



TUSCOLA COUNTY

Board of Commissioners

BOARD MEETING AGENDA

Thursday, May 11, 2023 – 8:00 AM

H.H. Purdy Building Board Room, 125 W. Lincoln Street, Caro, MI 48723

Public may participate in the meeting electronically:

(US) +1 929-276-1248 PIN:112 203 398#

Join by Hangouts Meet: meet.google.com/mih-jntr-jya

8:00 AM Call to Order - Chairperson Vaughan
Prayer - Commissioner Lutz
Pledge of Allegiance - Commissioner Koch
Roll Call - Clerk Fetting

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Adoption of Agenda

Action on Previous Meeting Minutes

1. Action on Previous Meeting Minutes 6 - 11
[Board of Commissioners - 27 Apr 2023 - Minutes - Pdf](#)

Brief Public Comment Period for Agenda Items Only

Consent Agenda

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1. Tuscola County Planning Commission 2023 Annual Report
2. Land Bank Member Reappointment

New Business

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[Budget Amendment Request](#)

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8.	Health Department Revenue Loss 2021276001 REVISED Food License Renewal Refunds.xlsx 2021276002 2nd Food License Renewal Refunds.xlsx 2021 Food License Fee - Revenue Loss	30 - 33

Old Business

1. Board of Commissioner Sub-Committee Meetings Discussion

Correspondence/Resolutions

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10. [Osceola County Resolution 2023-0009 To Oppose All Firearms Control Legislation](#)

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Commissioner Liaison Committee Reports

Bardwell

Behavioral Health Systems Board
Caro DDA/TIFA
Economic Development Corp/Brownfield Redevelopment
MAC 7th District
MAC Workers Comp Board
MAC Finance Committee
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)
MAC Agricultural/Tourism Committee
Region VII 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
Parks and Recreation Commission
Tuscola County Fair Board Liaison
Local Units of Government Activity Report

Lutz

Board of Health
Community Corrections Advisory Board
Department 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
Human Development Commission Board of Directors Liaison

Koch

Behavioral Health Systems Board
Recycling Advisory
Jail Planning Committee
MI Renewable Energy Coalition (MREC)
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 (2) days in advance of the meeting.



MINUTES

Board of Commissioners

Meeting

8:00 AM - Thursday, April 27, 2023

H.H. Purdy Building Board Room, 125 W. Lincoln Street, Caro, MI 48723

Commissioner Vaughan called the regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building Board Room, 125 W. Lincoln Street, Caro, MI 48723, on Thursday, April 27, 2023, to order at 8:00 AM local time.

Prayer - Commissioner Koch

Pledge of Allegiance - Commissioner Bardwell

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Bardwell, Kim Vaughan, Bill Lutz, Matt Koch

Commissioners Absent: Thomas Young

Others Present In-Person: Clerk Jodi Fetting, Eean Lee, Clayette Zechmeister, Sheriff Glen Skrent, Ken Dunton, Jon Ramirez, Steve Anderson, Shelly Lutz, Renee Francisco

Also Present Virtual: Tracy Violet, Pam Iseler, John Axe, Mary Drier, Debbie Babich, Pam Shook, Matt Brown, Mark Haney, Shawn Robinson, Dara Hood, Carrie Tabar, Brandon Bertram, Barry Lapp, Mitchell Holmes

At 8:04 a.m., there were a total of 14 participants attending the meeting virtually.

Adoption of Agenda

1. Adoption of Agenda -

2023-M-091

Motion by Bill Lutz, seconded by Matt Koch to adopt the agenda as presented. Motion Carried.

Action on Previous Meeting Minutes

1. Action on Previous Meeting Minutes -

2023-M-092

Motion by Matt Koch, seconded by Bill Lutz to adopt the meeting minutes from the April 13, 2023 Regular meeting. Motion Carried.

Brief Public Comment Period for Agenda Items Only

None

Consent Agenda

2023-M-093

Motion by Matt Koch, seconded by Bill Lutz that the Consent Agenda Minutes and Consent Agenda Item from the April 24, 2023 Committee of the Whole meeting be adopted. Motion Carried.

CONSENT AGENDA

1. Tuscola Food Access Collaborative (TFAC) Annual Report - Move to receive and place on file the Tuscola Food Access Collaborative (TFAC) 2022 Annual Report as presented by Karly Creguer, MPH, Supervising & Staff Development Educator, Michigan State University Extension.

New Business

1. Proposed Resolution for Workers' Memorial Day -

2023-M-094

Motion by Bill Lutz, seconded by Matt Koch to approve the Workers' Memorial Day Resolution 2023-08.

Yes: Thomas Bardwell, Kim Vaughan, Bill Lutz, and Matt Koch
Absent: Thomas Young

Motion Carried.

2. 2023 Jail Millage Resolution - John R. Axe, Clark Hill PLC, Senior Counsel, explained the proposed resolution.

2023-M-095

Motion by Thomas Bardwell, seconded by Bill Lutz to approve Resolution 2023-09 calling a special election and submitting to the Tuscola County electors a question of whether the County may issue bonds for the purpose of constructing, furnishing and equipping a new County Jail and Sheriff's Facility.

Yes: Thomas Bardwell, Kim Vaughan, Bill Lutz, and Matt Koch
Absent: Thomas Young

Motion Carried.

3. Dispatchers' Letter of Understanding Regarding Fair Labor Standard Act Exemption - Jon Ramirez, Dispatch Director and Shelly Lutz, Human Resource Director explained the request presented by the Dispatch Department.

2023-M-096

Motion by Matt Koch, seconded by Thomas Bardwell that per the request of the POAM Dispatch Authority and Dispatch Director Jon Ramirez all signatures be authorized on the Letter of Understanding which certifies this unit as bona fide by the National Labor Relations Board (NLRB) under Section 7(b) of the Fair Labor Standard Act (FLSA) for purposes of exempting bargaining unit employees from the overtime requirements as set forth in Section 7(a) of the FLSA. Motion Carried.

4. Appointment to Planning Commission - Clerk Jodi Fetting presented the request.

2023-M-097

Motion by Matt Koch, seconded by Bill Lutz that due to the resignation of Robert McKay, that Matt Webb be appointed to the Planning Commission for a partial term expiring December 31, 2023. Motion Carried.

Old Business

1. Travel/Meal Policy -

2023-M-098

Motion by Thomas Bardwell, to approve the changes as presented and discussed to the Travel/Meal Policy effective May 1, 2023 with Section 2.2 to have the amounts increased to \$60.00 for the standard meal rate and \$75.00 for the metropolitan meal rate. Also, the Controller/Administrator shall distribute this amended policy to all department heads and elected officials. Motion Died for Lack of Support.

2023-M-099

Motion by Kim Vaughan, seconded by Matt Koch to approve the changes as presented and discussed to the Travel/Meal Policy effective May 1, 2023 with Section 2.2 to have the amounts increased to \$54.00 for the standard meal rate and ~~\$65.00~~ \$67.50 for the metropolitan meal rate. Also, the Controller/Administrator shall distribute this amended policy to all department heads and elected officials.

Yes: Thomas Bardwell, Kim Vaughan, Bill Lutz, and Matt Koch

Absent: Thomas Young

Motion Carried as amended.

2023-M-100

Motion by Kim Vaughan, seconded by Matt Koch to amend Motion 2023-M-099 to adjust the amount for the metropolitan meal rate to \$67.50. Motion Carried.

Correspondence/Resolutions

1. Membership Appointment Letter
2. Master Certificate for Leadership
3. Clerk Jodi Fetting appointed as the United County Officers Association President
4. Legislative Update 4-21-23 - The Michigan Association of Counties
5. Ontonagon County Resolution 2023-09
6. Alcona County Resolution 2023-11 Revised School Code

Commissioner Liaison Committee Reports

Koch

No Report

Behavioral Health Systems Board

Recycling Advisory

Jail Planning Committee

MI Renewable Energy Coalition (MREC)

Local Units of Government

Bardwell

Behavioral Health Systems Board

Discussions on the appointment of the new CEO continue.

Caro DDA/TIFA

Economic Development Corp/Brownfield Redevelopment

MAC 7th District

Update provided.

MAC Workers Comp Board

There are grant opportunities available.

MAC Finance Committee

TRIAD

Local Units of Government Activity Report

Young

Absent

Board of Public Works

County Road Commission Liaison

Dispatch Authority Board

Genesee Shiawassee Thumb Works
Great Start Collaborative
Human Services Collaborative Council (HSCC)
MAC Agricultural/Tourism Committee
Region VII Economic Development Planning
Saginaw Bay Coastal Initiative
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Vaughan

No Report

Board of Health
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NACO-Energy, Environment & Land Use
Parks and Recreation Commission
Tuscola County Fair Board Liaison
Local Units of Government Activity Report

Lutz

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

Human Development Commission Board of Directors Liaison

Other Business as Necessary

-Health Department Lost Revenue Replacement Request - Clayette is working on getting documentation from the Health Department to bring back to the Board.

Extended Public Comment

None

At 9:15 a.m., there were a total of 13 participants attending the meeting virtually.

Adjournment

2023-M-101

Motion by Bill Lutz, seconded by Matt Koch to adjourn the meeting at 9:15 a.m. Motion Carried.

Jodi Fetting
Tuscola County Clerk, CCO

DRAFT



MINUTES

Committee of the Whole Meeting

8:00 AM - Monday, May 8, 2023

H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723

Commissioner Vaughan called the regular meeting of the Committee of the Whole of the County of Tuscola, Michigan, held at the H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723, on Monday, May 8, 2023, to order at 8:00 AM local time.

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Young, Thomas Bardwell, Kim Vaughan, Bill Lutz, Matt Koch

Commissioners Absent: None

Others Present In-Person: Clerk Jodi Fetting, Eean Lee, Clayette Zechmeister, Mike Miller, Steve Anderson, Sheriff Glen Skrent, Heidi Stark, Kristy Sutherland, Maryanne Eagle, David Stevens, Jeff LeValley, Al Michele, Amanda Ertman, Dara Hood, Drain Commissioner Bob Mantey

Also Present Virtual: Tracy Violet, Rachel Adam, Cristi Smith, Debbie Babich, Shawn Robinson, Jon Ramirez, Steve Root, Mary Drier, Mitchell Holmes, Mark Haney, Register Marianne Brandt, Cindy McKinney-Volz, Cindy Hughes, Kate Curtis, Dara Hood, Carrie Tabar, Bob Baxter, Barry Lapp, Sheriff Glen Skrent

County Updates

None

New Business

1. Friend of the Court Cooperative Reimbursement Program Grant Application for Fiscal Year 2024 - Matter to be placed on a future agenda.
2. 2023 Tuscola County Planning Commission Annual Report - Heidi Stark, Planning Commission, presented the Annual Report. Matter to be placed on the Consent Agenda.

3. Budget Amendment Request for Planning Commission -
Heidi Stark, Planning Commission, presented a request as the 2023 Planning Commission budget was neglected in having an amount for supplies or training included in it. The request is for \$100.00 in supplies and \$800.00 in training. Matter to be placed on Thursday's agenda.
4. Home Delivered Meals Program -
Maryanne Eagle, Finance Director, Human Development Commission and Kristy Sutherland, Senior Services Director, Human Development Commission, presented on the Home Delivered Meals program. The program is short in funding of approximately \$177,000.00, Without the funding, there will be a waiting list of about 150 seniors. Matter to be placed on Thursday's agenda.
5. Community Corrections Fiscal Year 2024 Grant -
David Stevens, Community Corrections Coordinator, Thumb Area Regional Community Corrections, reviewed the changes of adding pretrial services to Lapeer County. Matter to be placed on Thursday's agenda.
6. Marine Patrol Boat Purchase -
Sheriff Glen Skrent provided an update on seeking grant funds for the project. Matter to be placed on Thursday's agenda.
7. Shay Lake and Murphy Lake Levels -
Drain Commissioner Robert Mantey presented regarding the court orders entered regarding Shay Lake and Murphy Lake and the potential to have the court orders clarified. Matter to be placed on Thursday's agenda.
8. Land Bank Appointment -
Clerk Jodi Fetting requested the reappointment of Mark Ransford to the Land Bank for a 3-year term effective March 1, 2023 through February 28, 2026. Matter to be placed on the Consent Agenda.
9. Health Department Revenue Loss -
Amanda Ertman, Tuscola County Health Officer, presented regarding the loss revenue realized by the Tuscola County Health Department. Matter to be placed on Thursday's agenda regarding food licensing fee.
10. August 2023 Election Costs (matter added) -
Clerk Fetting explained that the costs for the county-wide election on August 8, 2023 has been budgeted in the Clerk's Election Budget.

Old Business

1. Sub-Committee Meetings (matter added) -
Commissioner Young would like to discuss if the sub-committee meetings have to be posted and held in an open meeting. Matter to be placed on Thursday's agenda.

Finance/Technology

Primary Finance/Technology

1. Provision of Government Services (PGS) Available Funds -
Clayette Zechmeister, Controller/Administrator, provided an overview of the current project requests for funding from PGS. Board discussed the list of potential projects that are currently on the list.

On-Going and Other Finance

None

On-Going and Other Technology

-Eean Lee, Chief Information Officer, presented regarding a conference recently attended and grants available for rural broadband development.

Building and Grounds

Primary Building and Grounds

1. Bids on the Replacement of the Exterior Windows at the County Adult Probation Building at 449 Wells Street, Caro -
Mike Miller, Director of Building and Grounds, opened the bid received.

Dave's Glass, Caro Michigan - \$26,625.00

Director Miller to review the bid and matter to be placed on Thursday's agenda.

2. Bids for the Installation of New Vinyl Siding at the County Adult Probation Building at 449 Wells Street Caro -
Mike Miller, Building and Grounds Director, opened the bids received.

Boom's Construction, Bad Axe, Michigan - \$71,500.00

Storm Shield Roofing, Lansing, Michigan - \$72,350.00 for Royal Crane Material

Storm Shield Roofing, Lansing, Michigan - \$62,750.00 Alside Material

Gerald G. Bergman, Saginaw, Michigan - \$56,455.00

Director Miller to review the bids received and the matter to be brought to the Board after review.

On-Going and Other Building and Grounds

1. PSB Building -
Commissioner Lutz attended a meeting where the architects were in attendance. He stated there were some small changes requests to the drawing. Project is moving along.

Personnel

Primary Personnel

None

On-Going and Other Personnel

None

Other Business as Necessary

1. Thank You Update -
Chairman Vaughan read the thank you received from Avery and Amanda Wendell.
2. Sub-Committee Meeting Posting -
Commissioner Bardwell would like a legal review of the previous legal opinion given and subsequent resolutuion (2019-05) adopted prior to the Board making a decision.

At 9:58 a.m., there were a total of 17 participants attending the meeting virtually.

Public Comment Period

None

Adjournment

Motion by Bill Lutz, seconded by Thomas Young to adjourn the meeting at 10:02 a.m.
Motion Carried.

Jodi Fetting
Tuscola County Clerk, CCO



Tuscola County

Clayette Zechmeister <zclay@tuscolacounty.org>

2023 Ballot

Robert Baxter <rbaxter@tuscolacounty.org>

Fri, May 5, 2023 at 6:44 AM

To: Clayette Zechmeister <zclay@tuscolacounty.org>

Cc: Glen Skrent <ggs@tuscolacounty.org>, Brian Harris <bharris@tuscolacounty.org>, Ted Hull <thull@tuscolacounty.org>, Shannon Beach <sbeach@tuscolacounty.org>

I am requesting to amend the budget and use fund balance from the Jail Capital Improvements Fund 488-100-727-000 to the Supplies, Printing & Postage fund 101-304-727.000, to cover the estimated cost of \$10,000 reference a informational postal flyer and signage for the upcoming jail millage.

[Quoted text hidden]

[Quoted text hidden]

Tuscola County Planning Commission

125 W. Lincoln St. Caro MI 48723

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

Email: tcplanning@tuscolacounty.org

May 4, 2023

Tuscola County Board of Commissioners
Via Clayette A. Zechmeister, County Controller

RE: Tuscola County Planning Commission Budget Amendment Request

The Tuscola County Planning Commission requests the following budget amendments:

DL Number	Description	2022 Budget	2023 Current	2023 Request
101-400-727.000	Supplies, Printing, Postage	\$20.00	\$0.00	\$100.00
101-400-957.000	Employee Training	\$800.00	\$0.00	\$800.00

The Tuscola County Planning Commission has a direct and immediate need for supply funding to complete the 2022 County Development Plan. Supply funding will allow the Commission to complete the review and publish the document for review and passage by the Board of Commissioners.

The Planning Commission further requests funds to purchase training supplies and enable one or two members to attend planning and zoning classes. The Planning Commission has three new members that require basic planning training. This funding would enable basic training manuals to be purchased. It would also enable at least one new member the opportunity to receive Citizen Planning Certification and work toward Master Citizen Training. (At this time, only one person on the Planning Commission has this level of training). Funds would also be expended on training classes and presentations on subjects useful to local governments and the overall development of Tuscola County.

Heidi Stark
Tuscola County Planning Commission
Member

Lonnie Kester, Chairperson – Albert Pearsall, Vice Chairperson – Donald Wellington
Jane Rymarczyk – Rick Boylan – Matt Webb - Heidi Stark – Kim Vaughan, Board Representative

TUSCOLA COUNTY BOARD OF COMMISSIONERS

125 W. Lincoln Street
Suite 500
Caro, MI 48723

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

At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the ____ day of ____ 2023, with the meeting called to order at 8:00 a.m.

Commissioners Present:

Commissioners Absent:

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

RESOLUTION 2023-10 **Fiscal Year 2024 Community Corrections Grant Application**

WHEREAS, Tuscola County, as a member of the Thumb Area Regional Community Corrections with Lapeer Huron and Sanilac Counties, recognizes the need to offer felony probationers with specific programming targeted at further advancing offender success rates and reducing repeat offender rates; and

WHEREAS, the Fiscal Year 2024 Community Corrections Grant Application, written on behalf of the Thumb Area Regional Community Corrections, will provide a funding source to incorporate such programming and administrative oversight in Tuscola County.

THEREFORE, BE IT RESOLVED that the Tuscola County Board of Commissioners hereby approves Tuscola County's participation in the Thumb Area Regional Community Corrections Fiscal Year 2024 Community Corrections Grant Application, for the period of October 01, 2023 through September 30, 2024.

BE IT FURTHER RESOLVED, that this resolution be spread upon the proceedings of the Tuscola County Board of Commissioners this ____th day of May, 2023.

Roll Call Vote:

Ayes:

Nays:

Resolution 2023-XX declared adopted this ___ day of _____, 2023.

Kim Vaughan, Chairperson
Tuscola County Board of Commissioners

I, the undersigned, Clerk of Tuscola County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Tuscola County Board of Commissioners, at its Regular Meeting held on _____, 2023.

Jodi Fetting
Tuscola County Clerk, CCO

Application Guide for Community Facility Loans and Grants
Federal Catalog Number 10.766

This guide is provided to inform Rural Development (RD) applicants of items to include in a preapplication or application. A complete preapplication or application package, which has one original of all required forms and documents, and in which project costs and customer information is consistent on all documents should be sent to the RD Area Office for review and processing.

Applications will include the following #1-8:

1. **SF424 – Application for Federal Assistance** - The form must include the 9-digit Taxpayer Identification Number assigned by IRS and a UEI (Unique Entity Identifier obtained through SAM.gov).

If your organization is currently registered in SAM.gov with either an active or inactive registration, you have already been assigned a UEI. Your UEI is viewable on your entity's registration record in SAM.gov. Please see the guide How Do I View my UEI attached to this application package for more information.

All applicants must be registered in the System for Award Management (SAMS) and have an active CAGE number and UEI. If you are registering for the first time, please follow the attached guide to obtain both the UEI and Cage number.

2. **Project Narrative** – written narrative that should describe the scope of the project, the benefits of the project to the community and the level of community support.
3. **Certification of Commercial Credit** Applicants must certify in writing that they are unable to finance the proposed project from their own resources or through commercial credit at reasonable rates and terms that will allow them to maintain feasibility of the project. Applicants must sign the CF Michigan Guide 2, Attachment 4.
5. **Operating Budget** (current year) – Must be signed by applicant.
4. **Audit Report** (most recent) or yearend financial statements (balance sheet and income & expense statement)
6. **Matching Funds** - provide written documentation of matching funds from applicant or other sources that will be used for the project.
7. **Preliminary Vehicle and/or Equipment** – provide copies of quotes and specifications.
8. **Public Meeting Notice & Certifications** – Provide copies of your public meeting minutes regarding your grant application and the following certifications.
 - a. 1900 – D Certification Regarding Relatives
 - b. AD – 1049 Certification Regarding Drug Free Workplace
 - c. 1940-Q, Exhibit A Disclosure of Lobbying Activities
 - d. AD – 1047 Certification Regarding Debarment, Suspension and other Responsibility Matter
 - e. 1910-11 Applicant Certification Federal Collection Policies for Consumer or Commercial Debts
 - f. 400-1 Equal Opportunity Agreement
 - g. 400-4 Assurance Agreement

Project Narrative

The Tuscola County Sheriff's Office is a full-service organization to the residents of Tuscola County. It provides a road patrol, Correctional Facility, Marine patrol, Victim Services, and other activities.

Geographically, Tuscola County encompasses approximately 816 Square miles and borders Saginaw Bay, which is a part of Lake Huron. Lake Huron is a Great Lake which borders Canada.

Tuscola County provides a Marine Patrol for Saginaw Bay. Besides routine patrols for safety violations, by State Constitution the County Sheriff is responsible for body recover in its waters of jurisdiction.

Saginaw Bay is known nationwide for its Walleye fishery, both in the summer and winter. It attracts many local resident fisherman and also fishermen from across the country.

Because of its geographic location Saginaw Bay's waters can turn dangerous very quickly.

The vessel which is used for patrol on the bay is a 1999 Aqua Sport. It was purchased in that year and was designed to be a fishing boat. Over the years wear and tear on the boat has proven it is inadequate for routine patrolling and search and rescue.

A local diver group which worked with the Sheriff has submitted a letter that due to the vessels structure it is inadequate for transporting and supporting divers and is such dangerous.

In 2021 Sheriff Skrent approached the Tuscola County Board of Commissioners with this information however funding was not available to assist in the purchase.

The Tuscola County Sheriff's Office road patrol is funded by a millage, which is worded as such no money can be used to purchase a boat, as dictated by attorneys who have examined the millage wording. Therefore, the funding will have to come from the counties general fund money.

On April 24th, 2023 Sheriff Skrent approached the board again and provided them with a possible selection of a new vessel and repeated the reasons why the Sheriff needs a modern boat, designed for patrol and search and rescue. The board is receptive to seeking the funding to purchase a new patrol boat.

OFFICE OF
TUSCOLA COUNTY DRAIN COMMISSIONER

125 W. LINCOLN STREET, STE 100
CARO, MI 48723

ROBERT J. MANTEY
Drain Commissioner
Cell Phone (989) 553-3824

Phone (989) 672-3820
Fax (989) 673-3497
email: drain-commissioner@tuscolacounty.org



SHAY LAKE – LAKE LEVEL

Dear Board of Commissioners:

As you may know, my office serves as the delegated authority for Tuscola County to maintain the legal levels (winter and summer) for Shay Lake. These levels, along with boundaries of a corresponding special assessment district, were established by the Tuscola County Circuit Court under Part 307 of Michigan's Natural Resources and Environmental Protection Act ("Part 307"). As a fiduciary for lake level special assessment district ("district"), I have a duty to comply with Michigan law and to serve the property owners of the district. Accordingly, due to lake level litigation as explained below, I wanted to inform you that it is my office's intent to make minor amendments to the lake's court order to reduce potential legal liability against the district.

There are hundreds of established legal lake levels throughout Michigan under Part 307. Based on my understanding, many (if not most) lake level court orders (like Shay Lake's) establish lake levels simply using a single elevation (or multiple elevations for lakes with winter and summer levels). As you may know, an inland lake's level will slightly fluctuate even with an established lake level and lake level control structure. Fluctuations from an established lake level elevation can be caused by weather or natural events or the operation of a lake level control structure with the intent to maintain a lake level elevation (e.g., water banking).

In 2022, the Michigan Court of Appeals in litigation involving Higgins Lake narrowly interpreted Part 307. See *Citizens for Higgins Lake Legal Levels v Roscommon County Board of Commissioners*, 341 Mich App 161 (2022). The Court generally found that counties must maintain established lake levels at all times at exact lake level elevations set forth in a lake level order. That is problematic for Shay Lake and most established lake levels in Michigan because it is generally impossible to not have even slight lake level variations.

To protect property owners in the district from similar legal challenges like the *Higgins Lake* case (that can impose financial liability to the district), I am recommending making a minor change in circuit court to the lake's lake level order to specify that the legal levels of Shay Lake may reasonably fluctuate based on weather, construction, and lake level infrastructure operations. However, please know it is our office's continued intent to best maintain the levels of the lake using the existing lake level infrastructure.

I hope this explains why my office intends to amend the Shay Lake – lake level order with respect to lake level elevation fluctuations. Again, the intent of this amendment is to protect the district and property owners and not to change how the level of the lake is maintained.

Sincerely,

Robert Mantey
Tuscola County Drain Commissioner

TUSCOLA COUNTY BOARD OF COMMISSIONERS

125 W. Lincoln Street
Suite 500
Caro, MI 48723

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

At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the ____ day of ____ 2023, with the meeting called to order at 8:00 a.m.

Commissioners Present:

Commissioners Absent:

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

SHAY LAKE – LAKE LEVEL RESOLUTION NO. 2023-11

WHEREAS, Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701, *et seq.* (“Part 307”), requires a County Board of Commissioners, or its delegated authority, to maintain established normal lake levels; and

WHEREAS, Shay Lake, located in Dayton Township, Tuscola County, Michigan, has a normal lake level established by the Tuscola County Circuit Court under Part 307; and

WHEREAS, the Tuscola County Drain Commissioner (“Drain Commissioner”) is the delegated authority to maintain Shay Lake’s normal lake level under Part 307; and

WHEREAS, the Drain Commissioner conducted a review of the lake level order for Shay Lake and found that revisions are required to be consistent with state law to ensure that the court order authorizes minor lake level fluctuations; and

WHEREAS, the Drain Commissioner desires authorization to amend the lake level order for Shay Lake in accordance with Part 307 to be consistent with state law with respect to lake level fluctuations and the current operation of its water control structure.

NOW, THEREFORE, BE IT RESOLVED:

1. **Lake Level Order:** The Drain Commissioner may retain and utilize legal counsel and engineers to perform services related to any needed updates to Shay Lake’s lake level order and any further services that are necessary related to maintaining Shay Lake’s normal lake level. Further, the Tuscola County Board of Commissioners (“Board of Commissioners”) specifically authorizes said legal counsel to file a petition in the Tuscola County Circuit Court to amend the lake level order for Shay Lake. See MCL 324.30707(5).
2. **Over \$10,000 Expenditure:** The Board of Commissioners authorizes annual expenditures of over \$10,000 for the purposes of projects associated with Shay Lake, including updating its lake level order. MCL 324.30722(4).
3. **Costs of Activities:** All costs associated with the activities authorized above, including retaining all necessary consultants (legal counsel and engineers) shall be reimbursed by the lake level special assessment district to the extent permitted by Part 307.

Roll Call Vote:

Ayes:

Nays:

Absent:

Resolution 2023-XX declared adopted this ___ day of _____, 2023.

Kim Vaughan, Chairperson
Tuscola County Board of Commissioners

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF TUSCOLA)

I, the undersigned, the duly qualified and acting Clerk of Tuscola County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Tuscola County Board of Commissioners at a meeting held on the _____ day of _____, 2023, and that notice of said meeting was given in accordance with the Open Meetings Act, and further certify that the above resolution was adopted at said meeting.

Dated: _____

Jodi Fetting, County Clerk, CCO
Tuscola County



OFFICE OF
TUSCOLA COUNTY DRAIN COMMISSIONER

125 W. LINCOLN STREET, STE 100
CARO, MI 48723

ROBERT J. MANTEY
Drain Commissioner
Cell Phone (989) 553-3824

Phone (989) 672-3820
Fax (989) 673-3497
email: drain-commissioner@tuscolacounty.org



MURPHY LAKE – LAKE LEVEL

Dear Board of Commissioners:

As you may know, my office serves as the delegated authority for Tuscola County to maintain the legal levels (winter and summer) for Murphy Lake. These levels, along with boundaries of a corresponding special assessment district, were established by the Tuscola County Circuit Court under Part 307 of Michigan's Natural Resources and Environmental Protection Act ("Part 307"). As a fiduciary for lake level special assessment district ("district"), I have a duty to comply with Michigan law and to serve the property owners of the district. Accordingly, due to lake level litigation as explained below, I wanted to inform you that it is my office's intent to make minor amendments to the lake's court order to reduce potential legal liability against the district.

There are hundreds of established legal lake levels throughout Michigan under Part 307. Based on my understanding, many (if not most) lake level court orders (like Murphy Lake's) establish lake levels simply using a single elevation (or multiple elevations for lakes with winter and summer levels). As you may know, an inland lake's level will slightly fluctuate even with an established lake level and lake level control structure. Fluctuations from an established lake level elevation can be caused by weather or natural events or the operation of a lake level control structure with the intent to maintain a lake level elevation (e.g., water banking).

In 2022, the Michigan Court of Appeals in litigation involving Higgins Lake narrowly interpreted Part 307. See *Citizens for Higgins Lake Legal Levels v Roscommon County Board of Commissioners*, 341 Mich App 161 (2022). The Court generally found that counties must maintain established lake levels at all times at exact lake level elevations set forth in a lake level order. That is problematic for Murphy Lake and most established lake levels in Michigan because it is generally impossible to not have even slight lake level variations.

To protect property owners in the district from similar legal challenges like the *Higgins Lake* case (that can impose financial liability to the district), I am recommending making a minor change in circuit court to the lake's lake level order to specify that the legal levels of Murphy Lake may reasonably fluctuate based on weather, construction, and lake level infrastructure operations. However, please know it is our office's continued intent to best maintain the levels of the lake using the existing lake level infrastructure.

I hope this explains why my office intends to amend the Murphy Lake – lake level order with respect to lake level elevation fluctuations. Again, the intent of this amendment is to protect the district and property owners and not to change how the level of the lake is maintained.

Sincerely,

Robert Mantey
Tuscola County Drain Commissioner

TUSCOLA COUNTY BOARD OF COMMISSIONERS

125 W. Lincoln Street
Suite 500
Caro, MI 48723

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

At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the ____ day of ____ 2023, with the meeting called to order at 8:00 a.m.

Commissioners Present:

Commissioners Absent:

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

MURPHY LAKE – LAKE LEVEL RESOLUTION NO. 2023-12

WHEREAS, Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701, *et seq.* (“Part 307”), requires a County Board of Commissioners, or its delegated authority, to maintain established normal lake levels; and

WHEREAS, Murphy Lake, located in Millington Township and Watertown Township, Tuscola County, Michigan, has a normal lake level established by the Tuscola County Circuit Court under Part 307; and

WHEREAS, the Tuscola County Drain Commissioner (“Drain Commissioner”) is the delegated authority to maintain Murphy Lake’s normal lake level under Part 307; and

WHEREAS, the Drain Commissioner conducted a review of the lake level order for Murphy Lake and found that revisions are required to be consistent with state law to ensure that the court order authorizes minor lake level fluctuations; and

WHEREAS, the Drain Commissioner desires authorization to amend the lake level order for Murphy Lake in accordance with Part 307 to be consistent with state law with respect to lake level fluctuations and the current operation of its water control structure.

NOW, THEREFORE, BE IT RESOLVED:

- 1. Lake Level Order:** The Drain Commissioner may retain and utilize legal counsel and engineers to perform services related to any needed updates to Murphy Lake’s lake level order and any further services that are necessary related to maintaining Murphy Lake’s normal lake level. Further, the Tuscola County Board of Commissioners (“Board of Commissioners”) specifically authorizes said legal counsel to file a petition in the Tuscola County Circuit Court to amend the lake level order for Murphy Lake. See MCL 324.30707(5).
- 2. Over \$10,000 Expenditure:** The Board of Commissioners authorizes annual expenditures of over \$10,000 for the purposes of projects associated with Murphy Lake, including updating its lake level order. MCL 324.30722(4).
- 3. Costs of Activities:** All costs associated with the activities authorized above, including retaining all necessary consultants (legal counsel and engineers) shall be reimbursed by the lake level special assessment district to the extent permitted by Part 307.

Roll Call Vote:

Ayes:

Nays:

Absent:

Resolution 2023-XX declared adopted this ____ day of _____, 2023.

Kim Vaughan, Chairperson
Tuscola County Board of Commissioners

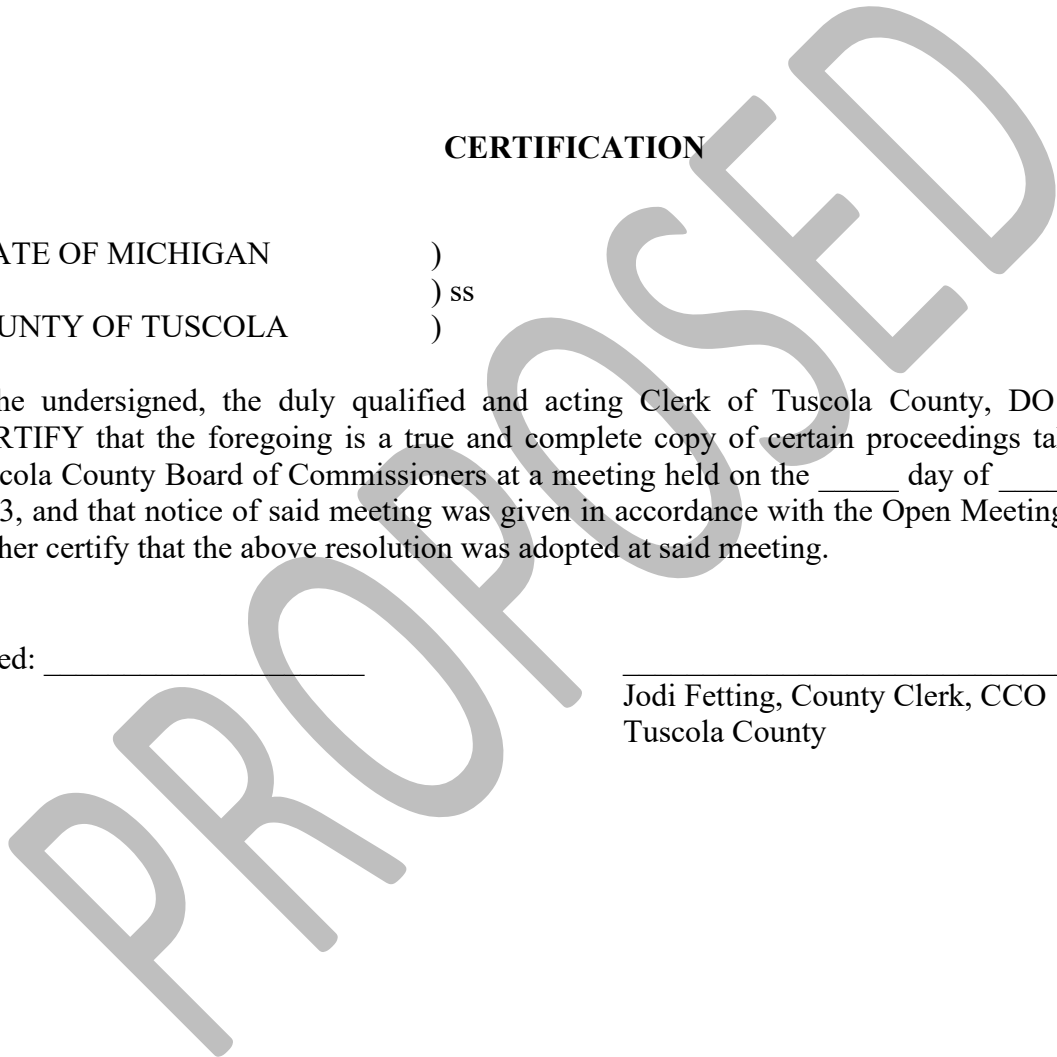
CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF TUSCOLA)

I, the undersigned, the duly qualified and acting Clerk of Tuscola County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Tuscola County Board of Commissioners at a meeting held on the ____ day of _____, 2023, and that notice of said meeting was given in accordance with the Open Meetings Act, and further certify that the above resolution was adopted at said meeting.

Dated: _____

Jodi Fetting, County Clerk, CCO
Tuscola County





INVOICE

Tuscola County Health Department

1309 Cleaver Road, Suite B
 Caro, Michigan 48723-9160
 989-673-8114

INVOICE NO. 2021-276-002
 DATE August 27, 2021
 CUSTOMER ID 276

TO Tuscola County Court Administrator
 ATTN: Clayette Zeichmeister
 125 W. Lincoln
 Caro, Michigan 48723

TCHD ACCT	TCHD DESC	PAYMENT TERMS	DUE DATE
CR:	BOC Food Fee Reduction	Due upon receipt	

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Refund Food License Renewal Paid at \$414	\$ 400.00	\$ 400.00
1	Postage - refund Check	0.51	0.51
	Facility paid license fee on 8/04/21		
	SUBTOTAL	\$	400.51
	SALES TAX		
	TOTAL	\$	400.51

Make all checks payable to **Tuscola County Health Department**

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
 Region VI Economic Development Planning
 Saginaw Bay Coastal Initiative
 Senior Services Advisory Council
 Tuscola 2020
 Local Units of Government Activity Report

Other Business as Necessary –

-2021 Food License Fee (matter added) – Commissioner Vaughan would like the Board to consider lowering the fees for 2021 Food License Fees due to the limited time of being opened in 2020. Board discussed the current fee, the proposed fee and that inspections will be required still.

2021-M-069

Motion by Vaughan, seconded by DuRussel that the Food License Fee, issued by the Tuscola County Health Department, be reduced from \$444 per year to \$0 (fee to be waived) for the year 2021. Food establishments are still required to submit a 2021 Food License application to the Tuscola County Health Department. The Board encourages the residents of the Tuscola County community to continue their support of local food establishments.

2021-M-070

Motion by Grimshaw, seconded by DuRussel to amend motion 2021-M-069 to change \$0 to \$44. Roll Call Vote: Grimshaw – yes; Young – yes; Vaughan – yes; DuRussel – yes; Bardwell – yes.

2021-M-069 as amended by motion 2021-M-070

Motion by Vaughan, seconded by DuRussel that the Food License Fee, issued by the Tuscola County Health Department, be reduced from \$444 per year to \$0 \$44 (fee to be waived) for the year 2021. Food establishments are still required to submit a 2021 Food License application to the Tuscola County Health Department. The Board encourages the residents of the Tuscola County community to continue their support of local food establishments.

2021-M-071

Motion by Grimshaw, seconded by Vaughan to amend motion 2021-M-069 to strike the words “fee to be waived”. Roll Call Vote: Young – yes; Vaughan – yes; DuRussel – yes; Grimshaw – yes; Bardwell – yes. Motion Carried.

2021-M-069 as amended by motion 2021-M-071

Motion by Vaughan, seconded by DuRussel that the Food License Fee, issued by the Tuscola County Health Department, be reduced from \$444 per year to \$0 \$44 (fee to be waived) for the year 2021. Food establishments are still required to submit a 2021 Food License application to the Tuscola County Health Department. The Board encourages the residents of the Tuscola County community to continue their support of local food establishments.

2021-M-069 as amended

Motion by Vaughan, seconded by DuRussel that the Food License Fee, issued by the Tuscola County Health Department, be reduced from \$444 per year to \$44 for the year 2021. Food establishments are still required to submit a 2021 Food License application to the Tuscola County Health Department. The Board encourages the residents of the Tuscola County community to continue their support of local food establishments. Roll Call Vote: DuRussel – yes; Grimshaw – yes; Young – yes; Vaughan – yes; Bardwell – yes. Motion Carried.

The Board asked Health Officer Hepfer to do a press release on this topic. Clerk Fetting to provide the motion language for assistance.

At 12:58 p.m., there were a total of 22 participants attending the meeting.

Extended Public Comment – None

2021-M-072

Motion by Young, seconded by Vaughan to adjourn the meeting at 12:58 p.m.
Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan - yes; DuRussel - yes; Bardwell - yes. Motion Carried.

Meeting adjourned at 12:58 p.m.

Jodi Fetting
Tuscola County Clerk



- Member Portal
- MACPAC
- Advocacy ▾
- Affiliate / Corporate
- Education ▾
- Magazines
- Documents
- Membership Directory

Legislative Update 4-28-23

WRITTEN BY [DEREK MELOT](#) ON APRIL 28, 2023. POSTED IN [BLOG](#), [EVENTS](#), [LEGISLATIVE](#), [MAC NEWS](#), [MACSC](#), [MARKETING](#), [NACO](#)

County revenue sharing in line for big boost under budget plans

County revenue sharing could grow by as much as 17 percent in fiscal 2024 under decisions made this week by key subcommittees in the Michigan House and Senate.

In the House, the Appropriations Subcommittee on the General Government approved [House Bill 4292](#), by Rep. Felicia Brabec (D-Washtenaw), which follows Gov. Gretchen Whitmer’s plan for a 17 percent hike in revenue sharing.



This increase is divided into several segments:

- 5 percentage points would be ongoing and for general use
- 5 percentage points would be a one-time appropriation for general use
- 2 percentage points would be ongoing and restricted to public safety uses
- 5 percentage points would be a one-time appropriation restricted to public safety uses

In all, these changes would place FY24 revenue sharing at more than \$285 million.

The Senate’s boost is smaller than the House’s but still large. [Senate Bill 189](#), by Sen. John Cherry (D-Genesee), includes the same ongoing and one-time boosts for general use as the House (see bullets 1 and 2 above), but it does not include the additional funds for public safety.

Overall, the Senate’s plan would have revenue sharing at \$269 million for FY24.

In another positive note, and based on a MAC request, the Senate subcommittee plan would end the County Incentive Program and its requirements for the annual submission of verification of the posting of budgets online and the publication of citizen guides.

The Senate proposal also allows access to any unallocated funds from a \$750 million appropriation for municipal pension assistance for use as grants for those local governments with OPEB obligations funded at 7 percent or less. An exact allocation for this will not be known until pension grants have been allocated.

Finally, on the Senate side, Sen. Cherry recommended a new program in the Department of Attorney General to assist communities with high crime by allocating \$10 million and 45 full-time positions.

To be clear, these amounts are far from final. The next huge budget step is the Consensus Revenue Estimating Conference (CREC) on May 19 to set final resource numbers for FY24. Following CREC, committee chairs will be given more specific budget targets and will amend the bills accordingly.

For more information on this issue, contact Deena Bosworth at bosworth@micounties.org.

Five commissioners elected to MAC Board; Wayne's Daub appointed as second vice president

During special elections held April 25 at the Michigan Counties Legislative Conference, county commissioners elected five new members to the Michigan Association of Counties Board of Directors.

The newest members of the 16-member governing body are:

- Dwight Washington of Clinton County
- Donald O'Farrell of Iosco County
- Sarah Lucido of Macomb County
- Bryan Kolk of Newaygo County
- Rick Shaffer of St. Joseph County

After they were sworn in on April 26, the five participated in a vote to name Melissa Daub of Wayne County as the MAC Second Vice President. Daub joined the MAC Board in 2021.

Also serving as officers for the Board in MAC's 125th Anniversary year are President Stan Ponstein of Kent County and First Vice President Jim Storey of Allegan County.

For more information on the MAC Board, [click here](#).



New Board members (l-r) Sarah Lucido, Rick Shaffer, Dwight Washington and Bryan Kolk take their oaths on April 26. Not pictured: Donald O'Farrell.

Association may be oldest in U.S., NACo leader tells 2023 conference

MAC and its members were treated to two anniversary presents at the 2023 Michigan Counties Legislative Conference.

Prior to his remarks on April 25 to a plenary session of the event, which drew approximately 300 to Lansing, Matthew Chase, CEO of the National Association of Counties, presented President Stan Ponstein and other MAC leaders a crystal trophy for the MAC display.

More importantly, and surprisingly, Chase shared a bit of news: MAC just may be the oldest counties association in the entire country!

“I can say we were equal parts surprised and pleased to hear Matt’s nugget of news about our historic position,” said Stephan Currie, MAC’s executive director. “He did tell us his research isn’t quite complete, but, as of now, there’s no information that any association is older than MAC. If that holds, we will have even more to celebrate at the Anniversary Gala we are planning for the Annual Conference in October.”

The conference also included:

- State of MAC and Legislative Update reports
- A briefing on the state budget from State Budget Director Chris Harkins
- A discussion on legislative priorities with the leaders of the Michigan House and Senate
- 12 policy breakout sessions

Presentations and other documents from the conference [can be found here](#).

Photos from the conference [can be found here](#).

MAC’s next major event is the Annual Conference, planned for Oct. 1-3 at the Radisson Hotel in downtown Kalamazoo. Registration for that event should open in early August.

For the latest information on MAC events, [click here](#).



Matthew Chase addresses the 2023 Legislative Conference.

Child Care Fund boost highlights DHHS budget plans

A MAC-supported increase in the reimbursement rate for the Child Care Fund is included in both legislative versions of the fiscal 2024 budget for the Department of Health and Human Services that cleared key subcommittees this week.

In line with a recommendation of the [Task Force on Juvenile Justice Reform](#), the budget plans boost the county Child Care Fund reimbursement rate from 50 percent to 75 percent, a \$31.5 million increase. This conforms with Gov. Gretchen Whitmer’s FY24 budget plan.



The [House subcommittee also recommended](#):

- \$1.3 million to provide services at Bay Pines and Shawono juvenile justices facilities (another recommendation from the Task Force on Juvenile Justice Reform)
- \$19.3 million to fund an 8 percent increase to daily maintenance payments to foster parents, adoptive parents and juvenile guardians (a MAC legislative priority)
- Placing Michigan’s foster care per diem rate above the national average
- \$25 million to build a juvenile justice facility in Northern Michigan (another MAC priority)
- \$14 million for the state share towards local public health departments

- \$5 million to replace local funding used for Medicaid mental health supports and services (this reflects the fourth year of phasing out the local match portion over a five-year period)

The [Senate recommendation](#) includes \$30 million to support the state share for increases to local public health departments, which aligns with the governor's budget plan. When compared to the House recommendation, you will see the House has only recommended funding for approximately 50 percent of the costs of local public health services.

For more information on this issue, contact Samantha Gibson at gibson@micounties.org.

Legislative panels add dollars to governor's transportation plans

Road dollars in fiscal 2024 would be more plentiful than Gov. Gretchen Whitmer had proposed in February under spending plans approved by House and Senate subcommittees this week.

Both chambers appropriated more than Whitmer recommended; the [House version](#) is \$222.6 million over, while the [Senate's](#) is \$240 million over.



The largest addition by the House is \$400 million for local road preservation, which would be distributed to local road agencies based on population. The House left a \$100 placeholder for the bridge bundling program, so the \$200 million the governor had recommended was not included in the House plan.

The House also included:

- \$75 million in local bus operating investments
- \$33 million for rail grade separations

The Senate also cut the governor's bridge bundling program, reducing it from \$200 million to \$150 million. They also cut the Intermodal Capital Investment Grant Program from \$160 million to \$100 million.

Notably, the Senate added \$150 million for local road funding projects for the six most populous counties (Wayne, Oakland, Macomb, Kent, Genesee, Washtenaw), distributed by population. Subcommittee Chair Sen. Veronica Klinefelt (D-Macomb) explained that while the larger counties pay more into the Michigan Transportation Fund, they don't always see the return on investment.

The Senate also included:

- \$100 million for critical infrastructure projects
- \$100 million for high-speed rail
- \$50 million for a single rail grade separation project in Trenton

The budget process will continue in May. MAC will provide updates as necessary.

For more information on this issue, contact Madeline Fata at fata@micounties.org.

Pay boosts for medical workers advance in Legislature

Employees at medical care facilities would be looking at pay boosts under budget plans approved by Health and Human Services Appropriations subcommittees for fiscal 2024 this week.

The Senate recommendation includes a 65-cent boost per hour for direct care workers and a \$3 per hour wage increase for non-direct care staff at long-term care facilities. The House recommendation includes \$90 million to increase non-clinical nursing facility staff hourly wages by \$3.85 per hour. This amount would reflect the current \$2.35 direct care wage increase, plus the additional \$1.50 proposed for the current cohort of direct care workers. The House budget recommendation also included a \$1.50 per hour direct care worker wage increase.



The FY24 budget is anticipated to be finalized in June.

For more information on this issue, contact Samantha Gibson at gibson@micounties.org.

Bid to expand binding arbitration resumes in Legislature

County correctional officers would qualify for binding arbitration under a bill filed in Lansing on April 20.

House Bill 4438, by Rep. Kelly Breen (D-Oakland), would expand binding arbitration beyond police and fire labor bargaining units to county correctional officers. The bill is likely to advance in the Legislature this year.



HB 4438 is a reintroduction from last term, which MAC fought against. MAC has long opposed any expansion of binding arbitration to other bargaining units due to the cost of the process, the long-term liabilities associated with third-party decisions and the unequal treatment such a system provides to those bargaining units. The Michigan Public Employment Relations Act already provides for bargaining rights without tying the hands of the county in binding arbitration.

MAC plans to continue opposition to the bill.

However, in light of the legislative majority's strong support for unions and collective bargaining units, it will certainly be more difficult to shut it down this time around. The bill has been referred to the House Committee on Criminal Justice.

For more information on this issue, contact Madeline Fata at fata@micounties.org.

Boat wrap recycling program now under way

The Michigan Recycling Coalition (MRC), a statewide recycling advocate and association, is currently organizing another year of "Recycle Run," a boat shrink-wrap recycling program. Last year alone, the program helped recycle 90,000 pounds of plastic.

The program is open and accepting new participants until June 1, 2023. Recycle Run is accessible to boaters across the state and allows for shrink-wrap boat covers to be diverted from landfills.



To participate, boaters purchase the Recycle Run bags from [Dr. Shrink's website](#) for \$7. A bag holds approximately one large boat cover or two small boat covers. Interested participants will also sign up on the [Michigan Recycling Coalition's website](#) to officially register for the collection program. Participants with more than 15 bags of material qualify for a free direct pick-up by the MRC's program partners. Participants with less material can participate by dropping their bags off at one of the many volunteer locations around the state. These boat covers are otherwise not accepted in curbside recycling programs.

Michigan has more than 800,000 registered boats. For every bag of covers that is recycled, we save:

- 115 KWH of energy
- 5 gallons of oil
- 20 cubic feet of landfill space

The [MRC](#) is a nonprofit that fosters sustainability by leading, educating and mobilizing businesses, governments, nonprofits and individuals to advance their own and collective resource use and recovery initiatives in Michigan.

NACo: Highlight the county role in mental health in May

Join the National Association of Counties (NACo) and the National Association of County Behavioral Health and Developmental Disability Directors in recognizing [Mental Health Awareness Month, May 2023](#), to highlight the county role in behavioral health.

Earlier this year, NACo launched a Commission on Mental Health and Wellbeing to address the ever-growing mental health crisis. Next month, NACo will release research on essential county perspectives on high-quality, accessible mental health services.

Mental Health Awareness Month is your opportunity to shine a light on mental health awareness, services, and innovation, and advance behavioral health policy priorities.

Explore [NACo's toolkit of resources](#) to help you participate, including a resolution template, sample letters to Congress, press release and social media templates, and more. We encourage counties to pursue any effort – large or small.

We look forward to featuring county efforts – [submit your plan for Mental Health Awareness Month here](#).



Staff picks

- [Michigan county officials meet to tackle big issues](#) (WILX-TV)
- [Walmart is sued over 'dark store theory' as thousands of local shoppers fear being hit by 'devastating' tax bill](#) (The Sun)
- [California county recycles all its wastewater, a world first](#) (Governing)
- [How to leverage public-private partnerships to drive economic development](#) (American City and County)





8569 State St. P.O. Box 261
Millington, MI 48746
Email: vom_clerk@millingtonvillage.org
Website: <https://www.millingtonvillage.org>

May 1, 2023

Tuscola County
Clayette Zechmeister, Controller
125 W. Lincoln St.
Caro, MI 48723

Re: Establishment of Commercial Redevelopment District
Approval of a Commercial Facilities Exemption Certificate requested by BJW Development, LLC

Dear Ms. Zechmeister,

The Village of Millington has been working with the Tuscola County EDC and a local developer – BJW Development, LLC – on the Village's consideration of the establishment and approval of a Commercial Redevelopment District and tax abatement for the property located at 4735 E. Main St., Millington, MI 48746.

Notice is given that the Millington Village Council on Tuesday, May 16, 2023 at 5:45pm, at the Millington Municipal Building, 8569 State Rd. Millington, MI 48746, a public hearing will be held regarding the establishment of a Commercial Redevelopment District. A copy of the public notice is enclosed.

The Millington Village Council will also hold a public hearing on May 16, 2023 at 5:50pm at the Millington Municipal Building, 8569 State Rd. Millington, MI 48746 to consider approving a Commercial Facilities Exemption Certificate for this BJW Development. A copy of the public notice is enclosed.

Since the tax collected for Tuscola County may be affected, if approved, a representative from your office is entitled to appear and to be heard.

Kaylene Long
Millington Village Clerk

Enclosures:

Public Hearing on the Establishment of a Commercial Redevelopment District
Public Hearing on the Approval of a Commercial Facilities Exemption Certificate

PUBLIC HEARING NOTICE

Public Hearing on the Establishment of a Commercial Redevelopment District
requested by BJW Development LLC in the Village of Millington

Notice is hereby given that on May 16, 2023 at 5:45 pm, the Millington Village Council will hold a public hearing. The meeting and public hearing will be located at the Millington Municipal Building, 8569 State Rd. Millington, MI 48746.

The public hearing is held pursuant to Act 255 of the Michigan Public Acts of 1978 as amended for the establishment of a Commercial Redevelopment District for BJW Development LLC at the following real property:

Parcel A:

Part of the Northeast 1/4, Section 16, Town 10 North, Range 8 East, Village of Millington, Tuscola County, Michigan. Being part of Lots 5, 6 and 7, Block 9 of the Original Plat of the Village of Millington, according to the plat recorded in Liber 1 of Plats, Page 42A, described as follows: Commencing at the Northwest corner of Block 9, Original Plat of the Village of Millington; thence North 90 degrees 00 minutes 00 seconds East along the North line of said Block 9, said North line being also the North line of Lots 7 and 8 of Block 9, 131.79 feet to the point of beginning; thence continuing North 90 degrees 00 minutes 00 seconds East on said North line of Block 9, 104.79 feet; thence South 00 degrees 38 minutes 36 seconds East on a line which is parallel with and 27.00 feet, measured at right angles, West of the East line of Lots 5, 6 and 7 of said Block 9, 170.79 feet; thence South 89 degrees 58 minutes 38 seconds West on a line which is parallel with and 27.00 feet, measured at right angles, North of the South line of said Lot 5, 104.89 feet; thence North 00 degrees 36 minutes 33 seconds West along the West line of East 1/2 of said Lots 5, 6 and 7 of said Block 9, 170.83 feet to the point of beginning.

Parcel B:

Part of Lots 5 and 6, Block 9, Village of Millington, Tuscola County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 42A, Tuscola County Records, more particularly described as: Commencing 27 feet North of the Southwest corner of Lot 5, Block 9; thence North 55 feet; thence East 264 feet; thence South 55 feet; thence West 264 feet to the point of beginning, EXCEPT the East 132 feet thereof, ALSO EXCEPT a piece of land in the Southwest corner 19 feet North and South by 132 feet East and West.

The owners of all real property within the proposed Commercial Redevelopment District, together with any other residents or taxpayers of the Village of Millington, shall have the right to appear and to be heard.

Kaylene Long
Millington Village Clerk

PUBLIC HEARING NOTICE

Public Hearing on the Approval of a Commercial Facilities Exemption Certificate requested by
BJW Development LLC in the Village of Millington

Notice is hereby given that on May 16, 2023 at 5:50 pm, the Millington Village Council will hold a public hearing. The meeting and public hearing will be located at the Millington Municipal Building, 8569 State Rd. Millington, MI 48746.

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Parcel B:

Part of Lots 5 and 6, Block 9, Village of Millington, Tuscola County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 42A, Tuscola County Records, more particularly described as: Commencing 27 feet North of the Southwest corner of Lot 5, Block 9; thence North 55 feet; thence East 264 feet; thence South 55 feet; thence West 264 feet to the point of beginning, EXCEPT the East 132 feet thereof, ALSO EXCEPT a piece of land in the Southwest corner 19 feet North and South by 132 feet East and West.

The owners of all real property within the Commercial Redevelopment District, together with any other residents or taxpayers of the Village of Millington, shall have the right to appear and to be heard.

Kaylene Long
Millington Village Clerk



TUSCOLA COUNTY
ECONOMIC DEVELOPMENT CORP

Empowering Leaders in Agriculture, Manufacturing, and Clean Energy

May 1, 2023

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

Dear Tuscola County Board of Commissioners;

On behalf of the Tuscola County Economic Development Corporation Board of Directors, Thank You so much for your generous allotment of \$30,000 to the Tuscola County Economic Development Corporation we received last month, along with the \$120,000 you have allotted for your budget year.

Because of your donation and ongoing commitment, the Tuscola County EDC has been able to secure \$3.3 million dollars of additional public and private investment to develop businesses and projects in Tuscola County. This allocation helps support job growth in Tuscola County and will help to retain jobs and business operations in the local area. This will provide the Tuscola EDC with resources to continue to counsel businesses and to help to facilitate companies and entrepreneurs to locate into Tuscola County and to help in expanding local agri-business growth and opportunities. The Tuscola County EDC continues to work with businesses in Tuscola County on programs providing working capital, including the payment of utility bills.

In times like this, we are reminded of how interconnected we all are and how important it is that we continue to support each other. The Tuscola County EDC has been working with small businesses as we have been able to provide much needed financial assistance during these difficult post-COVID challenges. Thank you for your financial support and continued generous contribution. You are the reason we are making a positive impact in our community. Without you, none of this is possible.

Sincerely,

Stephen D. Erickson
Executive Director
(989) 673-2849

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

Case No. U-21411

Application of Southwest Michigan)
Communications, Inc. to expand its license to)
provide local exchange service)

NOTICE OF OPPORTUNITY TO COMMENT

On April 25, 2023, Southwest Michigan Communications, Inc. filed an application with the Michigan Public Service Commission for temporary license to provide basic local exchange service in the expanded territory. Applicant would provide any basic local exchange service under the temporary license in accordance with the regulatory requirements specified in the MTA and would revise its tariffs accordingly reflecting the services it will offer and identify the exchanges in which it will offer such services.

Any interested person may review the application at the Michigan offices of Southwest Michigan Communications, Inc., PO Box 187, Bloomington, MI 49026 or at the office of Executive Business Section, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909, between the hours of 8:00 a.m. and 12:00 p.m. and 1:00 p.m. and 5:00 p.m., Monday through Friday, or on the Commission's website at: michigan.gov/mpscedockets.

Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on June 16, 2023. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909, with a copy mailed to Michael Oliva at Loomis, Ewert, Parsley, Davis & Gotting, PC, 124 W. Allegan St., #700, Lansing, MI 48933. Electronic comments may be e-mailed to: mpscedockets@michigan.gov. All comments should reference Case No. U-21411. Comments received in this matter become public information, posted on the Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Southwest Michigan Communications, Inc.

RESOLUTION

NO: 2023-04-063

LIVINGSTON COUNTY

DATE: April 24, 2023

Resolution by the Livingston County Board of Commissioners in Support of the Second Amendment of the US Constitution and the Michigan Constitution – Board of Commissioners

WHEREAS, the Second Amendment to The Constitution of the United States of America, ratified in 1791 as part of the Bill of Rights, states “A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed”; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that “Every person has a right to keep and bear arms for the defense of himself and the state”; and

WHEREAS, it is the desire of this Board to reaffirm its commitment and support of The Constitution of the United States of America as well as the Constitution of the State of Michigan including all amendments which protect Livingston County citizens’ individual rights; and

WHEREAS, each Livingston County Commissioner, as provided by Article XI, Section 1, of the Michigan Constitution (1963), took an oath to support The Constitution of the United States of America and the Michigan Constitution; and

WHEREAS, a “Constitutional County” is defined as a place of refuge for the law-abiding citizen in regards to the citizens’ rights under The Constitution of the United States of America and Michigan Constitution including but not limited to the Second Amendment right to Keep and Bear Arms; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Livingston County Board of Commissioners, that the County of Livingston, Michigan, be, and hereby is, declared to be a “Constitutional County”; and

IT IS FURTHER RESOLVED that this Board affirms its support for the Livingston County Sheriff and the Livingston County Prosecuting Attorney and acknowledges and respects their respective oaths of office. This board strongly encourages their utmost discretion in the exercise of their duties in enforcing any statute, law, rule, order, or regulation that is contrary to the rights established by The Constitution of the United States of America and the State of Michigan Constitution; and

BE IT FURTHER RESOLVED that this Board will not authorize or appropriate new funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the sole purposes of enforcing any statute, law, rule, order, or regulation that restricts the rights of any law-abiding citizen affirmed by the Second Amendment or Article 1, Section 6, of the Michigan Constitution, nor be used to aid any state or federal agency in infringing or restricting such rights; and

BE IT FURTHER RESOLVED that the Board respectfully requests the Michigan Legislature, the United States Congress, and other agencies of State and Federal government to vigilantly preserve and protect those rights by rejecting any provision, statute, law, rule, order or regulation that may infringe, have tendency to infringe or place any additional burdens on the rights of law-abiding citizens to keep and bear arms; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Michigan Senators Lana Theis, Michigan House Representatives Ann Bollin, Robert Bezotte, Jennifer Conlin, Mike Mueller and the other 82 county board of commissions in the State of Michigan, U.S. Congress Representative Elissa Slotkin, U.S. Senators Gary Peters, Debbie Stabenow, the Livingston County Sheriff Mike Murphy, and the Livingston County Prosecuting Attorney David Reader and all county department directors.

#

MOVED: F. Sample
SECONDED: D. Helzerman
CARRIED: Roll Call Vote: Yes (9): F. Sample, D. Helzerman, D. Domas, W. Nakagiri, J. Drick, R. Deaton, M. Smith, N. Fiani, and J. Gross; No (0): None; Absent (0): None (9-0-0)

STATE OF MICHIGAN)
) §
COUNTY OF LIVINGSTON)

I, **ELIZABETH HUNDLEY**, the duly qualified and acting Clerk of Livingston County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners at a regular meeting on the 24th day of April 2003, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereto affixed by official signature on this 26th day of April 2023, A.D.



Elizabeth Hundley

ELIZABETH HUNDLEY, LIVINGSTON COUNTY CLERK

ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-06

Urging Repair Of The Cornwall Creek Flooding Dam

WHEREAS, The Cornwall Creek Flooding Dam located in Nunda Township. Cheboygan County Michigan is the critical structure providing the infrastructure for the pristine Cornwall Flooding which is one of Michigan's best wildlife viewing, kayaking and outdoor activity areas including being rated by the DNR as a world class Bluegill Fishery; and

WHEREAS, the Dam was constructed by the State of Michigan in 1966 to provide this recreational area and control water flow within the Pigeon River Country State Forest; and

WHEREAS, the gas and oil extraction from the Pigeon River State Forest is the foundation of funding for the Michigan Natural Resources Trust Fund MNRTF which has raised and invested over 1.3 Billion Dollars into recreational assets for the State of Michigan since its inception; and

WHEREAS, only 39.4 million of the funds raised by the MNRTF has been invested back into the Pigeon River State Forest from the MNRTF with only one percent of the 39.4 million being invested into recreational facilities from the fund; and

WHEREAS, the Mission Statement of the Michigan Department of Natural Resources is "We are committed to the conservation, protection, management, use and enjoyment of the state's natural and cultural resources for current and future generations.: and

NOW, THEREFORE, BE IT RESOLVED, that the Alger County Board of Commissioners urges the Governor and State lawmakers to make the necessary appropriations to fund the estimated 1.3 million dollars to the DNR and/or EGLE to repair the Cornwall Creek Flooding Dam to protect this natural resource asset.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to all Michigan Counties, Governor Gretchen Whitmer, Senator John Damoose, Representative Cam Cavitt, Representative Neil Friske, and the Michigan Association of Counties.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk

Dated: April 10, 2023



ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-07

Resolution to Instruct our Representatives to Oppose All Firearms Control Legislation

WHEREAS, the Constitution of the United States, ratified on the 21st day of June, 1788, declares in Article VI section 2, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.";

WHEREAS, the people of the United States are guaranteed the right to keep and bear arms without any legislative infringement, under the Constitutional authority of Amendment II, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.";

WHEREAS, the people of the State of Michigan recognize that the blessings of freedom come from our Almighty God according to the Preamble of the Constitution of the State of Michigan, "We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.";

WHEREAS, the people of the State of Michigan have the inherent, inalienable right to hold all political power in the State of Michigan according to the Constitution of the State of Michigan, Article I, Section 1. "All political power is inherent in the people. Government is instituted for their equal benefit, security, and protection.";

WHEREAS, the people of Michigan are guaranteed the right to keep and bear arms without any legislative infringement, under Michigan State Constitutional authority in Article I section 6, "Every person has a right to keep and bear arms for the defense of himself and the state.";

WHEREAS, the people of the State of Michigan recognize that we have the right to retain rights that are not specifically written in the Constitution of the United States or the Constitution of the State of Michigan according to: Amendment IX of the Constitution of the United States, "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." and Amendment I, Section 23 of the Constitution of the State of Michigan, "The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."; and

WHEREAS, the people of the State of Michigan recognize that we have the right to instruct our representatives according to the Constitution of the State of Michigan, Article I, Section 3, "The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances."

NOW, THEREFORE, BE IT:

RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102nd Michigan State Legislature to vote in opposition of all proposed legislation that would unconstitutionally infringe on the right of the people to keep and bear arms;

BE IT FURTHER RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102nd Michigan State Legislature to vote in opposition of all proposed legislation that infringes on the right of the people to own, bear, purchase, and sell items that are directly relevant to operation, maintenance, and modification of any firearms, including but not limited to: ammunition, magazines, stocks, triggers, braces, barrels, etc.;

BE IT FURTHER RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102nd Michigan State Legislature to vote in opposition of all proposed gun legislation, such as Red Flag Gun Laws, that would deny a person of their right to not be deprived of life, liberty or property without due process of the law, or their right to equal benefit, security and protection;

BE IT FURTHER RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives to recognize that the power which they hold is because of the consent of the people, and that they have no power to make legislation that is contrary to the supreme Law of the Land, nor have they been given consent to draft, introduce, sponsor, or amend legislation that infringes on the right of the people to keep and bear arms in any way; and

BE IT FURTHER RESOLVED, that the Clerk of the Alger County Board of Commissioners, shall transmit copies of this resolution to all members of the 102nd Michigan State Legislature, and shall urge all counties in Michigan to adopt similar resolutions.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,


Mary Ann Froberg, Alger County Clerk

Dated: April 10, 2023



ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk

101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-08

**RESOLUTION DECLARING ALGER COUNTY,
A CONSTITUTIONAL SECOND AMENDMENT SANCTUARY COUNTY**

WHEREAS, the County Board of Commissioners of the County of ALGER, State of Michigan, pursuant to Michigan statute, (Article 7 Section 2 MC) is vested with the authority of administering the affairs of the County government of ALGER County, Michigan, (Article 7 Section 1 MC) and is organized as a body corporate with powers and immunities provided by law, (Article 4 section 51 MC) and to protect the health, safety, and welfare of the residents of ALGER County and the employees of the ALGER County government; and

WHEREAS, a statute by a legislative authority (Alger County Commissioners) is considered constitutionally valid until a court decides it's not; and

WHEREAS, the Second Amendment to The Constitution of the United States of America, ratified in 1791 as part of the Bill of Rights, states "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed"; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S.570 (2008), affirmed an individual's right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated to the States by the Due Process Clause of the Fourteenth Amendment; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that "Every person has a right to keep and bear arms for the defense of himself and the state"; and

WHEREAS, it is the desire of this Board to reaffirm its commitment and support of The Constitution of the United States of America as well as the Constitution of the State of Michigan including all amendments which protect Alger County citizens' individual rights; and

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect ALGER County citizens' individual rights to keep and bear arms; and

WHEREAS, each Alger County Commissioner, as provided by Article IX, section 1, of the Michigan Constitution (1963), took an oath to support The Constitution of the United States of America and the Michigan Constitution.

WHEREAS, a "Constitutional Sanctuary County" is defined as a place of refuge for the law abiding citizen in regards to the citizens' rights under The Constitution of the United States of America and Michigan Constitution including but not limited to the Second Amendment right to Keep and Bear Arms.

NOW THEREFORE IT IS HEREBY RESOLVED, by the ALGER County Board of Commissioners, that the County of ALGER, Michigan, be, and hereby is, declared to be a "Constitutional Sanctuary County."

IT IS FURTHER RESOLVED, that this Board affirms its support for the Alger County Sheriff and the Alger County Prosecuting Attorney, in the exercise of their sound discretion to NOT enforce any statute or law that is contrary to the rights established by The Constitution of the United States of America and the State of Michigan constitution against any law-abiding citizen of Alger.

BE IT FURTHER RESOLVED, that this Board will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purposes of enforcing any law that restricts the rights of any law abiding citizen affirmed by the Second Amendment or Article 1, Section 6, of the Michigan Constitution, nor be used to aid any state or federal agency in infringing or restricting such rights which would be considered to be unconstitutional; and

BE IT FURTHER RESOLVED, that the Board respectfully requests the Michigan Legislature, the United States congress and other agencies of State and Federal government to vigilantly preserve and protect those rights by rejecting any provision, law or regulation that may infringe, have the tendency to infringe or place any additional burdens on the rights of law-abiding citizens to keep and bear arms; and

BE IT FURTHER RESOLVED, that the Board directs its staff to forward a copy of this resolution to the Alger County Township Supervisors, Alger County elected officials, and the other 82 counties in the State of Michigan, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all of the Michigan U.S. Congress members.

CERTIFICATION

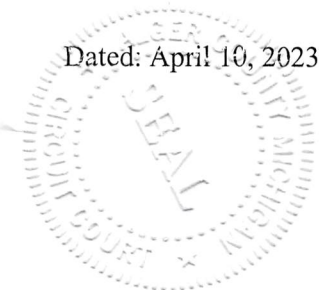
I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk

Dated: April 10, 2023



ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-09
RESOLUTION SUPPORTING DARK STORE LEGISLATION

WHEREAS, Representative of Michigan's 38th Senate District, Senator Ed McBroom, seeks to introduce two bills, Senate Bill Numbers 19 and 20, intended to address the method by which the Michigan Tax Tribunal values certain properties, including big box and junior box stores, commonly referred to as the "Dark Store" theory of value; and

WHEREAS, the Tax Tribunal, on numerous occasions, has valued such properties through comparisons to sales of other big box or junior box stores that have "gone dark, " i.e., have failed to produce retail sales due to their location in the market; and

WHEREAS, the Tax Tribunal has also valued box stores by comparisons to sales of other box stores that were sold with a private deed restriction in place, which precluded the use of the sold box store for use as a box store; and

WHEREAS, these Tax Tribunal decisions across the state have resulted in artificially reduced values for thriving box stores due to comparisons to stores that either failed or were sold for some other secondary purpose, such as redevelopment for some other commercial use; and

WHEREAS, in Alger County the application of the "Dark Store" method has led to the reduction of public library hours and negatively impacted the County's General Fund balance, leading to reduced funding for County programs; and

WHEREAS, the legislation seeks to remedy these issues by requiring the Tax Tribunal to assure that box stores are valued according to their "highest and best use" by excluding the use of sale comparables sold with private restrictions in place if those restrictions substantially impair the comparable's highest and best use as compared to the property being valued; and

WHEREAS, the legislation seeks to require the use of sale comparables that are adequately comparable to the property being valued.

THEREFORE, the Board of Commissioners of Alger County, Michigan, resolves as follows:

1. The Alger County Board of Commissioners hereby supports the legislation to be introduced by Senator McBroom, Senate Bill Numbers 19 and 20.
2. Any resolutions that are inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk



Osceola County
Resolution #2023-0009

**RESOLUTION TO INSTRUCT OUR REPRESENTATIVES
TO OPPOSE ALL FIREARMS CONTROL LEGISLATION**

WHEREAS, the Constitution of the United States, ratified on the 21st day of June, 1788, declares in Article VI section 2, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.";

WHEREAS, the people of the United States are guaranteed the right to keep and bear arms without any legislative infringement, under the Constitutional authority of Amendment 11, "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.";

WHEREAS, the people of the State of Michigan recognize that the blessings of freedom come from our Almighty God according to the Preamble of the Constitution of the State of Michigan, "We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.";

WHEREAS, the people of the State of Michigan have the inherent, inalienable right to hold all political power in the State of Michigan according to the Constitution of the State of Michigan, Article I, Section 1. "All political power is inherent in the people. Government is instituted for their equal benefit, security, and protection.";

WHEREAS, the people of Michigan are guaranteed the right to keep and bear arms without any legislative infringement, under Michigan State Constitutional authority in Article I section 6, "Every person has a right to keep and bear arms for the defense of himself and the state.";

WHEREAS, the people of the State of Michigan recognize that we have the right to retain rights that are not specifically written in the Constitution of the United States or the Constitution of the State of Michigan according to: Amendment IX of the Constitution of the United States, "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." and Amendment I, Section 23 of the Constitution of the State of Michigan, "The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."; and **WHEREAS**, the people of the State of Michigan recognize that we have the right to instruct our representatives according to the Constitution of the State of Michigan, Article I, Section 3, "The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances."

NOW, THEREFORE, BE IT:

RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 100th Michigan State Legislature to vote in opposition of all proposed legislation that would unconstitutionally infringe on the right of the people to keep and bear arms;

BE IT FURTHER RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 100th Michigan State Legislature to vote in opposition of all proposed legislation that infringes on the right of the people to own, bear, purchase, and sell items that are

directly relevant to operation, maintenance, and modification of any firearms, including but not limited to: ammunition, magazines, stocks, triggers, braces, barrels, etc.;

BE IT FURTHER RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 100th Michigan State Legislature to vote in opposition of all proposed gun legislation, such as Red Flag Gun Laws, that would deny a person of their right to not be deprived of life, liberty or property without due process of the law, or their right to equal benefit, security and protection;

BE IT FURTHER RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives to recognize that the power which they hold is because of the consent of the people, and that they have no power to make legislation that is contrary to the supreme Law of the Land, nor have they been given consent to draft, introduce, sponsor, or amend legislation that infringes on the right of the people to keep and bear arms in any way; and

BE IT FURTHER RESOLVED, that the Clerk of the Osceola County Board of Commissioners, shall transmit copies of this resolution to all members of the 100th Michigan State Legislature and the Senate District 34, and shall urge all counties in Michigan to adopt similar resolutions.

PASSED AND ADOPTED as a resolution of the Osceola County Board of Commissioners meeting held on May 2, 2023.

Motion by Commissioner Momany to adopt this Resolution #2023-0009, Supported by Commissioner Michell.

Roll call vote:

Yeas: Commissioners Gregory, Stieg, Turner, Momany, Custer, Gydesen and Michell

Nays: None.

Abstain: None.

Absent: None.

This Resolution is declared adopted this 2nd day of May, 2023.

County of Osceola

State of Michigan

I, Tracey Cochran, the undersigned duly qualified and acting Clerk of the Board of Commissioners of the County of Osceola, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a Regular Meeting of the Board of Commissioners of said County held on the 2nd day of May, 2023.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 2nd day of May, 2023.

Tracey Cochran, Clerk
County of Osceola, Michigan