computer Aided Dispatch System
4. Malware and Phishing Alerts - The County continues to monitor the threat of malware and the continued effort in training employees.

**Personnel**

Committee Leader-Commissioner Vaughan and Bardwell

**Primary Personnel**

1. **Negotiation process** - Negotiations will begin on Thursday this week.

**On-Going and Other Personnel**

1. Negotiation of Expiring Union Contracts – Setting Financial and Other Objectives
2. Strengthen and Streamline Year-End Open Enrollment
3. Scheduling a MAC 7<sup>th</sup> Meeting to Determine if Organization will Continue - Meeting went well and it was decided to continue the MAC 7th District.

**Building and Grounds**

Committee Leaders-Commissioners Jensen and Grimshaw

**Primary Building and Grounds**

1. **Farm Lease** - Mike Miller explained that the previous lease was only a one-year lease. Brian Schriber would like to renew the contract with the county but is questioning if the county is going to re-bid it before he plants his winter crop. As the concern to have a multi-year lease due to the Medical Facility project has been addressed, the Board would like to have the lease re-bid for a 3-year term. Board would like to have the current lease wording and legal description wording reviewed prior to signing with the next leaseholder.

2. **Vanderbilt Park Dump Station** - Mike Miller provided an update to the dump station as it is being recommended an Allgen system be installed. Board would like to know if the design includes the option of adding showers at a later time and if the design does not include that option the Board would like information on having that option included. Matter to be added to Thursday's agenda for further discussion.
3. **Michigan State Police (MSP) Post Tank Inspections** - Mike Miller provided an update regarding extending the city water system to the Michigan State Police post. A flow test will need to be completed for the fire suppression to see if it is compatible. The MSP Post is not located within the City of Caro limits and possibly would need to be consideration for annexation. Mike Miller will provide more information at an upcoming meeting.

**On-Going and Other Building and Grounds**

1. County Jail Study
2. Recycling Relocation Update - Mike Miller provided an update on the progress that has been made at the new location.
3. County Physical and Electronic Record Storage Needs – Potential Use of Recycling Pole Building
4. Review of Alternative Solutions Concerning the Caro Dam - Matter discussed.

**Other Business as Necessary -**

- Commissioner Bardwell reported regarding a communication regarding EDC from Abbey, Abbey and Thomas, PLLC. Board asked Clayette to research the third question posed in the letter. A financial report was provided to the Board. Board also discussed the recent EDC Board appointments. The EDC Board meeting took place at the new building at the fairgrounds to accommodate the size of the Board.
- Commissioner Grimshaw discussed the authorization of bills in relation to the Caro Center Rally.

**Public Comment - None**

Meeting adjourned at 11:40 a.m.

Jodi Fetting  
Tuscola County Clerk

September 5, 2019

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, September 5, 2019 at 8:00 A.M.

Present: Road Commissioners John Laurie, Gary Parsell, Julie Matuszak, David Kennard, and Duane Weber; Acting County Highway Engineer Brent Dankert, Operations Engineer Technician Will Green, Superintendent/Manager Jay Tuckey, and Director of Finance/Secretary-Clerk Michael Tuckey.

Also Present: County Commissioner Thomas Young.

Motion by Parsell seconded by Kennard that the minutes of the August 22, 2019 regular meeting of the Board be approved. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Payroll in the amount of \$109,015.03 and bills in the amount of \$191,163.55 covered by vouchers #19-45 and #19-46 were presented and audited.

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

Motion by Parsell seconded by Matuszak that the Board go into closed session at 8:05 A.M. for the purpose of discussing a pending lawsuit with the Road Commission's Attorney. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

At 8:30 A.M. the Board returned to open session.

Brief Public Comment Segment:

(1) Mr. Ken Dunton asked for the status of the road closure on Boy Scout Road. Acting County Highway Engineer Dankert provided the status and current plans for Boy Scout Road.

Motion by Parsell seconded by Kennard that a Permit be issued for the closure of Fostoria Road between Saginaw St. and Lincoln St. from 10:00 A.M. to 3:00 P.M. on September 14, 2019 for a Fire Department fundraiser; and that the Road Commission will provide standard traffic control signs for the closure. Kennard, Weber, Matuszak, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Weber that the following Resolution be adopted:

**RESOLUTION TO ADOPT A LOCAL PAVEMENT WARRANTY PROGRAM**

WHEREAS, the Michigan Legislature (MCL 247.662, 247.663) requires each county road agency to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Michigan Local Agency Pavement Warranty Program was developed by the Local Agency Pavement Warranty Task Force for use by all 83 county road agencies in the format approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Michigan Department of Transportation has reviewed and approved the Michigan Local Agency Pavement Warranty Program consisting of Special Provisions (Boilerplate, Concrete, HMA, Location, Pass-



Through Warranty Bond); a Warranty Bond Form and Contract Form; and Guidelines for Local Agency Pavement Warranty Programs;

NOW THEREFORE BE IT RESOLVED, the Tuscola County Road Commission hereby adopts the Michigan Local Agency Pavement Warranty Program and accompanying documents in accordance to the requirements of MCL 247.662 and 247.663;

BE IT FURTHER RESOLVED, this resolution is made a part of the minutes of the Tuscola County Road Commission meeting on September 5, 2019.

Kennard, Weber, Matuszak, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Parsell that the following Resolution be adopted:

### RESOLUTION TO IMPLEMENT A LOCAL PAVEMENT WARRANTY PROGRAM

WHEREAS, the Michigan Legislature created a requirement (MCL 247.662, 247.663) as part of the Transportation Funding Package of 2015 that requires each county road agency to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Tuscola County Road Commission adopted the Michigan Local Agency Pavement Warranty Program on September 5, 2019;

WHEREAS, the Tuscola County Road Commission agrees to consider a local pavement warranty on each project that includes \$2 million or more in paving-related items and includes any state or federal funds;

WHEREAS, the Local Agency Pavement Warranty Program law requires each county road agency to report annually on each project that includes \$2 million or more in paving-related items and includes any state or federal funds, whether or not a warranty was utilized in the project;

WHEREAS, the Tuscola County Road Commission agrees to implement the Michigan Local Agency Pavement Warranty Program consistent with the Guidelines for Local Agency Pavement Warranty Program document that was approved by the Michigan Department of Transportation in 2018; and which the Tuscola County Road Commission's adopted Implementation Policy defines the Tuscola County Road Commission's intent of its pavement warranty program;

NOW THEREFORE BE IT RESOLVED, the Tuscola County Road Commission hereby agrees to implement the Local Agency Pavement Warranty Program and annually report in accordance with the law.

Kennard, Weber, Matuszak, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Kennard that the Agreement between Mikinaak Sand & Gravel, LLC (formally Michigan Aggregate Products) and the Tuscola County Road Commission allowing Designated and Special Designated All-Season loads on Snover Road from its establishment east to Leix Road be approved for two (2) years with the conditions specified in the Agreement. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Weber to approve the 2<sup>nd</sup> Amendment to the current Road Agreement for the Pegasus Wind Turbine Project. Weber, Kennard, Matuszak, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Kennard to approve a Permit for Bednarski Farms to allow leaving a temporary wind farm culvert at the intersection of Cass City Road and Ashmore Road, with the understanding that the culvert be reduced to 100 feet in length; all with the conditions specified in the Permit. Yeas: Kennard, Weber, Matuszak, Laurie / Nays: Parsell --- Motion Carried.

Motion by Kennard seconded by Parsell to approve a Permit for Steve Ewald to allow boring under Elmwood Road, with no additional ditching; all with the conditions specified in the Permit. Yeas: Kennard, Weber, Matuszak, Parsell / Abstain: Laurie --- Motion Carried.

Motion by Parsell seconded by Matuszak to deny the Road Agreement submitted by the Indianfields Township Board to pave Ryan Road from Riley to Bevens, due to the late request for roadwork and the lack of a request for a board variance to complete the project this season. Yeas: Matuszak, Parsell, Laurie / Nays: Weber, Kennard --- Motion Carried.

Acting County Highway Engineer Dankert provided an update to the Board of the current road and bridge damages caused by area flooding.

Acting County Highway Engineer Dankert provided an update to the Board regarding the Shays Lake Road Box Culvert.

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

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Chairman

---

Secretary-Clerk of the Board

# Iosco County Board of Commissioners

19

COURT HOUSE  
Tawas City, Michigan 48763

## RESOLUTION

### TRIAL COURT FUNDING COMMISSION INTERIM REPORT

DATE: August 21, 2019

WHEREAS, the County Clerks in Michigan have a constitutional stake in the trial court funding question, but were excluded from participation in the Trial Court Funding Commission. The County Clerks have a unique relationship with the courts and a perspective that should be heard when making recommendations for substantial changes.

WHEREAS, the goal of Public Act 65 of 2017 was to create a Trial Court Funding Commission to "review and recommend changes to the trial court funding system in light of *People v. Cunningham*".

WHEREAS, the vast majority of the Interim Report deals with the consolidation of all local court staff and operations under state control but does not solve the funding problems that *Cunningham* created (simply moving collections of fines and costs and payment of court salaries/benefits to the state does not mitigate the fact that we will still not be funded adequately).

WHEREAS, centralized control of our court process does not necessarily serve the best interest of the public. The County Clerks believe that local judges and citizens are better served by local custodial control. It has been proven to be a more responsive method of serving their needs.

WHEREAS, research of other state-funded court systems has shown that state funding creates a culture of complacency that tolerates delay. Accountability is removed from the local level and placed in the hands of bureaucrats in state government who are less connected to the people.

WHEREAS, we are concerned that transferring funding to state control would tether the judicial branch to the short term whims of the legislative and executive branches even more than they exist already. In the event of a lack of state funding (government shutdown) this process would also force the shutdown of the court system, resulting in constitutional violation of due process.



WHEREAS, it is critical to note that the finding of 46th Circuit Trial Court v. County of Crawford, 2006:143 states directly: "In order for the judicial branch to carry out its constitutional responsibilities as envisioned by the Constitution of 1963, art3, SS 2, the Judiciary cannot be totally beholden to legislative determinations regarding its budgets."

WHEREAS, this Interim Report recommends altering the Michigan Constitution to provide that circuit court clerks are employed by the court and under the supervision of state government rather than the County Clerk.

WHEREAS, County Clerks serve a critical role in the judicial system. They are constitutionally mandated to ensure the integrity of the records and protecting the best interests of our citizens. Removing County Clerks from the picture would serve as substantial disruption to the purpose that we serve

NOW, THEREFORE, BE IT RESOLVED, the Iosco County Board of Commissioners are opposed to the Trial Court Funding Commission Interim Report dated April 8, 2019 We believe that it is imperative to maintain local control and accountability because that is how our constituents are best served. We strongly oppose this Interim Report and possible pending legislation and encourage the other 82 Michigan counties to join us.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Senator Stamas, Representative Kilde, the Michigan Association of Counties and the other 82 Michigan Counties.

Move: D. Jay O'Connell

Support: [Signature]

Roll Call: Ayes 5

Nays 0

Absent 0



**ARENAC COUNTY BOARD OF COMMISSIONERS**

P.O. Box 747 • 120 North Grove Street • Standish, MI 48658  
(989) 846-6188

District #1 Sally Mrozinski

District #2 Lisa Salgat

District #3 Bobbe Burke Vice-Chairperson

District #4 Harold Woolhiser

District #5 Adam Kroczaleski Chairman

**Resolution 2019-10**

**RESOLUTION OPPOSING LEGISLATION TO PREVENT COUNTY COMMISSIONER CANDIDATES FROM DISCLOSING THEIR PARTY AFFILIATION ON BALLOTS PROVIDED TO MICHIGAN VOTERS – BOARD OF COMMISSIONERS**

**WHEREAS**, on August 26, 2019 the Arenac County Board of Commissioners received a resolution from Wexford County regarding MAC which is considering supporting a change to Michigan election law; and

**WHEREAS**, this change in Michigan law would force candidates for the office of County commissioner to run as "non-partisan" candidate and would prohibit said candidate from disclosing their party affiliation on ballots provided to Michigan voters; and

**WHEREAS**, preventing disclosure of candidate's party affiliation needlessly restricts and censors information that Michigan voters have traditionally relied upon to help them select a candidate who shares their values; and

**WHEREAS**, the proposed change to Michigan election law is not needed as current Michigan law already permits County Commissioners candidates to withhold information about their party affiliation from being printed on the ballots provided to Michigan voters; and

**WHEREAS**, under the current law, Commissioners candidates are able to run for office without being affiliated with a political party and disclosing their affiliation, by running as an independent candidate.

**THEREFORE, BE IT RESOLVED** that the Arenac County Board of Commissioners hereby supports providing Michigan voters with full information about their candidates for County Commissioners, and hereby opposes forcing a candidate for County Commissioner to run as a "non-partisan" candidate.

**BE IT FURTHER RESOLVED** that the Arenac County Board of Commissioners hereby instructs Arenac County Clerk to transmit copies of this resolution to State Senator Jim Stamas, State Representative Jason Wentworth, the Michigan Association of Counties, and all Michigan Counties within two weeks of the passage of this resolution.

September 10<sup>th</sup>, 2019



Wendy J. Goodreau  
CLERK/REGISTER

Carrie Verbanac  
DEPUTY

Kim Fedie  
DEPUTY

**BARAGA COUNTY RESOLUTION IN SUPPORT OF LINE 5 TUNNEL**

WHEREAS, Enbridge's Line 5 has been operating safely and reliably in Straits of Mackinac for more than 66 years; and

WHEREAS, Enbridge's Line 5, a light crude and natural gas liquids pipeline, helps to safely meet Michigan's energy needs by fulfilling more than half of the propane needs of the state; and

WHEREAS, the products delivered to regional refineries provide jobs and ultimately fuel our lives; and

WHEREAS, multiple and extensive inspections and safety tests over the last several years have confirmed the integrity of Line 5 at the Straits of Mackinac as fit for service.

WHEREAS, consequences to energy supply, local producers, regional airports and refineries, jobs, local economies and the pocketbook of Michiganers across the entire state are too great for Line 5 to be shut down before the tunnel replacement can be completed.

WHEREAS, issues have been raised by several concerned parties regarding the possibility and impact of a breach of Line 5 into the Straits of Mackinac. These concerns have resulted in the State of Michigan and Enbridge negotiating an "agreement" for a 5 year \$500 million project, to construct a tunnel 100 feet below bedrock to encase Line 5, the entire length of the Straits, in one-foot-thick concrete walls in order to mitigate the chances of any leaks of product into the Great Lakes.

WHEREAS, the recently elected Michigan Attorney General, Dana Nessel, has subsequently opposed the negotiated "agreement" and filed a law-suit in Ingham County Circuit Court to close down Line 5 immediately effectively canceling all efforts to begin construction of the tunnel; and

WHEREAS, this action may very well provide unintended consequences for all parties as the litigation to close down Line 5 may take years to be resolved in the court with no assurance of the outcome and;

**BOARD OF COMMISSIONERS**

Gale Eilola  
DISTRICT 1

Michael Koskinen  
DISTRICT 2

Dan Robillard  
DISTRICT 3

William Menge  
DISTRICT 4

William C. Rolof  
DISTRICT 5









Wendy J. Goodreau  
CLERK/REGISTER

Carrie Verbanac  
DEPUTY

Kim Fedie  
DEPUTY

RESOLUTION  
TRIAL COURT FUNDING COMMISSION INTERIM REPORT

WHEREAS, the County Clerks in Michigan have a constitutional stake in the trial court funding question, but were excluded from participation in the Trial Court Funding Commission. The County Clerks have a unique relationship with the courts and a perspective that should be heard when making recommendations for substantial changes.

WHEREAS, the goal of Public Act 65 of 2017 was to create a Trial Court Funding Commission to "review and recommend changes to the trial court funding system in light of *People v. Cunningham*".

WHEREAS, the vast majority of the Interim Report deals with the consolidation of all local court staff and operations under state control but does not solve the funding problems that *Cunningham* created (simply moving collections of fines and costs and payment of court salaries/benefits to the state does not mitigate the fact that we will still not be funded adequately).

WHEREAS, centralized control of our court process does not necessarily serve the best interest of the public. The County Clerks believe that local judges and citizens are better served by local custodial control. It has been proven to be a more responsive method of serving their needs.

WHEREAS, research of other state-funded court systems has shown that state funding creates a culture of complacency that tolerates delay. Accountability is removed from the local level and placed in the hands of bureaucrats in state government who are less connected to the people.

WHEREAS, we are concerned that transferring funding to state control would tether the judicial branch to the short term whims of the legislative and executive branches even more than they exist already. In the event of a lack of state funding (government shutdown) this process would also force the shutdown of the court system, resulting in constitutional violation of due process.

WHEREAS, it is critical to note that the finding of 46th Circuit Trial Court v. County of Crawford, 2006:143 states directly: "In order for the judicial branch to carry out its constitutional responsibilities as envisioned by the Constitution of 1963, art3, SS 2, the judiciary cannot be totally beholden to legislative determinations regarding its budgets."

BOARD OF COMMISSIONERS

Gale Eilola  
DISTRICT 1

Michael Koskinen  
DISTRICT 2

Dan Robillard  
DISTRICT 3

William Menge  
DISTRICT 4

William C. Rolof  
DISTRICT 5



WHEREAS, this Interim Report recommends altering the Michigan Constitution to provide that circuit court clerks are employed by the court and under the supervision of state government rather than the County Clerk.

WHEREAS, County Clerks serve a critical role in the judicial system. They are constitutionally mandated to ensure the integrity of the records and protecting the best interests of our citizens. Removing County Clerks from the picture would serve as substantial disruption to the purpose that we serve.

NOW, THEREFORE, BE IT RESOLVED, the Baraga County Board of Commissioners are opposed to the Trial Court Funding Commission Interim Report dated April 8, 2019. We believe that it is imperative to maintain local control and accountability because that is how our constituents are best served. We strongly oppose this Interim Report and possible pending legislation and encourage the other 82 Michigan counties to join us.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Senator Ed McBroom, Representative Gregory Markkanen, the Michigan Association of Counties and the other 82 Michigan Counties.

STATE OF MICHIGAN        )  
  ) SS  
COUNTY OF BARAGA        )

I, WENDY J. GOODREAU, Clerk of the Baraga County Board of Commissioners and Clerk of the County of Baraga, do hereby certify that the above Resolution was duly adopted by the said Board on September 9, 2019.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Circuit Court at L'Anse, Michigan this 12th day of September, 2019.

  
\_\_\_\_\_  
Wendy J. Goodreau, Clerk



**BARAGA COUNTY CLERK**  
Register of Deeds



2 South Main Street • L'Anse, MI 49946-1085  
906.524.6100 Ext. 301 • Fax: 906.524.6432

Wendy J. Goodreau  
CLERK/REGISTER

Carrie Verbanac  
DEPUTY

Kim Fedie  
DEPUTY

**RESOLUTION OPPOSING LEGISLATION TO PREVENT COUNTY COMMISSIONER  
CANDIDATES FROM DISCLOSING THEIR PARTY AFFILIATION ON BALLOTS PROVIDED  
TO MICHIGAN VOTERS**

WHEREAS, Executive Director of the Michigan Association of Counties (MAC), of which Baraga County is a dues paying member, state MAC is considering supporting a change to Michigan election law; and

WHEREAS, this change in Michigan law would force candidates for the office of County Commissioner to run as a "non-partisan" candidate and would prohibit said candidates from disclosing their party affiliation on ballots provided to Michigan voters; and

WHEREAS, preventing disclosure of a candidate's party affiliation needlessly restricts and censors information that Michigan voters have traditionally relied upon to help them select a candidate who shares their values; and

WHEREAS, the proposed change to Michigan election law is not needed as current Michigan law already permits County Commission candidates to withhold information about their party affiliation from being print on ballots provided to Michigan voters; and

WHEREAS, under the current law, Commissioner Candidates are able to run for office without being affiliated with a political party and disclosing their affiliation, by running as an independent candidate.

THEREFORE, BE IT RESOLVED, that the Baraga County Board of Commissions hereby support providing Michigan voters with full information about their candidates for County Commissioner, and hereby oppose forcing a candidate for County Commissioner to run as a "non-partisan" candidate.

BE IT FURTHER RESOLVED, that the Baraga County Board of Commissioners hereby request copies of this resolution be sent to State Senator Ed McBroom, State Representative Gregory Markkanen, the Michigan Association of Counties, and all Michigan Counties, within two weeks of the passage of this resolution.

STATE OF MICHIGAN     )  
  ) SS  
COUNTY OF BARAGA     )

**BOARD OF COMMISSIONERS**

Gale Eilola  
DISTRICT 1

Michael Koskinen  
DISTRICT 2

Dan Robillard  
DISTRICT 3


William Menge  
DISTRICT 4

William C. Rolof  
DISTRICT 5



I, WENDY J. GOODREAU, Clerk of the Baraga County Board of Commissioners and Clerk of the County of Baraga, do hereby certify that the above Resolution was duly adopted by the said Board on September 9, 2019.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Circuit Court at L'Anse, Michigan this 13th day of September, 2019.



---

Wendy J. Goodreau, Clerk

RESOLUTION 118-2019

Grand Traverse County Resolution in Support of Line 5 Tunnel

WHEREAS, Enbridge's Line 5, has been operating safely and reliably in the Straits of Mackinaw for more than 66 years; and,

WHEREAS, Enbridge's Line 5, a light crude and natural gas liquids pipeline, helps to safely meet Michigan's energy needs by fulfilling more than half of the propane needs of the state, and,

WHEREAS, the products delivered to regional refineries provide jobs and ultimately fuel our lives; and,

WHEREAS, multiple and extensive inspections and safety tests over the last several years have confirmed the integrity of Line 5 at the Straits of Mackinac as fit for service.

WHEREAS, Consequences to energy supply, local producers, regional airports and refineries, jobs, local economies and the pocketbook of Michiganders across the entire state are too great for Line 5 to be shut down before the tunnel replacement can be completed;

WHEREAS, within Grand Traverse and Leelanau counties BATA (Bay Area Transportation Authority) busses run clean emission free propane, a fuel which is transported through Line 5, to offer vehicle life cycle greenhouse (GHG) emissions benefits over conventional fuels

WHEREAS, Issues have been raised by several concerned parties regarding the possibility and impact of a breach of Line 5 into the Straits of Mackinac. These concerns have resulted In the State of Michigan and Enbridge negotiating an "agreement" for a 5 year \$500 million project, to construct a tunnel 100 feet below bedrock to encase Line 5, the entire length of the Straits, in one-foot-thick concrete walls in order to mitigate chances of any leaks of product into the Great Lakes.

WHEREAS, the recently elected Michigan Attorney General, Dana Nessel has subsequently opposed the negotiated "agreement" and filed a lawsuit in Ingham County Circuit Court to close down Line 5 immediately effectively canceling all efforts to begin construction of the tunnel; and,

WHEREAS, this action may very well provide unintended consequents for all parties as the litigation to close down Line 5 may take years to be resolved in the courts with no assurance of the outcome and;

WHEREAS, the time to resolve the litigation may simply result in the delay of the start of the construction of the tunnel thereby leaving the existing Line 5 in place unnecessarily for several additional years.

WHEREAS, Enbridge has demonstrated a willingness to work with the state to both protect the Great Lakes and ensure the continued safe delivery of energy we all rely on.

NOW, THEREFORE, BE IT RESOLVED that the Grand Traverse County Board of Commissioners hereby joins with Dickinson County in extending its support for Enbridge's proposed tunnel replacement project and urges the State of Michigan to work with Enbridge to complete the tunnel project as quickly as possible and not disrupt Line 5 service before the tunnel can be completed.

AND BE IT FURTHER RESOLVED that Grand Traverse County sends this resolution to all counties of Michigan as an invitation to join in expressing support for increasing the safety of our current energy infrastructure as our society simultaneously seeks energy efficiencies and energy alternatives that will continue to reduce negative impacts and risks to our environment.

APPROVED: August 21, 2019



GRAND TRAVERSE COUNTY  
BOARD OF COMMISSIONERS

Regular Meeting  
August 21, 2019

Chairman Hentschel called the meeting to order at 8:02 a.m. at the Governmental Center.

OPENING CEREMONIES, EXERCISES OR INVOCATION

An invocation was given by Adam Ray, Harvest Bible Chapel, which was followed by the Pledge of Allegiance to the Flag of the United States of America.

PRESENT: Addison Wheelock, Jr., Gordie LaPointe, Brad Jewett, Bryce Hundley,  
Betsy Coffia, Ron Clous, and Rob Hentschel

APPROVAL OF MINUTES

Minutes of August 7, 2019 Regular Meeting

Moved by Hundley, seconded by Jewett to approve the minutes listed above. Motion carried.

PUBLIC COMMENT

The following people addressed the Commissioners during Public Comment:

Matt Schoech  
Tom Peters  
Lynn VanNess  
Bill Williston  
Stan Verheul  
Linda Koebert  
Brenda Earl  
Beth Price  
Kate Dahlstrom  
Kelly Thayer  
Emily Magner  
Rick Brown  
Kate Madigan  
Margaret Pierson  
Roberta Meserve  
Rolinda Lamay  
Jackie Anderson  
Gretchen Iorio  
Cynthia Minor  
June Thaden

Jeff Smith  
Barry Lishawa  
Dave Durbin  
Carol Shuckra  
Karen Comella  
Marty Alvarez  
Ted Iorio  
Christina Riddle  
John McDonald  
Chelsea Cooper  
Amy Yee  
Ann Rogers  
Barb Willing  
Susan Wheaton  
Anna Norris  
\*\*\*\*  
Betsy Coffia  
Bob Mannes  
Holly Bird  
Barb S.

Bill Latka  
Katie May  
Allen McCullough  
Jane Wild  
Andy Marek  
Mary Jean McLin  
Dave Petrove  
Jade Prange  
Joanne Robb  
Ellen Fivenson  
Dave Nichols  
Harold Lassers  
Kellyn Hundley  
Laura DeGabriele  
Allison Costello  
Sylvia McCullough  
Katie Grier  
Tom Mair

\*\*\*\* Commissioners took a break at 9:37 a.m.

\*\*\*\* Commissioners returned to regular session at 9:51 a.m.

APPROVAL OF AGENDA

Moved by Hundley, seconded by Coffia to remove item 10a (Resolution in Support of Line 5 Tunnel) and item 6b-7(2020 Census Resolution) and approve the agenda as amended.

Roll Call Vote: Yes 1 No 6

Nays: Wheelock, LaPointe, Jewett, Hundley, Clous and Hentschel

Motion failed.

Moved by Wheelock, seconded by Jewett to move item 10a (Resolution in Support of Line 5 Tunnel) to Special Orders of Business and approve the agenda as amended.

Motion carried.

CONSENT CALENDAR

The purpose of the Consent Calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the Consent Calendar be removed and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected.

If any item is not removed from the consent calendar, the action noted (receive & file or approval) is approved by a single Commission action adopting the consent calendar. All information identified on the Consent Calendar can be viewed in its entirety at [www.grandtraverse.org](http://www.grandtraverse.org)

A. RECEIVE AND FILE

- 1. July 2019 Report from the GT Conservation District

B. APPROVALS

- 1. Resolution 113-2019  
Circuit Court – Family Division  
Child Care Fund Budget  
Grand Traverse County 2019-2020
- 2. Resolution 114-2019  
Finance Department  
July 2019 Claims
- 3. Resolution 115-2019  
Finance Department  
FY2019 Budget Amendments
- 4. Support of Application for Grant for Civic Center Master Planning – *removed from calendar*
- 5. Resolution 116-2019  
Information Technology  
Maintenance Renewal of the VMware Server Infrastructure

- 6. Resolution 117-2019  
Information Technology  
Microsoft Windows Server & SQL Licenses

- 7. 2020 Census Resolution – *removed from calendar*

ACTION ON THE CONSENT CALENDAR

After the Chief Deputy County Clerk read the Consent Calendar for the record, the following items were removed:

b-4	Page 53	By Dave Petrove
b-7	Page 61	By Wheelock

Moved by Wheelock, seconded by Hundley to approve the Consent Calendar minus items b-4 and b-7.

Roll Call Vote: Yes 7 No 0

SPECIAL ORDERS OF BUSINESS

**10a Resolution in Support Line 5 Tunnel**

Commissioners discussed the proposed resolution in Support of Line 5 Tunnel.

Resolution 118-2019  
Grand Traverse County Resolution in  
Support of Line 5 Tunnel

Moved by Jewett, seconded by Clous to approve Resolution 118-2019.

Roll Call Vote: Yes 4 No 3

Nays: Wheelock, Hundley, and Coffia

ITEMS REMOVED FROM CONSENT CALENDAR

**Support of Application for Grant for Civic Center Master Planning**

Kristine Erikson, Parks and Recreation Director, reviewed request for support and answered Commissioners' questions.

Resolution 119-2019  
Support of Application for Grant for  
Civic Center Master Planning

Moved by Wheelock, seconded by Coffia to approve Resolution 119-2019.

Motion Carried



**2020 Census Resolution**

Moved by Jewett, seconded by Hentschel to approve the 2020 Census Resolution with the correction of the approval date to August 21, 2019.

Roll Call Vote: Yes 3 No 4

Nays: Wheelock, LaPointe, Hundley, and Coffia

Motion Failed

DEPARTMENT ACTION ITEMS

**a. Finance**

- 1) Preliminary Review of Underfunded Status and Notice of Deficiencies  
Dean Bott, Finance Director, reviewed the State of Michigan's Preliminary Review of Underfunded Status and Notice of Deficiencies, the County's response and answered Commissioners' questions.

Resolution 120-2019

Finance

Application of Waiver

Moved by Wheelock, seconded by Jewett to approve Resolution 120-2019.  
Motion Carried

Commissioners took a break at 11:43 a.m.

Commissioners returned to regular session at 11:47 a.m.

- 2) Refunding GTC Building Authority Series 2012 Bonds  
Dean Bott, Finance Director, reviewed the request for Refunding Grand Traverse County Building Authority Series 2012 Bonds and answered Commissioners' questions.

Resolution 121-2019

Building Authority

Resolution Authorizing Refunding of the Grand Traverse County Building Authority, Building Authority Bonds, Series 2012 and Approving the Undertaking to Provide Continuing Disclosure

Moved by Wheelock, seconded by Coffia to approve Resolution 121-2019.  
Motion carried.

UNFINISHED BUSINESS

- a. **Resolution in Support of Line 5 Tunnel (Jewett) – *moved to Special Orders of Business***

- b. **Drain Commissioner Opinion regarding Office**

Nate Alger, County Administrator, presented an opinion regarding the Office of the Drain Commissioner from December 2011.

c. **Welding and Fabrications Bids**

Resolution 122-2019  
Welding and Fabrication  
Non-Exclusive Agreements

Moved by Hentschel, seconded by Jewett to approve Resolution 122-2019, with the addition of: contract term expiration of December 31, 2020 and no facilities or employees of the County will be used to complete the contract.

Roll Call Vote: Yes 6, Abstain 1  
Abstain: Wheelock

NEW BUSINESS

None

PUBLIC COMMENT

None

NOTICES

**August 28, 2019 Study Session – Economic Development Corporation and TIF 97**

**September 4 – Regular Meeting – MERS Presentation**

**September 11 – Ethics Ad Hoc Committee @ 9:00 a.m.**

CLOSED SESSION

None

Meeting adjourned at 12:03 p.m.

\_\_\_\_\_  
Sarah B. Lutz, Chief Deputy County Clerk

\_\_\_\_\_  
Rob Hentschel, Chairman

APPROVED: \_\_\_\_\_  
(Date) (Initials)