



Tuscola County Parks & Recreation Commission

125 W. Lincoln Street

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Caro, MI 48723

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Robert W. McKay, Chairman

www.tuscolacounty.org

Presentation to Tuscola County Board of Commissioners by

Tuscola County Park and Recreation Commission Chairman Robert W. McKay

Thursday, March 14, 2019

The Tuscola County Parks and Recreation Commission, as we know it today, was created and structured by the Tuscola County Board of Commissioners at its October 17, 2013, and January 29, 2014 meetings.

Key points for the purpose of this March 14, 2019, presentation are that four meetings per year were authorized and that the membership was to be that as specified in Public Act 261 of 1965 (MCL 46.351) – those being the principal guidelines under which the Tuscola County Parks and Recreation Commission currently functions and operates.

Noticeably absent from Tuscola County Board of Commissioners past action is any mention of Vanderbilt Park and Campground management and/or any role of the Parks and Recreation Commission to function as a ‘board of directors’ of Vanderbilt Park and Campground.

Otherwise, the Tuscola County Parks and Recreation Commission has, over time, provided specific advice to the Board of Commissioners with respect to Vanderbilt County Park and Campground as well as other matters pertaining to recreational matters in general.

Additionally, the Tuscola County Parks and Recreation Commission has assumed the lead role in establishing the county’s current Parks and Recreation Plan for the Tuscola County Board of Commissioners.

Board of Commissioners Minutes of 10-17-2013:

Parks and Recreation Vacancy

13-M-214: Motioned by Bierlein, seconded by Trisch that the County Clerk be requested to advertise for applicants to fill vacancies on the Parks and Recreation Commission. Motion Carried.

Parks and Recreation Commission Mileage and Per Diem

13-M-215: Motioned by Allen, seconded by Kirkpatrick that the County pay \$25 per diem and mileage at the current rate for 4 meetings per year to the members of the Parks and Recreation Committee. Motion Carried.

Board of Commissioners Minutes of 1/29/2014:

Parks and Recreation Committee Membership

14-M-014: Motion by Bierlein, seconded by Kirkpatrick that the County Parks and Recreation Commission be put in place following the membership requirements of Act 261 of 1965. Motion Carried.

14-M-015: Motion by Allen, seconded by Kirkpatrick that Jerry Peterson and Lisa Valentine be re-appointed to the County Parks and Recreation Commission. Motion Carried.

14-M-016: Motion by Trisch, seconded by Kirkpatrick that Nick Buggia and Robert McKay be appointed to the County Parks and Recreation Commission. Motion Carried.

Public Act 261 of 1965 (MCL 46.351) is shown below with portions stricken-through that do not pertain to Tuscola County:

COUNTY AND REGIONAL PARKS (EXCERPT)
Act 261 of 1965

46.351 County parks and recreation commission; creation; membership; terms; vacancy; commission as county agency; rules and regulations; compensation.

Sec. 1. (1) The county board of commissioners of a county, by resolution adopted by a 2/3 vote of all its members, may create a county parks and recreation commission, which shall be under the general control of the board of commissioners.

(2) The county parks and recreation commission shall consist of the following members:

(a) The chairperson of the county road commission or another road commissioner designated by the board of county road commissioners.

(b) The county drain commissioner or an employee of the drain commissioner's office designated in writing by the drain commissioner.

(c) One of the following:

~~(i) In a county that elects a county executive under section 9 of 1973 PA 139, MCL 45.559, the county executive or a designee of the county executive.~~

~~(ii) In a county with a population of 1,000,000 or less, the chairperson of the county planning commission or another member of the county planning commission designated by the county planning commission. In a county that does not have a county planning commission, the chairperson of the regional planning commission shall serve on the county parks and recreation commission if that person is a resident of that county. If the chairperson of the regional planning commission is not a resident of that county, then the board shall, by a 2/3 vote, appoint a member of the regional planning commission who is a resident of that county to serve on the county parks and recreation commission.~~

(d) Seven members appointed by the county board of commissioners, not less than 1 and not more than 3 of whom shall be members of the board of commissioners.

~~(e) For counties with a population greater than 750,000 but less than 1,000,000, the county board of commissioners shall appoint a neighborhood representative. The appointee under this subdivision shall be an officer of the homeowners or property owners association that represents the largest area geographically that is located totally or partially within 1,000 feet of the property boundary of the most frequently used county park who is willing to serve on the county parks and recreation commission. If a homeowners or property owners association is not located within 1,000 feet of that park or no officer is willing to serve, then the appointee shall be a resident who lives within 1/2 mile of that park and who is willing to serve on the county parks and recreation commission. If no resident lives within 1/2 mile of that park or no resident is willing to serve, then the appointee shall be a resident of the city, village, or township in which that park is located who is willing to serve on the county parks and recreation commission. The first appointment under this subdivision shall be made not more than 60 days from October 17, 2003 or not more than 60 days from the date a county qualifies for an appointment under this subdivision.~~

(3) Of the members first appointed by the county board of commissioners, 2 shall be appointed for a term ending 1 year from the following January 1, 2 for a term ending 2 years from the following January 1, and 3 for a term ending 3 years from the following January 1. The first member appointed by a qualifying county under subsection (2)(e) shall be appointed for a term ending 2 years from the following January 1. From then on, each appointed member shall be appointed for a term of 3 years and until his or her successor is appointed and qualified. Each term shall expire at noon on January 1. A vacancy shall be filled by the county board of commissioners for the unexpired term.

(4) The county parks and recreation commission is an agency of the county. The county board of commissioners may make rules and regulations with respect to the county parks and recreation commission as the board of commissioners considers advisable. The members of the county parks and recreation commission are not full-time officers. The county board of commissioners shall fix the compensation of the members.

In recent years, the Tuscola County Parks and Recreation has assumed the role of providing support for grants associated with recreation by localities or local organizations within Tuscola County. Entities which received grants subsequent to Tuscola County Parks and Recreation Commission resolutions of support include Vassar Little League, Vassar Township, Village of Cass City, City of Vassar as well as Tuscola County (DNR Passport Grant later declined).

The Commission is presently participatory with MDOT on the subject of non-motorized transportation planning while separately engaged with the DNR in creating recreational trails in the Vassar State Game Area and encouraging increased recreational use of the Cass River.

Frank Vanderbilt and Amelia Vanderbilt, husband and wife.

Received for Record, this 3rd day of August A. D. 1938, at 9 o'clock A. M. as all proper certificates were furnished in compliance with Section 3531, Compiled Laws of 1929, as amended by Act 261, Public Acts of 1931.

Alger L. Bush, Register of Deeds. Deputy.

Tuscola County, Michigan an Incorporated Municipality

This Indenture, Made this Fourteenth day of July in the year of our Lord one thousand nine hundred and thirty eight.

BETWEEN Frank Vanderbilt and Amelia Vanderbilt, husband and wife, of the Township of Wisner, Tuscola County, Michigan. parties of the first part, and Tuscola County, (an Incorporated Municipality) party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of one dollar and other valuable considerations hereinafter recited in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged to them in these presents, grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and its assigns, FOREVER, All that certain piece or parcel of Land, situate and being in the Township of Wisner County of Tuscola, and State of Michigan, and described as follows, to-wit:

All that land lying East of the following surveyed line in Lot 1, Section 28, Town 14, North, Range 7 East, beginning at a point 640 feet West of the Southeast Corner of Lot 1, Section 28, Town 14 North, Range 7 East, North 800 feet, North 14 Degrees West to the meander line.

Also a strip of land 13 feet wide on each side of the following surveyed line, beginning at a point 640 feet West, 800 feet North and 100 feet North 15 degrees West of the Southeast Corner of Lot 1, Section 28, Town 14 North, Range 7 East, thence South 45 degrees West to the West Section line of Section 28, Town 14 North, Range 7 East.

The further consideration of the granting of the above described premises is that said premises shall be used for a public park, only.

The grantors herein, restrict the right or rights of the grantee herein to the following conditions, viz: That the party of the second part shall use said premises for a public park only, and upon the failure of the second party or its assigns, to so use said premises the said premises shall revert back to the grantors, their heirs and assigns.

Grantors herein retain for themselves, their heirs and assigns, one-half of all oil, gas, coal, and other minerals found upon or under said described premises.

Together with all and Singular, The hereditaments and appurtenances thereunto belonging or in anywise appertaining; To Have and to Hold, the said premises, as herein described, with the appurtenances, unto the said party of the second part, and to its heirs and assigns. Forever. And the said Frank Vanderbilt and Amelia Vanderbilt, husband and wife,

parties of the first part, for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said party of the second part, its heirs and assigns, that at the time of the sealing and delivery of these presents, they are well seized of the above granted premises IN FEE SIMPLE: at they are free from all incumbrances whatever;

and that they will, and their heirs, executors, and administrators,

Warrant and Defend the same against all lawful claims whatsoever:

In Witness Whereof, The said parties of the first part, have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in Presence of

Wm. G. Hurley, Truman Ackerman

U. S. I. R.

Frank Vanderbilt, Amelia Vanderbilt, Frank Vanderbilt, Amelia Vanderbilt

STATE OF MICHIGAN, On this First day of August in the year one thousand nine hundred and thirty eight, before me, a Notary Public in and for said County, personally appeared Frank Vanderbilt and Amelia Vanderbilt, husband and wife, to me known to be the same persons described in and who executed the within instrument, who each acknowledged the same to be their free act and deed.

My commission expires Dec. 3, 1940

Wm. G. Hurley, Notary Public, Tuscola County, Michigan.

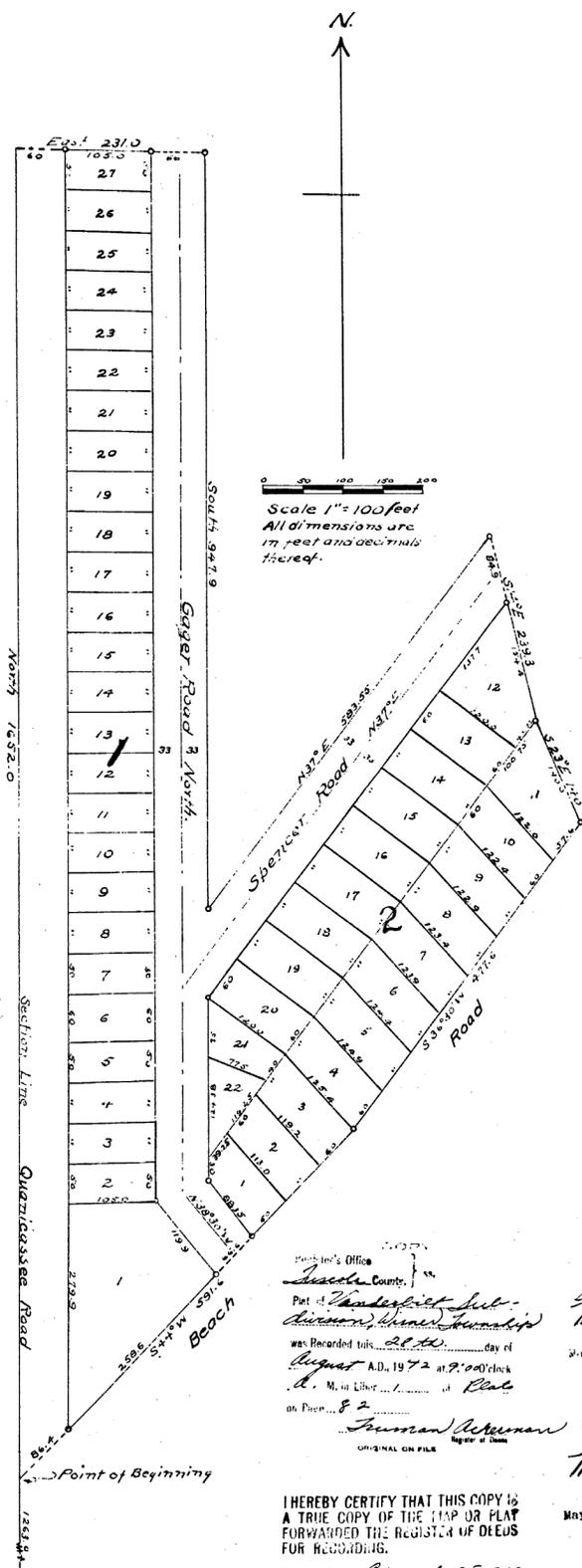
COPY

TUSCOLA COUNTY, TREASURER'S OFFICE. CARO, Mich., I Herby Certify that there are no tax liens or titles held by the State, or no tax liens or titles held by individuals on the land herein described in the within instrument and that all taxes which by law are required to be returned to this office have been fully paid for the five years preceding the date of said instrument as shown by the records of this office. Wm. G. Hurley, County Treasurer.

VANDERBILT SUBDIVISION

PART OF LOT 1, SEC. 28 T.14 N.R.7 E.

WISNER TWP., TUSCOLA CO., MICH.



Scale 1" = 100 feet
 All dimensions are
 in feet and decimals
 thereof.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS That we Frank Vanderbilt
 as proprietor, and
 Amelia Vanderbilt his wife, have caused the
 land embraced in the annexed plat to be surveyed, laid out and platted, to be known as
 "VANDERBILT SUBDIVISION, part of lot 1, section
 28, T.14 N., R. 7 E., Wisner Township, Tuscola
 County, Michigan"
 and that the streets and alleys therein on said plat are hereby dedicated to the use of
 the public.

Signed and Sealed in
 the Presence of:
 Jennie Nelson, Frank Vanderbilt (S)
 Jennie Nelson, Frank Vanderbilt (S)
 Margaret Black, Amelia Vanderbilt (S)
 Margaret Black, Amelia Vanderbilt (S)

ACKNOWLEDGMENT

STATE OF MICHIGAN
 County of Tuscola
 On this 6th day of July 1942
 before me, a Notary Public in and for said county, personally came the above named
 Frank Vanderbilt and
 Amelia Vanderbilt his wife,
 known to me to be the persons who executed the above dedication and acknowledged
 the same to be their free act and deed.

Roscoe J. Black
 Notary Public Tuscola County
 My Commission expires 1-5-45

DESCRIPTION OF LAND PLATTED

The land embraced in the annexed plat, "VANDERBILT SUBDIVISION
 part of lot 1, section 28, T.14 N., R. 7 E.,
 Wisner Township, Tuscola County, Michigan"
 is described as follows: Beginning at a point on the
 section line 1285 feet North of the West one
 quarter corner of section 28, T.14 N., R. 7 E.,
 Thence North 1652 feet, East 231 feet, South
 947.8 feet, N 37° E 535.55 feet, S 14° E 230.3
 feet, S 23° E 140 feet, S 36° 20' W 477.6 feet,
 S 44° W 501.6 feet to beginning.

SURVEYOR'S CERTIFICATE

I hereby certify that the plat is a true and correct one and that personal
 metal monuments, consisting of brass not less than one half inch in diameter and 4 inches
 in length, or other fasteners of metal, then one half inch in diameter, were set at
 other or fasteners with one inch length of iron pipe, 2 inches in diameter, or any
 concrete cylinder of four inches diameter and set in the ground at points marked as
 at points marked as "Q" at the corner of all angles in the boundaries of the
 land platted, at all the intersections of streets, intersections of alleys, or at corners and
 alleys, and at the intersections of streets and alleys with the boundaries of the plat or
 shown on said plat.

Roscoe J. Black
 Registered Professional Engineer
 Roscoe J. Black

APPROVAL BY BOARD OF COUNTY ROAD COMMISSIONERS

This plat has been examined and was approved on the 9th
 day of July 1942 by the Tuscola
 County Board of Road Commissioners.

A. H. Atkins
 C. H. Case
 C. A. Gibbs
 W. J. Profit

MUNICIPAL APPROVAL

This plat was approved by the
 township of Wisner
 at a meeting held July 7, 1942
 W. Russell

APPROVAL BY COUNTY BOARD

This plat was approved on the 9th
 July 1942.

Truman Ackerman
 George F. Childs
 Arthur M. Willits

COUNTY TREASURER'S CERTIFICATE

Office of County Treasurer, Tuscola County.
 I hereby certify that there are no tax liens or taxes held by the State on the lands de-
 scribed hereon, and that the same are not held by individuals on said lands,
 for the five years preceding the 9th day of
 July 1942 and that the tax for said period of
 five years are all paid, as shown by the records of this office, except
 this certificate does not apply to taxes, if any, now in process of collection by township,
 city or village collecting officers.

Arthur M. Willits
 County Treasurer

Notary's Office
 Tuscola County, Mich.
 Part of Vanderbilt Sub-
 division, Wisner Township
 was Recorded this 21st day of
 August A.D. 1942 at 9:00 o'clock
 A. M. Notary of Plat
 on Page 82
 Truman Ackerman
 ORIGINAL ON FILE

Examined and Approved
 August 25, 1942
 Mayne Jewell Purdy
 Deputy Auditor General

FILED IN AUDITOR GENERAL'S DEPT.
 September 1, 1942
 Mayne Jewell Purdy
 DEPUTY AUDITOR GENERAL

I HEREBY CERTIFY THAT THIS COPY IS
 A TRUE COPY OF THE MAP OR PLAT
 FORWARDED TO THE REGISTER OF DEEDS
 FOR RECORDING.
 COMPARED August 25, 1942
 Mayne Jewell Purdy
 DEPUTY AUDITOR GENERAL
 Mayne Jewell Purdy

SW 1/4 Cor Sec. 28
 T.14 N. R. 7 E.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF TUSCOLA

IN CHANCERY

FRANK VANDERBILT and
AMELIA VANDERBILT,
Plaintiffs

-VS-

DECREE

JOHN WEST and RUBY WEST
and the COUNTY OF TUSCOLA,
a municipal corporation
Defendants

At a session of said Court held at the courthouse in the
Village of Caro in said County on the 14th day of April, 1953;

Present: Honorable John G. Libbers, Circuit Judge

This cause having come on to be heard upon the pleadings
and proofs taken therein, and having been argued by counsel for the re-
spective parties, and the Court being fully advised in the premises;

Now, therefore, on due consideration thereof,

IT IS ORDERED, ADJUDGED AND DECREED, and the Court now
here doth ORDER, ADJUDGE AND DECREE, that the deed of conveyance dated
August 3, 1946 made and executed by Frank Vanderbilt and Amelia Vanderbilt
to John West and Ruby West of the premises described therein as follows,
to-wit: all that certain piece or parcel of land situate and being in the
Township of Wisner, County of Tuscola and State of Michigan, and described
as follows, to-wit:

All that part of Lot 1, Section 28, Town 14
North, Range 7 East which is bounded on the
east and north by property deeded to Tuscola
County by deed which is recorded in Liber 230,
Page 275 of Deeds, Tuscola County Register of
Deeds, and bounded on the south by the south
line of said Lot 1, Section 28, Town 14 North,
Range 7 East, and bounded on west by the west
line of said Lot 1;

be, and the same hereby is, referred so as to correctly describe the property
intended to be conveyed as, all that certain piece or parcel of land situate
and being in the Township of Wisner, County of Tuscola and State of Michigan,
and described as follows, to-wit:

All that part of government Lot 1, Section 28,
Town 14 North, Range 7 East, which is bounded
on the north by a highway extending along the
southeasterly side of Vanderbilt Subdivision,
bounded on the east by land deeded to the
County of Tuscola for park purposes and bounded
on the south by the south line of said govern-
ment Lot 1.

It is further ORDERED, ADJUDGED, AND DECREED that the
deed executed by Frank Vanderbilt and Amelia Vanderbilt to the County of
Tuscola on July 14, 1938 and recorded in the Office of the Register of Deeds
of Tuscola County, Michigan in Liber 230 of Deeds on Page 275 erroneously
described the strip of land thirty-three feet wide as,

"Also a strip of land 33 feet wide on each side
of the following surveyed line, Beginning at a
point 640 feet west, 800 feet north and 100 feet
north 15 degrees west of southeast corner of
Lot 1, Section 28, Town 14 North, Range 7 East,
thence south 45 degrees west to the west section
line of Section 28, Town 14 North, Range 7 East."

and that said description be, and the same hereby is, reformed to read as follows:

Also a strip of land 33 feet wide on each side of the following surveyed line, Commencing at a point on the section line 1215.5 feet north of the west quarter part of Section 28, Town 14 North, Range 7 East, thence north 44 degrees east 627.93 feet, thence north 36 degrees 30 minutes east 500 feet to land deeded to Tuscola County for park purposes.

It is further ORDERED, ADJUDGED AND DECREED that Asolia Vanderbilt, surviving plaintiff, pay unto John West and Ruby West, two of the defendants, the sum of Four Hundred Ten Dollars together with interest thereon at the rate of six per cent per annum subsequent to August 20, 1946 and that said sum represents the overpayment made by John West and Ruby West in the computation of the acreage as determined under the erroneous description.

It is further ORDERED, ADJUDGED AND DECREED that the plaintiffs have leave to cause this decree, or a certified copy thereof, to be recorded in the Office of the Register of Deeds of said County of Tuscola.

And it is further ORDERED, ADJUDGED AND DECREED that the defendants John West and Ruby West pay to the plaintiffs or their attorney the costs in this suit to be taxed, and that the plaintiffs have execution for the same.

John G Libbers
Circuit Judge

Approved as to form

CERTIFICATE OF COPY OF RECORD—By Clerk of Court (168)

STATE OF MICHIGAN } ss. I, Fred Mathews
 County of Tuscola }

Clerk of the County of Tuscola and of the Circuit Court for said County, in Chancery, the same being a Court of Record and having a seal, do hereby certify that I have compared the annexed copy DECREE #4255

with the original record thereof now remaining in my office have found the said copy to be and that the same is, a true and correct transcript therefrom, and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at Caro, Mich., this 23rd day of April, A. D. 1953.

Fred Mathews
 Clerk.



Register's Office Tuscola Co., Mich.
 Received for record this 23rd day of April, A.D. 1953 at 10:30 o'clock A.M.
William J. Proffitt
 Register of Deeds

MAURICE C. HANSFORD
 ATTORNEY-AT-LAW
 WILSON-OVER BLOCK
 CARO, MICHIGAN

291 PAGE 521



Aerial view of Vanderbilt County Park and Campground recreational and camping area



Aerial view of Vanderbilt County Park and Campground undeveloped wooded area

COUNTY OF TUSCOLA Ordinance No. 2015-08

ORDINANCE GOVERNING ACTIVITIES AT ALL TUSCOLA COUNTY PARKS AND RECREATION AREAS

THE COUNTY OF TUSCOLA, STATE OF MICHIGAN, ORDAINS:

Section 1 – Purpose and Authority:

The Tuscola County Board of Commissioners determines that it is necessary to consolidate the rules which regulate acts at all Tuscola County parks and recreation areas, specifically including Vanderbilt County Park and Campground, and to provide penalties for violation of the rules. MCL 46.1 authorizes the County Board of Commissioners to pass ordinances relating to County affairs. The Ordinance is intended to regulate the use of County parks and recreation areas and therefore comes under the authority granted within that statute.

Section 2 – Prohibitions:

The following activities are prohibited at all County parks and recreation areas:

1. Littering or dumping.
2. Camping without prior payment of the applicable fee and display of an appropriate permit.
3. Parking upon the premises without prior payment of the applicable fee and display of an appropriate parking pass.
4. Defacing or destroying of park property, facilities, furnishings or equipment.
5. Any sound or noise generated by a group, person or device which is excessive or profane.
6. Interfering with, obstructing or disobeying park personnel when discharging their lawful duties.
7. Any other activities which are prohibited by such rules as may be posted from time to time in writing at the park under the authority of the County.

Section 3 – Special Rules:

1. The park shall be open during posted hours only.
2. Swimming is allowed in designated areas only.
3. Glass containers are not permitted on bathing beaches.
4. Fishing is permitted in designated areas only, if the appropriate Michigan license(s) is possessed.
5. All pets, when allowed, must be on a leash and must remain under the owner's immediate control at all times. Any dog or pet deemed by park

personnel to be a public nuisance or danger shall be removed from the premises.

6. The Michigan Motor Vehicle code is applicable on all County park roadways, including posted speed limits.
7. All park patrons must purchase and display or show all required permits, receipts and passes.
8. Parking is allowed in designated spaces or areas only. Vehicles parked in roadways, fire lanes, connecting drives, or other designated areas may be fined and/or towed at owner's expense.
9. Deviations or exceptions to the mandates of this Ordinance may be granted only by special permission from the Tuscola County Parks and Recreation Commission.

Section 4 – Penalties: A person violating any of the terms of this Ordinance may be immediately evicted from the park and future park privileges may be suspended. Any violation of the provisions of this Ordinance is also a civil infraction, punishable by a civil fine of \$25.00 for the first offense and up to \$50.00 for second or subsequent offenses, plus court cost, subject to the provisions of MCL 46.10b and MCL 257.907.

Section 5 – Enforcement:

All law enforcement officers in Tuscola County shall have the authority to issue civil infraction citations for any violation of this Ordinance. The County Prosecutor shall act as the prosecutorial arm for the enforcement of this Ordinance.

Section 6: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be declared a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portion or provisions of this Ordinance.

Section 7 – Effective Date:

This Ordinance shall take effect and be in force from and after the date when notice of the adoption is published in a newspaper of general circulation in the county.