

**OFFICIAL PROCEEDINGS
OF THE
BOARD OF COMMISSIONERS
OF SAGINAW COUNTY, MICHIGAN**



FEBRUARY SESSION 2010

First Day of the February Session of the Board of Commissioners of Saginaw County, Michigan, held Tuesday, February 16, 2010. The Board met pursuant to adjournment at 5:00 p.m. with the Honorable Michael P. O'Hare in the Chair.

Deputy Clerk Suzy E. Koeplinger took roll, quorum present as follows:

PRESENT: *Bregitte K. Braddock, Ann M. Doyle, Eddie F. Foxx, James M. Graham, Cheryl M. Hadsall, Michael J. Hanley, Dennis K. Krafft, Judith A. Lincoln, John A. McColgan, Jr., Timothy M. Novak, Michael P. O'Hare, Carl E. Ruth, Ronald L. Sholtz, Robert M. Woods, Jr., Patrick A. Wurtzel - 15*

ABSENT: - 0

TOTAL: - 15

Commissioner Graham opened the meeting with a prayer, followed by the Pledge of Allegiance to the Flag. Minutes of the preceding meeting were approved as proofread and corrected by the Clerk.

AUDIENCES

Chair O'Hare called on those requesting an audience in accordance with the Rules of the Board:

Jack Campbell, Saginaw County resident for over 75 years, stated he was not in favor of a decrease in pay for commissioners. He believes committees should be condensed, the number of commissioners on committees should be reduced and the amount of commissioners as a whole should be reduced.

LAUDATORY RESOLUTIONS

Chair O'Hare announced the following resolutions were prepared for presentation.

CERTIFICATE OF APPRECIATION

The Saginaw County Board of Commissioners hereby presents this Certificate of Appreciation

For over twenty two years of public service to

DAVID DEMAND

SAGINAW COUNTY SHERIFF'S OFFICE

On the occasion of his retirement on February 1, 2010 as a

SERGEANT

"With every change comes opportunity, and

The Saginaw County Board of Commissioners, on behalf of its employees and residents, wishes you renewed passion and purpose in the next phase of your life."

Respectfully submitted,

SAGINAW COUNTY BOARD OF COMMISSIONERS

Michael P. O'Hare, Chair
Adopted: February 16, 2010

CERTIFICATE OF ACKNOWLEDGEMENT

Presented to:

DOROTHY KOSTRZEWA

Upon Your Retirement – January, 2010

Dorothy Kostrzewa began her employment with Saginaw County in 1995 working in the Controller's Office, Prosecutor's Office and Treasurer's Office. Her years of experience and knowledge will be a tremendous loss to the County, but of equal loss will be the attributes this fine woman brought to public service – faithfulness, trustworthiness, constancy and compassion.

"May God bless her with good health and prosperity as she ventures down a new path."

Respectfully submitted,

SAGINAW COUNTY BOARD OF COMMISSIONERS

Michael P. O'Hare
Chair, District #1

Presented: January 29, 2010
Adopted: February 16, 2010

**COUNTY OF SAGINAW
SPECIAL RESOLUTION TO THE EAGLE SCOUT**

Presented To:

MARK THOMAS KALIVAS

Achieving the rank of Eagle Scout
carries special significance.

It is a performance-based award, having standards
that have been well maintained over the years.

Only 5.0 percent of all Boy Scouts fulfill
the requirements needed to achieve this status.

WHEREAS, It is a distinct privilege to extend congratulations to Mark Thomas Kalivas, as he is presented with the highest honor bestowed on a Boy Scout, the prestigious Eagle Scout Award. This achievement signifies qualities that are much admired by his peers as well as the residents of Saginaw County; and,

WHEREAS, Through his affiliation with Boy Scout Troop 321, Mark has taken full advantage of the opportunities for personal growth that have made the Boy Scouts of America one of the most universally respected organizations in our Country. Eagle Scout Kalivas has joined a unique group, including former President Gerald Ford from Grand Rapids, Michigan. Former President Ford was the only Eagle Scout to serve as President of the United States. Like those before him, Mark has displayed unselfishness and eagerness to accept responsibility; and,

WHEREAS, Mark has followed Boy Scout tradition through the positions he has held with his troop, his participation in civic activities, and the completion of his Eagle Scout service project by building four wheelchair accessible planting tables for the special education students at the Millet Learning Center in Bridgeport, MI; and,

WHEREAS, The famed Boy Scout motto "Be Prepared" appropriately describes Mark in his new role as an Eagle Scout. Under the leadership of Scoutmaster Tom Mahaffy, he has clearly learned the valuable lessons that scouting strives to teach, such as working hard, accepting

responsibility, showing concern for others and providing leadership. Mark is the son of Karen and Risty Kalivas.

NOW, THEREFORE, BE IT RESOLVED, That the Saginaw County Board of Commissioners take special pride in acknowledging Mark Thomas Kalivas for achieving the rank of Eagle Scout. We are very proud of this young man, and we are pleased he is a part of this community. We wish him continued success in all his future endeavors; and,

BE IT FURTHER RESOLVED, That this expression of recognition be placed in the minutes of the February 16, 2010 meeting as a permanent record and presented to him at a ceremony held February 28, 2010.

Respectfully submitted,

SAGINAW COUNTY
BOARD OF COMMISSIONERS

Michael P. O'Hare

Chair, District #1

Adopted: February 16, 2010

Ann M. Doyle

Commissioner, District #13

Ceremony: February 28, 2010



WHEREAS, It is a distinct privilege to extend congratulations to Freeland Boy Scout Troop 323 as the Boy Scouts of America celebrates 100 years of scouting. For 100 years, the Boy Scouts of America have taught timeless values, strengthened leadership skills and guided America's youth on their journey to adulthood. But no Scout ever takes that journey alone. Included with former Scouts and BSA alumni are the supportive family members, dedicated volunteers, professional Scouters and the tens of millions of Americans that benefit from Scouting in their communities every day; and,

WHEREAS, Leaders are those who see possibilities and inspire others to see them, too. Over the past century, Scouting leaders have inspired millions of Americans to dream more, do more and become more. They have shaped our nation's youth by modeling Scouting virtues. Freeland's Boy Scout Troop 323 has an outstanding success rate, with 98 young men advancing to the rank of Eagle Scout. These Eagle Scouts have joined a unique group, including former President Gerald Ford from Grand Rapids, Michigan. Former President Ford was the only Eagle Scout to serve as President of the United States. The Eagle Scouts were so important in his life that when he passed away he had requested an honor guard of 200 Eagle Scouts; and,

WHEREAS, When you work to improve your community, you are serving your country. By helping out whenever possible, you are doing your part to make this a better world. Troop 323 dedicates itself to repairing and maintaining Round Island Lighthouse on Lake Huron near Mackinac Island. The Scouts make two or three weekend visits to the island every summer to maintain the building and the surrounding land. The lighthouse, built in 1895, has no electricity or running water. They are the first group to be awarded the National Volunteer Award for their community service work and dedication to the lighthouse. They have gutted, rebuilt and sold a house for a fundraiser; and,

WHEREAS, The famed Boy Scout motto "Be Prepared" has best been described in this way: Be prepared for life – to live happily and without regret, knowing that you have done your best.

Troop 323 validates that the values you practice as a Scout will help you shape a life of virtue and self-reliance. They have clearly learned the valuable lessons that scouting strives to teach, such as working hard, accepting responsibility, showing concern for others and providing leadership.

NOW, THEREFORE, BE IT RESOLVED, That the Saginaw County Board of Commissioners takes special pride in acknowledging Freeland Boy Scout Troop 323 for its accomplishments and dedication to the public and congratulate the Boy Scouts of America on its 100th Anniversary. We are very proud of these men, and we are pleased they are a part of this community; and,

BE IT FURTHER RESOLVED, That this expression of recognition be placed in the minutes of the February 16, 2010 meeting as a permanent record and presented at a ceremony held February 28, 2010.

Respectfully submitted,

SAGINAW COUNTY
BOARD OF COMMISSIONERS

Michael P. O’Hare
Chair, District #1

Adopted: February 16, 2010

Ann M. Doyle

Commissioner, District #13

Ceremony: February 28, 2010

CERTIFICATE OF ACKNOWLEDGEMENT

PRESENTED TO:

LILLIAN MERDLER

Upon your retirement – February 2010

Lillian Merdler began her employment with Saginaw County in 1983 as a Clerk/Typist in District Court, and transferred to the Prosecutor’s Office on August 1, 1988. Lillian is concluding her Saginaw County career from the Equalization Department, where she has worked as the Office Manager/Building Pricer since October 24, 1994.

Lillian’s years of experience and knowledge will be a tremendous loss to Saginaw County, but of equal loss will be the attributes this wonderful woman brought to public service – Intelligence, Dedication, and a Great Work Ethic.

“May God bless her with good health and prosperity as she ventures down a new path.”

Respectfully Submitted,

SAGINAW COUNTY BOARD OF COMMISSIONERS

Michael P. O’Hare
Chair, District #1

Presented: February 24, 2010

Adopted: February 16, 2010

RESOLUTION

ON THE

175TH ANNIVERSARY

OF

SAGINAW COUNTY

WHEREAS, For a period extending over four years between 1831 and 1835, the district known as the County of Saginaw formed a township attached to Oakland County for judicial purposes. The Legislative Council of the Territory ordained that – “all that part of the country lying within the limits of the County of Sagana herefore set off and established as the County of Sagana, be

and the same hereby be set off into a separate township and the name thereof shall be Sagana. The first township meeting to be held in such township shall be held at the Fort of Sagana, on the first Monday in April, which will be in the year 1831.” This act was approved July 12, 1830, and came into force in 1831, when Gardner D. Williams was elected supervisor; and,

WHEREAS, During 1834, the question of conferring on the township of Saginaw the status of a county was discussed and a resolution of the Council passed to the effect – “That the County of Saginaw shall be organized when this act takes effect.” This act of organization was approved January 28, 1835 and put into force the second Monday of February 1835; and,

WHEREAS, Saginaw County now contains three cities, twenty seven townships and five incorporated villages. The population of the County according to the Federal Census of 2000 is 210,029 of which the City of Saginaw has 61,799. The County of Saginaw contains 81,931 housing units; and,

WHEREAS, The first record in possession of the County Clerk of Saginaw is dated the second Tuesday in October 1835. The first meeting was held in the home of E. N. Davenport on Friday, October 23, 1835. The County Board of Commissioners is the governing body exercising legislative and executive functions for the County. Each county is divided into districts, and a Commissioner is elected from each district for a two-year term. Saginaw County has fifteen districts and fifteen elected Commissioners, each representing about 14,000 people.

NOW, THEREFORE, BE IT RESOLVED, That the Saginaw County Board of Commissioners does hereby recognize the County of Saginaw as we celebrate our 175th Anniversary; and

BE IT FURTHER RESOLVED, That this Resolution be printed in the minutes of the February 16, 2010 session of the Saginaw County Board of Commissioners as a permanent record.

SAGINAW COUNTY BOARD OF COMMISSIONERS

MICHAEL P. O’HARE, Chair

Adopted: February 16, 2010

SPECIAL TRIBUTE

GORDON “GORDIE” HOWE

IT IS WITH GREAT PRIDE and respect that we honor Gordon “Gordie” Howe with this Special Tribute as he is the first recipient of the “Pure Michigan” Award. Gordie’s Life Story reads like the script of an incredible Hollywood movie. Arising from humble beginnings, he overcame poverty, nutritional deficiencies, paralyzing shyness and other obstacles to embark on a career that is one of the most amazing in the world, inside or outside of athletics. He exhibits a uniqueness that makes us proud that he has been representing the State of Michigan for over 60 years.

GORDIE EXHIBITED his extraordinary talent for hockey at a very young age. He began the most memorable career in hockey history in 1946 when he signed with the Detroit Red Wings. To millions of fans around the globe, #9 is revered as “Mr. Hockey.” He is considered by many to be the greatest hockey player of all time, the most durable athlete of all time, an amazing, ambidextrous craftsman who enthralled three generations of fans with his unbelievable skills and longevity and baffled writers who struggled with new ways to describe his phenomenal talents. In attempting to assess Gordie’s astounding abilities, he has been called **POWER, MR. EVERYTHING, MR. HOCKEY, MR. ALL-STAR, THE MOST, THE GREAT GORDIE, MR. ELBOWS, THE KING OF HOCKEY, THE LEGEND, THE MAN** and simply **NUMBER 9**. Gordie has helped propel hockey to the level of popularity it enjoys today.

HIS IMPACT and records are mind boggling: 6 decades, 32 pro seasons, 2589 career points, 1,071 goals, 29 all-star appearances, all time regular season scoring champ (NHA & WHA

combined) all time game winning goal champ, only athlete in the world to play against players in every decade of the pro league's existence (NHL 1920's to present), 7 time MVP, 6 time scoring champ, lead teams to the final championship series round in 15 of his 32 seasons including 6 world championship cups. He was in the top 5 in scoring in the NHL for 20 consecutive seasons. He could shoot right, left and play any position and was feared as one of the toughest players in history. His extraordinary talent, fame and allure helped the NHL to expand by over 350% during his tenure and also spawn a whole new league –the World Hockey Association. He is the first father in history to play a major sport with not one but two sons professionally for seven years.

TODAY, he continues to serve as a role model and ambassador to generations of fans and players. He has remained an unblemished sportsman. Mr. Hockey is a true icon and truly a living legend. While so many of our sport heroes have disappointed us, Gordie stands out as one who has not. In his remarkable life, he has combined unprecedented athletic excellence with human excellence. He has been a hero to thousands and an icon to millions and a great human being to those who have witnessed his kindness, humility and approachability. He is and always will be MR. HOCKEY!

THEREFORE, IN SPECIAL TRIBUTE to Gordon “Gordie” Howe, this document is signed and dedicated to recognize the outstanding sportsmanship, dedication and compassion he has displayed toward his fellows players, family and the State of Michigan throughout his amazing life and career.

SAGINAW COUNTY BOARD OF COMMISSIONERS

MICHAEL P. O’HARE
Chair, District 1

Adopted: February 16, 2010

DENNIS H. KRAFFT
Commissioner, District 4

Presented: February 20, 2010

CLERK'S CALL OF SESSION

February 5, 2010

TO: SAGINAW COUNTY BOARD OF COMMISSIONERS

RE: Notice of February 16, 2010 Board Session

Honorable Commissioners:

The Saginaw County Board of Commissioners will convene for their First Day's Session on Tuesday, February 16, 2010 at 5:00 p.m. in the Board Chambers, Second Floor - Room 200, Saginaw County Governmental Center, Saginaw, Michigan.

Respectfully submitted,

Susan Kaltenbach, County Clerk

By the Chair: That the Notice of Meeting from the County Clerk be received and filed, if there are no objections. The Chair hears none; it is so ordered.

PETITIONS AND COMMUNICATIONS

By the Chair: That the following communications received by the Board of Commissioners be referred as designated, if there are no objections. The Chair hears none; it is so ordered.

2-16-1 ELEANOR FRANK SENIOR COUNCIL submitting a signed petition requesting installation of an automatic door or sliding door entrance to the Eleanor Frank dining room.

-- Human Services

- 2-16-2** NATASHA COULOURIS, Health Officer, submitting her resignation from the Saginaw County Department of Public Health effective June 1, 2010.
-- Human Services
- 2-16-3** SAGINAW FUTURE, INC. requesting the extension of Renaissance Zone classifications for Hausbeck Pickle, 1626 Hess Ave., and GlobalWatt, 1200 Leon Scott, in the City of Saginaw.
-- County Services (2-16-2.2, 2.3/Res. D, Res. E)
- 2-16-4** TREASURER submitting for approval two resolutions authorizing the borrowing for the County purchase of 2009 Delinquent taxes.
-- Appropriations / Budget Audit (2-16-4.2/Res. B/Res. C)
- 2-16-5** 10th CIRCUIT COURT sending notification of its plan to consolidate the County Law Library within the Saginaw Public Library system.
-- Courts & Public Safety (2-16-3.1)
- 2-16-6** CONTROLLER requesting approval of grant funding to conduct energy audits on County facilities, as well as other municipal facilities within the county, and to establish a revolving loan fund with Saginaw Future, Inc.
-- County Services (2-16-2.5)
- 2-16-7** TREASURER submitting the Investment Report for the fourth quarter of 2009.
-- Appropriations / Budget Audit
- 2-16-8** CONTROLLER requesting amendment of County Policy #221, "Cash Flow Reserve," to correct and clarify language.
-- Appropriations / Budget Audit (2-16-4.4)
- 2-16-9** CONTROLLER submitting the Controller-approved Quarterly Budget Adjustment and Grant Report from October 1, 2009 to December 31, 2009.
-- Appropriations / Budget Audit
- 2-16-10** TREASURER/CONTROLLER sending the electronic transactions and voucher payment transmittal form for the month of January 2010.
-- Appropriations / Budget Audit (2-16-4.1)
- 2-16-11** SAGINAW FUTURE, INC. requesting a resolution of support for Suniva's proposal to the U.S. Department of Energy's Loan Guarantee Program.
-- County Services (2-16-2.4/Res. F)
- 2-16-12** CONTROLLER submitting amendments to County Policy #342 – Holidays.
-- Appropriations / Labor Relations (2-16-4.5)
- 2-16-13** CONTROLLER submitting amendments to County Policies #312 – Equal Employment Opportunity Policy and #322 – Discrimination and Sexual Harassment Policy.
-- Appropriations / Labor Relations (2-16-4.6)
- 2-16-14** CONTROLLER recommending elimination of two General Fund positions and creation of a new single position in the Public Works Office and Equalization Department.
-- County Services / Labor Relations (2-16-2.1)
- 2-16-15** REGION VII AAA submitting the first quarter contract performance analysis for service providers, including the Saginaw County Commission on Aging.
-- Human Services
- 2-16-16** BOARD COORDINATOR informing commissioners that the following informational communications were received and are available for review in the Board Office:
A. Charlevoix County opposing the contract licensing costs for GEMS Election Management Systems as a state unfunded mandate.
B. Lake County supporting and urging the State of Michigan to fulfill its funding obligations pertaining to state mandated services for all of Michigan's 83 counties.

- C. Cheboygan County supporting the final report of the Legislative Commission on Statutory Mandates and encouraging enactment of its recommendations.
- D. Cheboygan County supporting and urging the Michigan Department of Community Health Bureau of Substance Abuse & Addiction services to implement the allocation formula recommended by the Advisory Formula Allocation Workgroup to restore funding to thirty northern Michigan counties.
- E. Berrien County supporting the final report of the Legislative Commission on Statutory Mandates and encouraging enactment of its recommendations.
- F. Isabella County opposing the MERS policy adopted July 1, 2009 raising the funded level requirements for MERS fixed benefit members.
- G. Isabella County supporting the final report of the Legislative Commission on Statutory Mandates and encouraging enactment of its recommendations.
- H. Allegan County supporting the final report of the Legislative Commission on Statutory Mandates and encouraging enactment of its recommendations.
- I. Schoolcraft County opposing the contract licensing costs for GEMS Election Management Systems as a state unfunded mandate.
- J. Gogebic County opposing the contract licensing costs for GEMS Election Management Systems as a state unfunded mandate.
- K. St. Joseph County supporting the final report of the Legislative Commission on Statutory Mandates and encouraging enactment of its recommendations.
- L. Alger County opposing the contract licensing costs for GEMS Elections Management Systems as a state unfunded mandate.

-- Receive and file

INITIATORY MOTIONS

(None)

APPROPRIATIONS COMMITTEE

Chair O'Hare announced the Board would now recess for the Appropriations Committee meeting. The Board recessed, time being 5:07 p.m. The Board reconvened, time being 5:16 p.m. By Commissioner Wurtzel, supported by Commissioner Graham, that the Minutes of the Appropriations Committee meeting be received and made a part of this day's session with the nays so noted. Carried.

V. APPROPRIATIONS MINUTES (2-16-10)

Members present: *C. Hadsall-Chair, E. Foxx-Vice Chair, B. Braddock, A. Doyle, J. Graham, M. Hanley, D. Krafft, J. Lincoln, J. McColgan, T. Novak, M. O'Hare, C. Ruth, R. Sholtz, R. Woods, P. Wurtzel*

Others: *Board Staff, Controller, Counsel*

- I. Welcome
- II. Call to Order---Hadsall at 5:07 p.m.
- III. Public Comments---None
- IV. Agenda – COMMITTEE REFERRALS
 1. **Human Services Committee - R. Woods, Chair; T. Novak, Vice-Chair**
No report.
 2. **County Services Committee - C. Ruth, Chair; J. Lincoln, Vice-Chair**
 - 2.1) Elimination and creation of General Fund positions
---Ruth moved, supported by Lincoln, to approve. Motion carried.
 - 2.5) Acceptance of grant funds to conduct Saginaw County energy audits

- Ruth moved, supported by Lincoln, to approve. Motion carried.
3. **Courts and Public Safety Committee – J. Graham, Chair; M. Hanley, Vice-Chair**
No report.
4. **APPROPRIATIONS – C. Hadsall, Chair; E. Foxx, Vice-Chair**
Budget Audit Subcommittee – D. Krafft, Chair; P. Wurtzel, Vice-Chair
- 4.1) Claims for November, 2009; December, 2009; January, 2010
---Krafft moved, supported by Wurtzel, to approve. Motion carried.
- 4.2) Resolutions authorizing borrowing for the purchase of 2009 Delinquent Taxes
---Krafft moved, supported by Ruth, to approve. Discussion was held regarding self-funding. Motion carried.
- 4.3) Adoption of Calendar-FY 2011 Budget and 2011-2015 Capital Improvement Plan
---Krafft moved, supported by Graham, to approve. It was noted that two Committee of the Whole sessions were scheduled in June/July to hear departmental budget appeals – dates to be determined. Motion carried.
- 4.4) Revisions to Policy #221 titled “Fund Balance Policy”
---Krafft moved, supported by Novak, to approve. Motion carried.
- Labor Relations Subcommittee – P. Wurtzel, Chair; M. Hanley, Vice-Chair**
- 4.5) Revisions to Policy #342 titled “Holidays”
---Wurtzel moved, supported by Lincoln, to approve. Motion carried.
- 4.6) Revisions to Policy #312 titled “Equal Employment Opportunity Policy” and Policy #322 titled “Discrimination and Sexual Harassment Policy”
---Wurtzel moved, supported by Ruth, to approve. Motion carried.
- Legislative Subcommittee - A. Doyle, Chair; B. Braddock, Vice-Chair**
Resolution “A” submitted under the regular order of business
---Doyle provided information on content of the resolution. No action.
- Local Government Liaison – E. Foxx, Chair; C. Ruth, Vice-Chair**
No report.
5. **Executive Committee – M. O’Hare, Chair; T. Novak, Vice-Chair**
No report.
- V. Miscellaneous -- *None*
- VI. Adjournment -- Graham moved, supported by Foxx, to adjourn. Motion carried; time being 5:16 p.m.

Respectfully submitted,
Suzy Koepplinger, Committee Clerk
Cheryl M. Hadsall, Committee Chair

REPORTS OF REGULAR COMMITTEES

FROM: COMMITTEE ON COUNTY SERVICES – 2.1

FEBRUARY 16, 2010

Your committee considered Communication No. 2-16-14 from Marc McGill, Controller/CAO, asking for approval to eliminate two (2) General Fund positions and create one (1) new combined position.

The Controller recommends immediately eliminating the position of Assessor/Clerk in the Public Works Office and the position of Office Manager/Building Pricer in the Equalization Department. This recommendation is based on the projected \$5,000,000 budget cut to the General Fund for Fiscal Year 2011, and the retirement of the Office Manager/Building Pricer. Combining the two positions and creating one new position to be shared between the two departments is logical. This position will be shared effective March 1, 2010 with a sunset date of September 30, 2010. Depending on the Board-approved Budget for FY 2011, these positions

may or may not be reinstated. This Committee referred the new, combined position and job description to the Labor Relations Subcommittee for evaluation and factoring.

It is our recommendation to approve the request, as amended, to eliminate the position of Assessor/Clerk in the Public Works Office and the position of Office Manager/Building Pricer in the Equalization Department, create a new position, and forward the new job description to the Labor Relations Subcommittee for review and factoring evaluation; further, that the proper County officials be authorized and directed to make the necessary adjustments to the personnel complement and amend the budget accordingly.

Respectfully submitted,

COMMITTEE ON COUNTY SERVICES

Carl E. Ruth, Chair

Judith A. Lincoln, Vice-Chair

Eddie F. Foxx

Cheryl M. Hadsall

Dennis H. Krafft

Michael P. O'Hare

COMMITTEE ON APPROPRIATIONS: It is the recommendation of your committee to concur with the above.

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Ruth: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON COUNTY SERVICES – 2.2

FEBRUARY 16, 2010

Your committee considered Communication No. 2-16-3 from Steve Jonas, Vice-President, Saginaw Future, Inc., asking for a resolution extending the duration of time for one or more portions of the Michigan Renaissance Zone for Hausbeck Pickle Company, 1626 Hess Avenue, Saginaw, MI 48601.

We met with Mr. Jonas who informed the committee the Michigan Legislature amended the Michigan Renaissance Zone Act, PA 376 of 1996 to permit extending the duration of time for one or more portions of a Renaissance Zone. In order to be considered for an extension of a Zone, the Michigan Economic Development Corporation (MEDC) requires that a company must create new jobs or invest new funds in machinery and equipment or new building construction.

Hausbeck Pickle Company plans to invest over \$1.5 million on a new 10,000 square foot addition to the existing building, invest in machinery and equipment, and hire several more workers over the next couple of years. This extension will lower costs and help Hausbeck Pickle Company become more competitive. The existing building and investment in machinery and equipment will be phased in on the tax rolls from years 2012 through 2014. The expansion will begin in April or May, 2010 and the property will benefit from an extension of the Renaissance Zone for a 10-year beginning 1-1-11 and expiring 12-31-20. The Michigan Economic Development Corporation approved this project based on the new investment, and the City of Saginaw approved a resolution of support at its January 2010 City Council meeting.

We concur and recommend approval to extend the duration of time for one or more portions of the Michigan Renaissance Zone for Hausbeck Pickle Company, 1626 Hess Avenue, Saginaw, MI 48601. The appropriate resolution will be submitted under the regular order of business to accomplish same.

Respectfully submitted,

COMMITTEE ON COUNTY SERVICES

Carl E. Ruth, Chair

Judith A. Lincoln, Vice-Chair

Eddie F. Foxx

Cheryl M. Hadsall

Dennis H. Krafft

Michael P. O'Hare

By Commissioner Ruth: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON COUNTY SERVICES – 2.3 **FEBRUARY 16, 2010**

Your committee considered Communication No. 2-16-3 from Steve Jonas, Vice-President, Saginaw Future, Inc., asking for a resolution extending the duration of time for one or more portions of the Michigan Renaissance Zone for GlobalWatt, Inc., 1200 Leon Scott Street, Saginaw, MI 48601.

We met with Mr. Tom Miller, Economic Development Specialist, Saginaw Future, Inc., who informed the committee the Michigan Legislature amended the Michigan Renaissance Zone Act, PA 376 of 1996 to permit extending the duration of time for one or more portions of a Renaissance Zone in the City of Saginaw. In order to be considered for an extension of a Zone, the Michigan Economic Development Corporation (MEDC) requires that a company must create new jobs or invest new funds in machinery and equipment or new building construction.

GlobalWatt, Inc. headquarters is located in San Jose, California and the corporation manufactures multi-crystalline or monocrystalline silicon solar panels. GlobalWatt, Inc. proposes to lease the vacant industrial building on approximately 6.4 acres of land located at 1200 Leon Scott Street, Saginaw, MI 48601. The intent is to serve as an anchor for the County of Saginaw to develop this sector as a renewable energy industrial area. The proposed \$7.9 million investment will be used for machinery and equipment. An additional proposed \$1.9 million investment will be used for plant renovations, furniture, fixtures, working capital and material inventory. This total investment will create approximately 250 new jobs in Saginaw County.

On December 15, 2009, the MEDC approved Michigan Economic Growth Authority Employment Tax Credits for GlobalWatt, Inc., subject to the extension of the City of Saginaw Renaissance Zone; the request would extend the Renaissance Zone for a period of 15 years beginning 1/1/11 and expiring 12/31/25. The City of Saginaw approved a resolution of support at its January 2010 City Council meeting.

We concur and recommend approval to extend the duration of time for one or more portions of the Michigan Renaissance Zone for GlobalWatt, Inc., 1200 Leon Scott Street, Saginaw, MI 48601. The appropriate resolution will be submitted under the regular order of business to accomplish same.

Respectfully submitted,

COMMITTEE ON COUNTY SERVICES

Carl E. Ruth, Chair

Eddie F. Foxx

Dennis H. Krafft

Judith A. Lincoln, Vice-Chair

Cheryl M. Hadsall

Michael P. O’Hare

By Commissioner Ruth: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON COUNTY SERVICES – 2.4 **FEBRUARY 16, 2010**

Your committee considered Communication No. 2-16-11 from JoAnn Crary, President, Saginaw Future, Inc., asking for a resolution in support of the Suniva proposal to secure a U.S. Department of Energy (DoE) Loan Guarantee.

Suniva has selected a site in Thomas Township, Saginaw County, Michigan to expand its operation and create a new 200,000 sq. ft. manufacturing facility for the production of high efficiency solar cells and related photovoltaic technology. Suniva has applied for a U.S. DoE Loan Guarantee to support the expansion of this project and, in order to move forward, Suniva needs approval of the Loan Guarantee.

The Michigan Economic Development Corporation has provided an incentive package that includes a grant to Saginaw County to prepare the site for Suniva’s investment. Suniva proposes to invest at least \$250,000,000 and create 500 direct jobs, and is in need of public infrastructure improvements.

We support Suniva in its application and encourage the U.S. Department of Energy (DoE) to act promptly and positively on the Suniva proposal to secure the DoE’s Loan Guarantee. The appropriate resolution will be submitted under the regular order of business to accomplish same.

Respectfully submitted,

COMMITTEE ON COUNTY SERVICES

Carl E. Ruth, Chair

Judith A. Lincoln, Vice-Chair

Eddie F. Foxx

Cheryl M. Hadsall

Dennis H. Krafft

Michael P. O’Hare

By Commissioner Ruth: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON COUNTY SERVICES – 2.5

FEBRUARY 16, 2010

Your committee considered Communication No. 2-16-6 from Marc McGill, Controller, asking approval to accept grant funding to conduct energy audits on County and other municipal facilities and to establish a Revolving Loan Fund with Saginaw Future, Inc.

We met with Mr. McGill, Controller, and Michael Boyd, Maintenance Director, who advised the committee that a grant for \$434,433 was awarded to Saginaw County from the State of Michigan Department of Labor and Economic Growth, Energy Efficiency Conservation Block Grant Funding (EECBG).

Grant funds will enable the County to conduct energy audits on 8-10 County facilities and up to 10 additional municipal facilities within the County. The grant provides for the creation of a Revolving Loan Fund (RLF) that will provide funding for energy efficiency upgrades at other municipalities facilities identified through the audits, and ultimately may provide funding for private sector energy efficiency projects.

We recommend that Saginaw Future, Inc. be authorized to accept funds from the State of Michigan, Department of Labor and Economic Growth; on behalf of Saginaw County. Further, that that the proper County officials be authorized and directed to sign the necessary documents on behalf of the County, subject to review by the Controller as to substance and Counsel as to legal form, and amend the budget accordingly.

Respectfully submitted,

COMMITTEE ON COUNTY SERVICES

Carl E. Ruth, Chair

Judith A. Lincoln, Vice-Chair

Eddie F. Foxx

Cheryl M. Hadsall

Dennis H. Krafft

Michael P. O’Hare

COMMITTEE ON APPROPRIATIONS: It is the recommendation of your committee to concur with the above.

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Ruth: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON COURTS & PUBLIC SAFETY – 3.1

FEBRUARY 16, 2010

Your committee considered Communication No. 2-16-5 from Honorable Robert L. Kaczmarek, Chief Judge, Saginaw County 10th Circuit Court, asking for support and approval to proceed with consolidating the Saginaw County Law Library within the Saginaw Public Library system.

We met with Mr. Dave Cable, 10th Circuit Court Administrator, who informed the committee the Circuit Court is currently working to consolidate the Law Library with the Saginaw Public Library system. The pooling of resources through this cooperative effort will significantly increase accessibility and hours of availability for legal research by the public and legal profession. All material will be located at the Hoyt Library, 505 Janes Avenue, Saginaw, MI 48601. One computer terminal will remain in the 10th Circuit Court for courthouse use.

We concur with the request to proceed with the consolidation of the Saginaw County Law Library within the Saginaw Public Library system. Further, that that the proper County officials be authorized and directed to sign the necessary documents and implement the consolidation on behalf of the County, subject to review by the Controller as to substance and Counsel as to legal form and amend the budget accordingly.

Respectfully submitted,

COMMITTEE ON COURTS & PUBLIC SAFETY

James M. Graham, Chair

Michael J. Hanley, Vice-Chair

Bregitte K. Braddock

Ann M. Doyle

Patrick A. Wurtzel

Michael P. O'Hare

COMMITTEE ON APPROPRIATIONS: It is the recommendation of your committee to concur with the above.

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Graham: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON APPROPRIATIONS -- 4.1

FEBRUARY 16, 2010

In accordance with State Statute and County Policy, your Budget/Audit Subcommittee reviewed the claims for presentation to the Board of Commissioners, as listed below:

<u>Comm. No.</u>	<u>Payment Type</u>	<u>Period</u>	<u>Amount</u>
12-15-7	Electronic	November 1-30, 2009	\$ 8,108,205.58
	Voucher	November 1-30, 2009	\$ 5,446,564.49
1-19-16	Electronic	December 1-31, 2009	\$ 10,518,268.02
	Voucher	December 1-31, 2009	\$ 5,208,334.71
2-16-10	Electronic	January 1-31, 2010	\$ 11,591,906.40
	Voucher	January 1-31, 2010	\$ 6,051,043.95

We recommend the payments be approved as submitted and compiled by the Treasurer's Office and Accounting Division of the Controller's Office.

Respectfully submitted,

COMMITTEE ON APPROPRIATIONS

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Krafft: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON APPROPRIATIONS -- 4.2

FEBRUARY 16, 2010

Your Budget/Audit Subcommittee considered Communication No. 2-16-4 from Marvin D. Hare, County Treasurer, forwarding for approval the Resolution authorizing the borrowing for the County purchase of the 2009 Delinquent Taxes and the Resolution designating the County Treasurer as Agent for the County.

The notes will be sold as taxable issue this year, the same as has been done for the past 22 years. With the 2010 budgeted contribution of \$1,550,000, the Delinquent Tax Revolving Fund will have contributed \$41,608,856.50 to the General Fund since 1980.

The estimated borrowing amount is as follows:

County Spread (Real only)	\$ 167,428,611.00
Special Assessments	<u>10,399,107.00</u>
Total	\$ 177,827,718.00
91% Collections	\$ 161,289,740.00
9% Delinquent	<u>16,537,978.00</u>
Collections through May 2010	<u>(\$ 1,000,000.00)</u>
	\$ 15,537,978.00
Estimated County Purchase	\$ 15,500,000.00

We recommend the County purchase the 2009 Delinquent Taxes, as presented above. Under the proper order of business, the appropriate Resolutions will be submitted authorizing the borrowing and designating the County Treasurer as Agent for the County.

Respectfully submitted,

COMMITTEE ON APPROPRIATIONS

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Krafft: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

FROM: COMMITTEE ON APPROPRIATIONS -- 4.3

FEBRUARY 16, 2010

Your Budget/Audit Subcommittee considered Communication No. 1-19-15 from Marc A. McGill, Controller/CAO submitting the proposed Saginaw County Budget Calendar for adoption of the Fiscal Year 2011 Operating Budget and Capital Improvement Plan for Fiscal Years 2011-2015.

The first step annually in creating a budget for consideration and ultimate approval is the adoption of a budget calendar. The calendar outlines the timetable of events that will happen to cause the creation and approval of the budget. It allows all departments, elected officials and agencies to know when tasks related to building the budget must be completed.

We recommend the *attached* Budget Calendar, amended in committee to include potential Committee of the Whole sessions, for adoption of the Fiscal Year 2011 Operating Budget and Capital Improvement Plan for Fiscal Years 2011-2015 be approved; further, that the proper County Officials be directed to implement same.

Respectfully submitted,

COMMITTEE ON APPROPRIATIONS

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Krafft: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

(Attachment to 2-16-4.3)

SAGINAW COUNTY BUDGET CALENDAR**OPERATING BUDGETS FOR FISCAL YEAR 2011****CAPITAL IMPROVEMENT PLANS FOR FISCAL YEARS 2011-2015**

<u>Target Date</u>	<u>Action to be taken</u>
April 19, 2010	The Controller/CAO distributes target budgets and information to all departments which outlines the budget process and provides instructions for their electronic entry of the data for completion of their Operating Budgets and Capital Improvement Plans.
May 7, 2010	The departments signify their completion of the necessary electronic data entry for their respective Operating Budgets and Capital Improvement Plans by signing off. Any departments not signed off by the end of business on May 7 will have the Controller's Target Budget plugged in.
May 24, 2010	The Controller/CAO submits the first draft of a recommended Operating Budget for review by the Human Services, County Services, and Courts & Public Safety Committees, the Budget Audit Subcommittee, and all departments.
Week of June 7-11, 2010	First review. The Human Services, County Services, and Courts & Public Safety Committees meet to consider Operating Budget matters.
June/July, 2010	Committee of the Whole meeting(s) – dates TBD
Week of August 2-6, 2010	Second review. The Human Services, County Services, Courts & Public Safety Committees and the Budget Audit Subcommittee meet to consider Operating Budget matters.
August 24, 2010	Recommended Operating Budget and Capital Improvement Plan are laid on the table at the Board session and a public hearing is held.
Week of September 6 - 10, 2010	Third review. The Human Services, County Services, Courts & Public Safety Committees and the Budget Audit Subcommittee address any unresolved Operating Budget matters and/or Capital Improvement Plan matters.
September 21, 2010	An Operating Budget and a Capital Improvement Plan are adopted at the Board session.

FROM: COMMITTEE ON APPROPRIATIONS -- 4.4

FEBRUARY 16, 2010

Your Budget/Audit Subcommittee considered Communication No. 2-16-8 from Charles H. Cleaver, Administration Director, submitting revisions to County Policy #221 titled "Fund Balance Policy" which addresses the level of reserves within various funds and fund types operated by the County of Saginaw. The proposed updates substantially consist of changing the term "Cash Flow Reserve" to "Employee Payroll Reserve" to clarify the true purpose of the reserve.

We concur and recommend approval of the amendments to Policy #221 titled "Fund Balance Policy" as attached; (revisions in bold; deletions in strike-out). Further, that the proper County officials be directed to distribute the material in accordance with County Policy and implement the process.

Respectfully submitted,

COMMITTEE ON APPROPRIATIONS: It is the recommendation of your committee to concur with the above.

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Krafft: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

(Attachment to 2-16-4.4)

Category: 200

Number: 221

Subject: **FUND BALANCE POLICY**

1. **PURPOSE:** The purpose of this financial policy is to establish levels of reserves within the various funds and fund types operated and maintained by the County of Saginaw. The levels of Fund Balance prescribed within this policy are designed to ensure adequate cash flow for operations, adequate reserves for contingency and emergency natures, and adequate funds for the perpetual continuation of the services provided by the County.
2. **AUTHORITY:** The authority to establish Fund Balance levels within the various funds and fund types lies with the Saginaw County Board of Commissioners.
3. **APPLICATION:** This policy applies to all operating funds of the County including the General Fund, all Special Revenue Funds, all Debt Service Funds, all Capital Project Funds, all Enterprise Funds, all Internal Service Funds and all Trust and Agency Funds.
4. **RESPONSIBILITY:** The Board of Commissioners shall be responsible for the adoption and amendment of this policy. The Controller/CAO shall be responsible for the implementation of this policy.
5. **DEFINITIONS:**
 - 5.1 **General Fund:** Used to account for all financial resources except those required to be accounted for in another fund.
 - 5.2 **Special Revenue Funds:** Used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.

- 5.3 Capital Project Funds: Used to account for financial resources to be used for the acquisition of major equipment and/or the maintenance or construction of facilities.
 - 5.4 Debt Service Funds: Used to account for the accumulation of resources required to meet the payment of general long-term debt principal and interest.
 - 5.5 Enterprise Funds: Used to account for services provided to the general public on a user charge basis and operating in a manner similar to private business enterprises. The intent of the Board of Commissioners is that the cost (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through fees.
 - 5.6 Internal Service Funds: Used to account for the financing of goods or services provided by one department or agency to another department or agency of the County of Saginaw, or to other governmental units, on a cost-reimbursement basis.
 - 5.7 Trust and Agency Funds: Used to account for assets held by the County of Saginaw in a trustee capacity or as an agent for individuals, private organizations, other governmental units and/or other funds. These include private-purpose, pension and agency funds.
 - 5.8 ~~Cash Flow~~ **Employee Payroll Reserve**: Funds required to meet the continuing financial needs in order to maintain a positive cash position in a fund. This is essential when revenue streams are inconsistent with expenditure streams (**payroll & benefits**) due to tax collection dates beginning much later than fiscal years begin or when revenues are on a reimbursement basis. **To avoid the necessity of borrowing funds and paying interest costs to make payroll, this reserve is necessary.**
 - 5.9 Fund Balance/Reserves: Designated portions of assets, which represent financial resources available to finance expenditures other than those tentatively planned.
 - 5.10 Restricted Fund Balance/Reserve: That portion of a fund balance/reserve which is restricted by law, agreement or encumbrance and must be maintained for its restricted purpose.
 - 5.11 Budget Stabilization: Designated portions of assets, which represent financial resources, dedicated to maintaining the long-term financial viability of a specific fund. These funds will be available for emergency and unforeseen measures such as the loss of a revenue stream or the increase in an expense area, or a combination of revenue losses and expenditure increases.
6. POLICY:
- 6.1 GENERAL FUND

6.1.1 ~~Cash Flow~~ **Employee Payroll Reserve**: The General Fund shall establish a ~~Cash Flow~~ **an Employee Payroll Reserve** with a minimum amount of 50% (fifty percent) of the most current Board Approved General Fund Budget for tax collections. This level of ~~Cash Flow~~ **Employee Payroll Reserve** is required in the General Fund as tax revenues are not receipted until the 11th and 12th month of the fiscal year. The County fiscal year starts on October 1; tax revenues are levied on the following July 1 and due September 15. The County by law can only borrow tax anticipation notes up to a level of 50% of tax collections, thus the minimum ~~Cash Flow~~ **Employee Payroll Reserve** is required to be the other 50% of tax collections.

6.1.2 Budget Stabilization Reserve: In addition to the ~~Cash Flow~~ **Employee Payroll Reserve**, a Budget Stabilization Reserve will be created with a minimum balance of 5% (five percent) of the most current Board Approved General Fund Budget. The County's audit firm recommends as a minimum 10% of operating expenditures as a means to address unforeseen and unanticipated events.

6.2 SPECIAL REVENUE FUNDS

6.2.1 Each Special Revenue Fund is to be evaluated annually to ascertain if the revenue or fund balances have been restricted by State statute, ordinance, resolution, or contract. If the fund balance has been restricted, the specific fund will retain that restricted or earmarked amount. However, if unrestricted, the entire remaining balance will revert to the General Fund at year-end.

6.2.2 In the event that a Special Revenue Fund has an insufficient fund balance to cover its minimum reserves in accordance with this policy, that fund's operations are mandated to initiate the appropriate budget reductions during the ensuing year in an amount that will achieve the minimum reserves during the ensuing year.

6.3 DEDICATED MILLAGE FUNDS

6.3.1 Mosquito Control Fund: The Mosquito Control Fund will carry a ~~Cash Flow~~ **an Employee Payroll Reserve** of 12.5% (twelve and one-half percent) of the most recently approved budgeted tax collections. This ~~Cash Flow~~ **Employee Payroll Reserve** accounts for both the fiscal year beginning October 1, with tax collections arriving the following January and, due to the cyclical nature of the Fund, not expending the majority of its tax collections until the spring and summer months. The Mosquito Control Fund will also carry a Budget Stabilization Reserve at a minimum of 5% (five percent) of the most current Board Approved Budget.

6.3.2 Parks Fund: The Parks Fund will carry a ~~Cash Flow~~ **an Employee Payroll Reserve** of 12.5% (twelve and one-half percent) of the most recently approved budget tax collections. This ~~Cash Flow~~ **Employee Payroll**

- Reserve accounts for both the fiscal year beginning on October 1, with tax collections arriving the following January and, due to the cyclical nature of the Fund, not expending the majority of its tax collections until the spring and summer months. The Parks Fund will also carry a Budget Stabilization Reserve at a minimum of 5% (five percent) of the most current Board Approved Budget. The Parks Fund will also carry a Capital Outlay/Equipment Replacement Reserve of 20% (twenty percent) of the most recently approved budget.
- 6.3.3 Road Patrol Millage Fund: The Road Patrol Millage Fund will carry a ~~Cash Flow~~ **an Employee Payroll** Reserve of 25% (twenty five percent) of the most recently approved budgeted tax collections. This ~~Cash Flow~~ **Employee Payroll** Reserve accounts for the fiscal year beginning on October 1 with tax collections arriving the following January. The Road Patrol Millage Fund will carry a Budget Stabilization Reserve at a minimum of 5% (five percent) of the most recently approved budget.
- 6.3.4 Commission on Aging Fund: The Commission on Aging Fund will establish a ~~Cash Flow~~ **an Employee Payroll** Reserve of 25% (twenty five percent) of the most recently approved budgeted tax collections. This ~~Cash Flow~~ **Employee Payroll** Reserve accounts for the fiscal year beginning on October 1 with tax collections arriving the following January. The Commission on Aging will carry a Budget Stabilization Reserve at a minimum of 5% (five percent) of the most recently approved budget.
- 6.3.5 Castle Museum Fund: The Castle Museum Fund will establish a ~~Cash Flow~~ **an Employee Payroll** Reserve of 25% (twenty five percent) of the most recently approved budgeted tax collections.
- 6.4 DEBT SERVICE FUND: Debt Service Funds shall maintain all cash and investments in the specific fund until the bonds and interest are paid in full. Should there be a residual amount within the fund when the bonds are paid in full, such amount will be transferred to the Public Improvement Fund or to the fund or funding entity from which the primary source of financing those bonds originated from.
- 6.5 CAPITAL PROJECT FUNDS: Capital Project Funds' entire reserves shall be restricted for the specific purpose or project they were established for, usually by contract, resolution or both. Any residual reserves in these funds after completion of the project will first be transferred to the associated Debt Service Fund if one has been established, or secondly, transferred to the original funding source as provided by contract, agreement or resolution. Any residual reserve not required to be transferred to a Debt Service Fund or to the original funding source shall be transferred to the General Public Improvement Fund.
- 6.6 ENTERPRISE FUNDS: All Enterprise Fund Balances should remain in each individual Enterprise Fund. In the event any Enterprise Fund is dissolved then any remaining amount of reserves shall be transferred to the General Fund unless not legally permitted. In the event that the transfer to the General Fund is not legally

permitted, then those remaining reserves shall be transferred as legally required or as stipulated by general legal counsel.

- 6.6.1 **County Event Center:** The County Event Center will carry a ~~Cash Flow~~ **an Employee Payroll** Reserve of 25% (twenty five percent) of annual operating expenses of the most recently approved budgeted tax collections.
- 6.7 **INTERNAL SERVICE FUNDS:** Each Internal Service Fund should be reviewed annually to determine the available amount which can be returned to the General Fund. If it is determined that the residual reserves are excessive, future charges for services should be adjusted accordingly.
- 6.7.1 **Delinquent Tax Revolving Fund:** Due to the significant size and restricted mechanics of this fund, the Board of Commissioners has adopted a separate policy for the operations and reserve balances of this fund (**Delinquent Tax Revolving Fund, policy # 222**).
- 6.7.2 **Employee Benefit Fund and Risk Management Fund:** These funds accumulate cost from all of the County's Funds and Activities in order to provide centralized, efficient benefits and coverages to the County. The minimum reserves maintained within these **funds Funds** shall be as follows:
- Reserve for value of known claims
(Workers Compensation & Risk Management Only)
 - Reserve for incurred but not reported claims
(All Funds)
 - Reserve for rate stabilization at two times plan retention levels
(Workers Compensation, Health & Risk Management Only)
- 6.8 **TRUST & AGENCY FUNDS:** All funds held within Trust and Agency Funds are held in a fiduciary capacity only and belong to some other person or entity. Any amount available in these funds, not returned to the person or entity, shall be escheated to the State of Michigan in accordance with State law. Exceptions to this fund balance policy can be granted by the Board of Commissioners with proper justification.
7. **ADMINISTRATIVE PROCEDURES:** The Controller/CAO shall be responsible for developing, updating and implementing the maintenance of reserves within the funds identified within this policy.
8. **CONTROLLER/CAO LEGAL COUNSEL REVIEW:** The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. The County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:
Saginaw County Controller/CAO
Adopted: November 23, 1999; Amended: May 22, 2007

Approved as to Legal Content:
Saginaw County Civil Counsel

FROM: COMMITTEE ON APPROPRIATIONS -- 4.5

FEBRUARY 16, 2010

Your Labor Relations Subcommittee considered Communication No. 2-16-12 from Jennifer J. Broadfoot, Personnel Assistant, submitting revisions to County Policy #342 titled "Holidays" which sets forth the days that are fixed as holidays within Saginaw County and establishes pay guidelines for those holidays. The proposed update eliminates the afternoon of Good Friday as a half-day holiday and makes it a full-day holiday, subject to collective bargaining agreements. We concur and recommend approval of the amendments to Policy #342 titled "Holidays" as attached; (revisions in bold; deletions in strike-out). Further, that the proper County officials be directed to distribute the material in accordance with County Policy and implement the process.

Respectfully submitted,

COMMITTEE ON APPROPRIATIONS: It is the recommendation of your committee to concur with the above.

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Wurtzel: That the Report of the Committee be received and the recommendations contained therein be adopted. Approved.

(Attachment to 2-16-4.5)

Category: 300

Number: 342

Subject: **HOLIDAYS**

1. **PURPOSE:** It is the purpose of this policy to make employees aware of fixed holidays within Saginaw County and establish pay guidelines for those holidays.
2. **AUTHORITY:** The Saginaw County Board of Commissioners.
3. **APPLICATION:** The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy #301, **subject to collective bargaining agreements.**
4. **RESPONSIBILITY:** The Saginaw County Board of Commissioners shall be responsible for the implementation and administration of this policy.
5. **DEFINITIONS:** NONE
6. **POLICY:**
 - 6.1 **Holidays.** The following and such other days as the Board of Commissioners may fix are holidays with pay for all regular full-time employees normally scheduled to work on such days:
 - New Year's Day, January 1.
 - Martin Luther King's Birthday, 3rd Monday in January.
 - President's Day, 3rd Monday in February.
 - Good Friday ~~½ day (afternoon).~~
 - Memorial Day, Last Monday in May.
 - Independence Day, July 4.

Labor Day, 1st Monday in September.
Veterans' Day, November 11.
Thanksgiving Day, 4th Thursday in November.
Friday after Thanksgiving Day.
Christmas Eve, December 24.
Christmas Day, December 25.
New Year's Eve, December 31.

- 6.2 Alternate Days. If one of the holidays listed above should fall on a Sunday, the following Monday shall be observed as a holiday. If one of the holidays listed above should fall on a Saturday, excluding Christmas and New Year's Day, the previous Friday shall be observed as a holiday, except for employees assigned to seven day operations, who will celebrate the actual date of the holiday. If Christmas Eve or New Year's Eve falls on Saturday or Sunday, the holiday will be observed on Friday. If Christmas or New Year's Day falls on Saturday, the holiday will be observed on the previous Friday and Christmas Eve or New Year's Eve Day will be observed on Thursday the day before.
- 6.3 Temporary, Part-time and Regular Part-time Employees. Temporary and part-time employees are not entitled to holiday pay. Regular part-time employees are entitled to one-half (1/2) pay for holidays.
- 6.4 Premium Pay. Regular full-time and regular part-time non-exempt employees who are required to work on a holiday shall receive, in addition to holiday pay, time and one-half (1-1/2) for all hours worked. (Refer to Section 7.5 of the Compensation Policy concerning managerial and professional classified employees.) Eligible employees who perform no work on a holiday shall be paid for the holiday at their current rate of pay. Part-time and temporary employees are paid straight time for those hours worked on a holiday. In order to be entitled to holiday pay employees must work their full shift of their last scheduled workday before the holiday and their first scheduled workday after the holiday or be on authorized paid leave equal to the time of the scheduled workday(s) (excluding workers' compensation and disability leave).

7. ADMINISTRATIVE PROCEDURES: NONE

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. The County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:
Saginaw County Controller/CAO

Approved as to Legal Content:
Saginaw County Civil Counsel

ADOPTED/AMENDED: April 23, 2002

FROM: COMMITTEE ON APPROPRIATIONS -- 4.6

FEBRUARY 16, 2010

Your Labor Relations Subcommittee considered Communication No. 2-16-13 from Jennifer J. Broadfoot, Personnel Assistant, submitting revisions to County Policy #312 titled "Equal Employment Opportunity Policy" and County Policy #322 titled "Discrimination and Sexual Harassment Policy." The proposed revisions are similar in that both policies have been updated to reflect protected class statuses recognized under both the Equal Employment Opportunity Commission's federal guidelines and the Michigan Elliott Larsen Civil Rights Act.

We concur and recommend approval of the amendments to Policy #312 titled "Equal Employment Opportunity Policy" and Policy #322 titled "Discrimination and Sexual Harassment Policy" as attached; (revisions in bold; deletions in strike-out). Further, that the proper County officials be directed to distribute the material in accordance with County Policy and implement the process.

Respectfully submitted,

COMMITTEE ON APPROPRIATIONS: It is the recommendation of your committee to concur with the above.

Cheryl M. Hadsall, Chair

Eddie F. Foxx, Vice-Chair

By Commissioner Wurtzel: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

(Attachments to 2-16-4.6)

Category: 300

Number: 312

Subject: **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

1. **PURPOSE:** It is the purpose of this policy to ensure equal employment opportunity in practice at all levels of Saginaw County and to establish appropriate rules and regulations prohibiting discrimination in the workplace.
2. **AUTHORITY:** The Saginaw County Board of Commissioners.
3. **APPLICATION:** The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy #301.
4. **RESPONSIBILITY:** The Personnel Division of Saginaw County shall be responsible for the implementation **of** this policy. It shall be the responsibility of Department Heads, and Agencies of Saginaw County to administer this policy.
5. **DEFINITIONS:** NONE
6. **POLICY:** It shall be the policy of Saginaw County to prohibit discrimination against any person in recruitment, selection, appointment, training, promotion, retention, discipline, or any other aspect of personnel administration because of **race, religion, color, national origin, age, sex (including pregnancy), height, weight, marital status, disability, genetic information or any other protected class/classification as designated by Federal or State law.** ~~religious or political opinions or affiliations, or because of race, or national origin.~~ Discrimination on the basis of age, sex, **height, weight,** or physical or

mental disability **or any other protected class/classification** will be prohibited except where specific age, sex, mental, or physical requirements constitute a bona fide occupational qualification necessary to a proper and efficient administration.

7. ADMINISTRATIVE PROCEDURES:

7.1 It is the obligation of all public officials to provide equal employment opportunity for all citizens. With this in mind, all County positions must be filled through an open competitive selection process in accordance with the Recruitment, Selection and Appointment Policy. The only exceptions are the judges' personal staffs and persons appointed by an elected official to a policy making position.

7.2 Elected officials who have notified the Board of Commissioners that they do not intend to comply with the County personnel policies in accordance with Section 3.4 of this policy shall ensure that their personnel policies contain an equal employment opportunity policy.

7.3 Complaint Procedure

7.3.1 Any employee or applicant for employment who **believes** ~~feels~~ he has been the subject of discrimination in violation of this policy may appeal to **the** Personnel Division for adjustment of this complaint. Such complaint shall be handled in accordance with the grievance procedure established in these rules.

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. The County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:
Saginaw County Controller/CAO

Approved as to Legal Content:
Saginaw County Civil Counsel

ADOPTED/AMENDED: April 23, 2002

Amended: December 12, 2006

Category: 300

Number: 322

Subject: **DISCRIMINATION AND SEXUAL HARASSMENT POLICY**

1. PURPOSE: The purpose of this policy is to:

1.1 Formulate a formal written County policy with respect to discrimination and sexual harassment; and

1.2 Define and clarify proper procedure to be followed in the event of an incident of discrimination and/or sexual harassment and to communicate this to County employees and officials.

2. AUTHORITY: The Saginaw County Board of Commissioners.
3. APPLICATION: The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy # 301.
4. RESPONSIBILITY: The County Controller/CAO shall be responsible for the implementation and administration of this policy.
5. DEFINITIONS: NONE
6. POLICY: Sexual harassment and unlawful employment discrimination will not be tolerated by Saginaw County. The management of Saginaw County will actively investigate every complaint of unlawful discrimination and sexual harassment. It is the duty of every employee to cooperate in any such investigation, and it would constitute a serious infraction of County policy to retaliate against or penalize an employee for asserting a claim of discrimination or sexual harassment. Any employee found to have sexually harassed or unlawfully discriminated against another employee or to have retaliated against an employee for making a complaint of discrimination or sexual harassment will be subject to discipline, up to and including suspension or immediate dismissal.
 - 6.1 Harassment on the basis of sex is a form of sex discrimination which is illegal and expressly prohibited by Saginaw County. Sexual harassment may include requesting sexual favors in exchange for an enhancement of employment conditions, or penalizing or threatening to penalize an employee in their employment unless sexual favors are granted. Sexual harassment also consists of any unwelcome behavior or conduct of a sexual nature which causes or creates discomfort and/or interferes with job performance. Such conduct would include, but is not limited to, unwelcome touching or other bodily contact, the making of unwelcome sexual advances, the display or reference to pornographic, sexually explicit or offensive materials in the work place, the use of sexually provocative or offensive language, unwelcome inquiry into the private life of another employee, or any other unwelcome conduct of a sexual nature. Such activity is not only illegal but also detracts from the businesslike and professional image which Saginaw County expects its employees to project. Racial and sexual harassment also includes the leaving of racially and sexually derogatory messages within common areas of the workplace.
7. ADMINISTRATIVE PROCEDURES:
 - 7.1 An employee who believes that he/she has been subject to unlawful **discrimination based on race, religion, color, national origin, age, sex (including pregnancy), height, weight, marital status, disability, genetic information or any other protected class/classification as designated by Federal or State law or sexual harassment**, ~~race, age, sex, handicap, national origin, gender, or creed~~ discrimination or sexual harassment shall notify the Personnel Division immediately who will provide the employee with a Discrimination/Harassment complaint form, a copy of which is enclosed with this

Policy. This form must be completed in detail as soon as possible so that the County will have adequate notice of and be able to investigate any claim of unlawful discrimination or sexual harassment. This form must be completed in order to trigger an investigation of any discrimination or harassment claim. Failure to complete the form will be considered by Saginaw County to be an admission by the employee that the claim of unlawful discrimination or sexual harassment is totally without merit and constitutes a waiver by the employee of any right to said claim.

7.2 Implementation of Policy. The Saginaw County Discrimination and Sexual Harassment Policy will be communicated to all County employees.

7.2.1 All newly hired employees will be informed of the policy, reporting procedures, and consequences of violation, as a part of the County orientation practices.

7.2.2 The Controller shall designate two (2) County staff persons, one male and one female, to receive, investigate and resolve complaints.

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. The County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:
Saginaw County Controller/CAO

Approved as to Legal Content:
Saginaw County Civil Counsel

ADOPTED/AMENDED: April 23, 2002

COMMITTEE COMPENSATION – 5.1

February 16, 2010

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held January 10 – January 23, 2010

Human Services Committee---1-11-10

R. Woods	50.00
T. Novak	50.00
J. McColgan	50.00
R. Sholtz	50.00
M. O’Hare	50.00

SCCMHA-Board---1-11-10

R. Woods	10.00
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Brownfield Redevelopment Authority---1-12-10

C. Ruth	50.00
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Solid Waste Planning Committee---1-12-10

A. Doyle	10.00
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County Services Committee---1-12-10

C. Ruth	25.00
J. Lincoln	50.00
E. Foxx	50.00

Board of Commissioners**February 16, 2010**

C. Hadsall	50.00
D. Krafft	50.00
M. O'Hare	50.00
Rules Committee---1-12-10	
T. Novak	50.00
R. Woods	50.00
A. Doyle	50.00
E. Foxx	25.00
D. Krafft	25.00
J. McColgan	50.00
Courts and Public Safety---1-13-10	
J. Graham	50.00
M. Hanley	50.00
B. Braddock	50.00
A. Doyle	50.00
M. O'Hare	50.00
Executive Committee---1-13-10	
M. O'Hare	25.00
C. Hadsall	50.00
C. Ruth	50.00
R. Woods	50.00
J. Graham	25.00
D. Krafft	50.00
Brownfield Redevelopment Authority---1-14-10	
C. Ruth	50.00
MAC Economic Development & Taxation - Lansing---1-15-10	
D. Krafft	50.00
Healthsource Saginaw Advisory Board---1-18-10	
J. McColgan	50.00
Board Session (all present)---1-19-10	
Medical Dispatch Advisory Committee---1-20-10	
A. Doyle	50.00
C. Hadsall	50.00
SCCMHA-Recipient Rights---1-20-10	
R. Woods	10.00
MAC Agriculture & Tourism – Lansing---1-20-10	
M. O'Hare	50.00
R. Sholtz	50.00
Frankenmuth Convention & Visitors Bureau---1-21-10	
D. Krafft	50.00
Animal Control Advisory Council---1-21-10	
A. Doyle	50.00
J. Graham	50.00
R. Sholtz	50.00
R. Woods	50.00
SC-CHAP Special Meeting---1-21-10	
J. Lincoln	50.00
Commission on Aging---1-21-10	
R. Sholtz	25.00

911 Communication Center Board---1-21-10

A. Doyle	25.00
E. Foxx	50.00

Brownfield Redevelopment Authority- Special Meeting---1-22-10

C. Ruth	50.00
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COMMITTEE COMPENSATION – 5.2**February 16, 2010**

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held January 24 – February 6, 2010

MAC Human Services – Lansing---1-25-10

J. Lincoln	50.00
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MI Works Consortium Board—Bay---1-25-10

E. Foxx	50.00
J. Graham	50.00
M. Hanley	50.00
C. Ruth	50.00
R. Sholtz	50.00

Region VII Advisory-Bay City---1-26-10

C. Ruth	5.00
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Mental Health-Executive Limitations---1-27-10

R. Woods	10.00
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City/County/School Liaison---1-28-10

J. Lincoln	50.00
C. Ruth	50.00
R. Woods	50.00

Legislative Subcommittee---1-29-10

A. Doyle	50.00
J. Graham	50.00
J. Lincoln	50.00
R. Sholtz	50.00
C. Hadsall	50.00
M. O’Hare	50.00

Human Services Committee---2-1-10

R. Woods	50.00
T. Novak	50.00
J. McColgan	50.00
R. Sholtz	50.00
M. O’Hare	50.00

County Services Committee---2-2-10

C. Ruth	50.00
J. Lincoln	50.00
E. Foxx	50.00
D. Krafft	50.00

Courts & Public Safety Committee---2-3-10

J. Graham	50.00
M. Hanley	50.00
B. Braddock	50.00
A. Doyle	50.00
P. Wurtzel	50.00

Budget Audit Subcommittee---2-4-10

D. Krafft	50.00
J. Graham	50.00
C. Ruth	50.00
R. Sholtz	50.00

By Commissioner Hadsall: That Committee Compensation Report(s) 5.1 and 5.2 be received, not read, and the recommendations contained therein adopted. Approved.

FROM: SPECIAL COMMITTEE ON RULES - - 6.1 **FEBRUARY 16, 2010**

The Saginaw County Board of Commissioners at its organizational meeting held January 4, 2010 adopted the 2009 Rules and 2010 Board meeting schedule, subject to review by the Special Committee on Rules.

Your committee met January 12, 2010. We considered the addition of a rule to provide for dropping the nominee with the lowest number of votes from the next ballot during an election; Counsel will distribute an opinion on the rule. *(Attached)* We considered the need to clarify the rule pertaining to the line of succession to govern meetings in the absence of the Chair and Vice-Chair. Counsel will provide this information in writing. *(Attached)* There were no changes made to the Rules of the Board. The Committee agreed to meet in the future if the need should arise.

According to Article X, Section 10.1, the Rules may be revised or amended by a two-thirds (2/3rds) vote provided that the proposed amendments must have been submitted to the Board in writing at a previous meeting. Since the only change to the 2010 Rules is the meeting schedule distributed at the January 4 Session, we recommend the 2010 Rules of the Board be approved.

Respectfully submitted,

SPECIAL COMMITTEE ON RULES

- | | |
|-------------------------|----------------------------------|
| Timothy M. Novak, Chair | Robert M. Woods, Jr., Vice-Chair |
| Ann M. Doyle | Eddie F. Foxx |
| James M. Graham | Dennis H. Krafft |
| John A. McColgan, Jr. | |

By Commissioner Novak: That the Report of the Committee is received and the recommendations contained therein are adopted. Approved.

(Attachments to 2-16-6.1)

GILBERT, SMITH & BORRELLO, P.C.

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January 14, 2010

Mr. Michael P. O'Hare, Chair
Saginaw County Board of Commissioners
111 South Michigan Avenue
Saginaw, Michigan 48602

via email and
first class mail

RE: General Procedure for Nominations and Voting

Dear Chairman O'Hare:

The following is a summary of the attached opinion – to be distributed to all commissioners.

1. The nomination/appointment process is first governed by applicable state law(s).
2. Once applicable statute(s) have been complied with, or in the event applicable statute(s) are silent to the nomination/appointment process, then because Board Rules do not provide a nomination/appointment process, Robert's Rules of Order governs.
3. Robert's Rules of Order require that when there are more than two (2) nominees under consideration and a nominee does not receive the required number of votes to be appointed, then re-voting continues with all nominees remaining in contention until a nominee receives the required number of votes to be appointed.
4. As a result, the nominee receiving the lowest number of votes is never removed from the next ballot unless the nominee voluntarily withdraws from consideration.

Sincerely,

/s

André R. Borrello
Civil Counsel

c: Marc A. McGill (via email only)

GILBERT, SMITH & BORRELLO, P.C.

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January 14, 2010

Mr. Michael P. O’Hare, Chair
Saginaw County Board of Commissioners
111 South Michigan Avenue
Saginaw, Michigan 48602

via email and
first class mail

RE: General Procedure for Nominations and Voting

Dear Chairman O’Hare:

Having been in attendance at Tuesday’s Rules Committee meeting, I am providing this clarification to be distributed to all commissioners regarding the above referenced matter.

About two years ago, in the context of HealthSource Board appointments, I opined that according to Robert’s Rules of Order, when more than two (2) nominees are being considered, “[t]he nominee receiving the lowest number of votes is never removed from the next ballot unless the bylaws so require, or unless he withdraws. . .”¹

I have reviewed this issue again and hereby re-state my opinion.

First, it should be made clear that the Board of Commissioners (BOC) operates in accordance with the Constitution of the United States and the Constitution of the State of Michigan. Of course, the BOC is subject to all applicable federal laws and the laws of this state.² As long as the BOC acts in compliance with these laws, then the BOC is free to manage its meetings and other affairs through rules and regulations approved by the BOC. Because local governing bodies’ rules typically are not comprehensive, many public bodies default to Robert’s Rules of Order when an issue is not addressed in the adopted rules. The BOC’s Rule 6.1 so states:

The business of the Board shall be conducted in accordance with Robert’s Rules of Order, revised, insofar as such rules are not in conflict with these Rules and the Statutes of the State of Michigan.

¹ Robert’s Rules of Order Newly Revised, 10th ed., pp 426-427.

² As used in this context, “laws” may include accompanying regulations promulgated by state (or federal) government.

So, as a general hierarchy, the BOC is subject to the following, in this order:

1. United States Constitution
2. Constitution of the State of Michigan
3. State (or applicable federal) statutes
-accompanying regulations
4. Court decisions interpreting statutory application
5. Rules of the BOC
6. Robert's Rules of Order, newly revised

When addressing the issue of BOC appointments through a nomination process, applicable state law must be reviewed first. Sometimes, the statute itself will govern at least some aspect of the procedure. For example, by statute, HealthSource submits three (3) nominations to the BOC (i.e. commissioners themselves do not make nominations to the HealthSource Board), and commissioners then vote on those nominations submitted by HealthSource.³ Other laws may provide a different procedure or otherwise be silent as to the procedure of BOC appointments; the point being that the BOC must first determine whether an applicable state law governs all or part of a nomination/appointment process before the BOC undertakes the procedure.

Next, the BOC would ensure the nomination and appointment process complies with the BOC Rules. However, the BOC Rules are silent to the nomination/appointment process. As a result, the next step would be to consult Robert's, which states as follows when considering more than two (2) nominees:

. . . [I]f any office remains unfilled after the first ballot, as may happen if there are more than two nominees, the balloting should be repeated for that office as many times as necessary to obtain a majority vote for a single candidate. The same is true where two candidates tie for a majority vote for an office. When repeated balloting for an office is necessary, the names of all nominees are kept on the ballot. The nominee receiving the lowest number of votes is never removed from the next ballot unless the bylaws so require, or unless he withdraws – which, in absence of such a bylaw, he is not obligated to do. The nominee in lowest place may turn out to be a “dark horse” on whom all factions may prefer to agree.⁴

Thus, with this clear guidance from Robert's, it is my opinion, that absent any statutory or other legal obligation to the contrary, when more than two (2) nominees are being considered and none receive a majority vote, then balloting repeats with all nominees remaining in contention until a nominee is elected.⁵

I appreciate the opportunity to address this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s

André R. Borrello

Civil Counsel

c: Marc A. McGill

³ See MCL 331,1209.

⁴ RONR (10th ed.), pp. 426-427, l. 28-35; 1-5.

⁵ Usually, but majority vote.

GILBERT, SMITH & BORRELLO, P.C.

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MEMO

To: Michael P. O’Hare, Chair
Saginaw County Board of Commissioners

From: Andre R. Borrello, Civil Counsel

cc: Marc A. McGill

Date: January 14, 2010

RE: Procedure for Selecting Temporary Chairs for
Standing Service Committees and Appropriations
Subcommittees in Absence of Chair and Vice-Chair

Having attended Tuesday’s Rules Committee meeting, I am providing this clarification to be distributed to all commissioners regarding the above referenced matter.

The Board Rules govern what happens in Board meetings when the Chair and Vice Chair of the Board are absent. The Board Chair is the presiding officer of the Board for all Board meetings.⁶ The Board Vice-Chair presides at all meetings of the Board in the temporary or permanent absence of the Chair.⁷ The Chair of Appropriations presides at all meetings of the Board in the temporary or permanent absence of the Chair and Vice-Chair.⁸ Likewise, Section 7.3 of the Board Rules provides for a line of succession.

However, the Board Rules are silent to a line of succession for the Standing Service Committees and for the Appropriations Subcommittees,⁹ though each has a Chair and Vice-Chair. When the Board Rules are silent to a matter, Robert’s Rules of Order governs.¹⁰ In this case, if neither the Chair nor Vice-Chair is present, a committee¹¹ member should call the meeting to order, and the committee should immediately elect a chair pro tem to preside during that meeting. Such office is terminated by the entrance of the Chair or Vice-Chair, or by election of another chair pro tem.¹²

⁶ Section 7.1 of Board Rules.

⁷ Section 7.2 of Board Rules.

⁸ Section 7.2 of Board Rules.

⁹ Section 9.4 (2) sets forth that the Vice-Chair of the Board assumes the Chair of Appropriations in the absence of the Appropriations Committee Chair and Vice-Chair.

¹⁰ Section 6.1 of Board Rules.

¹¹ Or subcommittee, in the case of the Appropriations Subcommittees.

¹² Robert’s Rules of Order Newly Revised, 10th ed., p. 437, l. 13-20.

Here is a summary of the line of succession for the Board, its committees and subcommittees (names are supplied for 2010):

Board of Commissioners

1. Chair Michael P. O'Hare
2. Vice-Chair Timothy M. Novak
3. Chair of Appropriations Cheryl M. Hadsall (for meetings¹³)
4. Chair of Courts & Public Safety James M. Graham
5. Chair of Human Services Robert M. Woods
6. Chair of County Services Carl E. Ruth
7. Chair of Appropriations Cheryl M. Hadsall (for emergencies¹⁴)

Committee of the Whole (line of succession is same as for Board¹⁵):

1. Vice-Chair Timothy M. Novak
2. Chair of Appropriations Cheryl M. Hadsall
3. Chair of Courts & Public Safety James M. Graham
4. Chair of Human Services Robert M. Woods
5. Chair of County Services Carl E. Ruth
6. Election by committee for that session

Appropriations Committee

1. Chair Cheryl M. Hadsall
2. Vice-Chair Eddie F. Foxx
3. Board Vice-Chair Timothy M. Novak¹⁶
4. Election by committee for that session

Standing Service Committees

Courts & Public Safety; Human Services; and County Services

1. Chair of the respective committee
2. Vice-Chair of the respective committee
3. Election by committee for that session

Appropriations Subcommittees

Budget/Audit; Labor Relations; Legislative; and Local Government Liaison

1. Chair of the respective committee
2. Vice-Chair of the respective committee
3. Election by committee for that session

Executive and Other Committees

1. Chair of the respective committee
2. Vice-Chair of the respective committee
3. Election by committee for that session

¹³ See Sections 7.1 and 7.2 of Board Rules.

¹⁴ *Id.*

¹⁵ Section 9.5 of Board Rules.

¹⁶ Section 9.4(2) of Board Rules.

RESOLUTIONS**RESOLUTION "A"
FEBRUARY 16, 2010
SAGINAW COUNTY, MICHIGAN
FUNDING OBLIGATIONS – STATE MANDATED SERVICES**

At a regular meeting of the Board of Commissioners of the County of Saginaw, State of Michigan, held in the City of Saginaw on the 16th day of February, 2010 at 5:00 P.M.

PRESENT---*Bregitte K. Braddock, Ann M. Doyle, Eddie F. Foxx, James M. Graham, Cheryl M. Hadsall, Michael J. Hanley, Dennis H. Krafft, Judith A. Lincoln, John A. McColgan, Jr., Timothy M. Novak, Michael P. O'Hare, Carl E. Ruth, Ronald L. Sholtz, Robert M. Woods, Jr., Patrick A. Wurtzel*

ABSENT---*None*

Commissioner Doyle offered the following resolution and moved its adoption. The motion was seconded by Commissioner Graham.

WHEREAS, the electorate of the State of Michigan passed an amendment in November 1978 to the State's Constitution that required the State to fund mandates imposed on local units of government (often referred to as the "Headlee Amendment"); and

WHEREAS, the Headlee Amendment (Article IX, Section 29) states:

"The state is hereby prohibited from reducing the state financed proportion of the necessary costs of any existing activity or service required of units of Local Government by state law. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the Legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs. The provision of this section shall not apply to costs incurred pursuant to Article VI, Section 18"; and

WHEREAS, the Headlee Amendment became effective December 23, 1978; and

WHEREAS, the State Legislature established the Legislative Commission on Statutory Mandates (LCSM) through P.A. 98 of 2007, as amended by P.A. 356 of 2008 and assigned the LCSM to identify mandates (including those involving reports) and the related cost of the mandates to local units of government, along with recommendations to resolve the unfunded mandates; and

WHEREAS, the LCSM worked with the Citizens Research Council (issued an analysis of other state's statutes and constitutional requirements similar to the Headlee Amendment) and local units of government associations, including:

- Michigan Association of Counties
- Michigan Municipal League
- Michigan Township Association
- Michigan School Business Officials and Michigan Association of School Administrators
- Michigan Community College Association
- County Road Association of Michigan

WHEREAS, the LCSM issued a report in June 2009 entitled "Interim Report of the Legislative Commission on Statutory Mandates" that indicated, among other matters, that the State had failed to enact legislation enabling the Headlee Amendment and has not complied with the Headlee Amendment since its adoption in 1978; and

RESOLUTION "B"
FEBRUARY 16, 2010
RESOLUTION TO BORROW AGAINST
ANTICIPATED DELINQUENT 2009 REAL PROPERTY TAXES

At a regular meeting of the Board of Commissioners of the County of Saginaw, State of Michigan held at Saginaw, Michigan, on the 16th day of February, 2010.

PRESENT---*Bregitte K. Braddock, Ann M. Doyle, Eddie F. Foxx, James M. Graham, Cheryl M. Hadsall, Michael J. Hanley, Dennis H. Krafft, Judith A. Lincoln, John A. McColgan, Jr., Timothy M. Novak, Michael P. O'Hare, Carl E. Ruth, Ronald L. Sholtz, Robert M. Woods, Jr., Patrick A. Wurtzel*

ABSENT---*None*

Commissioner Krafft offered the following resolution and moved its adoption. The motion was seconded by Commissioner Novak.

WHEREAS, the Board of Commissioners of the County of Saginaw (the "County") has heretofore adopted a resolution establishing the Saginaw County Delinquent Tax Revolving Fund (the "Fund") pursuant to Section 87b of Act No. 206, Public Acts of Michigan, 1893, as amended ("Act 206"); and

WHEREAS, the purpose of the Fund is to allow the Saginaw County Treasurer (the "County Treasurer") to pay from the Fund any or all delinquent real property taxes that are due and payable to the County and any school district, intermediate school district, community college district, city, township, special assessment district, the State of Michigan or any other political unit for which delinquent tax payments are due; and

WHEREAS, it is hereby determined to be necessary for the County to borrow money and issue its notes for the purposes authorized by Act 206, particularly Sections 87c, 87d and 87g thereof; and

WHEREAS, it is estimated that the total amount of unpaid 2009 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2010, will be approximately \$16,537,978.00 exclusive of interest, fees and penalties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Saginaw, State of Michigan, as follows:

Authorization of Borrowing

1. Pursuant to and in accordance with the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and especially Sections 87c, 87d and 87g thereof, the County shall borrow the sum of not to exceed Fifteen Million Five Hundred Thousand Dollars (\$15,500,000.00) and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2009 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2010, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2009 delinquent taxes outstanding on March 1, 2010, or the portion of the 2009 delinquent taxes against which the County shall borrow, has been determined.

Note Details

2. Pursuant to provisions of applicable law and an order of the County Treasurer, which order is hereby authorized, the notes may be issued in one or more series; shall be known as "General Obligation Limited Tax Notes, Series 2010" with a letter designation added thereto if the notes are issued in more than one series; shall be in fully registered form in denominations not exceeding the aggregate principal amounts for each maturity of the notes; shall be sold for not less than 98% of the face amount of the notes; shall bear interest at fixed or variable rates not

to exceed the maximum interest rate permitted by applicable law; shall be dated, payable as to interest and in principal amounts, be subject to redemption in whole or in part prior to maturity, including any redemption premiums, and be subject to renewal, at such times and in such amounts, all as shall be designated in the order of the County Treasurer. Notes or portions of notes called for redemption shall not bear interest after the redemption date, provided funds are on hand with the note registrar and paying agent to redeem the same. Notice of redemption shall be given in the manner prescribed by the County Treasurer, including the number of days' notice of redemption and whether such notice shall be written or published, or both. If any notes of any series are to bear interest at a variable rate or rates, the County Treasurer is hereby further authorized to establish by order, and in accordance with law, a means by which interest on such notes may be set, reset or calculated prior to maturity, provided that such rate or rates shall at no time be in excess of the maximum interest rate permitted by applicable law. Such rates may be established by reference to the minimum rate that would be necessary to sell the notes at par; by a formula that is determined with respect to an index or indices of municipal obligations, reported prices or yields on obligations of the United States or the prime rate or rates of a bank or banks selected by the County Treasurer; or by any other method selected by the County Treasurer.

Payment of Principal and Interest

3. The principal of and interest on the notes shall be payable in lawful money of the United States from such funds and accounts as provided herein. Principal shall be payable upon presentation and surrender of the notes to the note registrar and paying agent when and as the same shall become due, whether at maturity or earlier redemption. Interest shall be paid to the owner shown as the registered owner on the registration books at the close of business on such date prior to the date such interest payment is due, as is provided in the order of the County Treasurer. Interest on the notes shall be paid when due by check or draft drawn upon and mailed by the note registrar and paying agent to the registered owner at the registered address, or by such other method as determined by the County Treasurer.

Note Registrar and Paying Agent

4. The County Treasurer shall designate, and may enter into an agreement with, a note registrar and paying agent for each series of notes that shall be the County Treasurer or a bank or trust company that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Treasurer may from time to time designate a similarly qualified successor note registrar and paying agent.

Disposition of Note Proceeds

5. The proceeds of the sale of the notes shall be deposited into a separate account in the Fund (the "2010 Account") and shall be used to continue the Fund. The County Treasurer shall pay therefrom and from unpledged funds in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, if the notes are sold at a discount, the full amount of the delinquent tax roll against which the County has borrowed, delivered as uncollected by any tax collector in the County and that is outstanding and unpaid on or after March 1, 2010, in accordance with the provisions of Act 206. If the notes are sold at a premium, the County Treasurer shall determine what portion of the premium, if any, shall be deposited in the 2010 Collection Account established in Section 6 hereof.

2010 Collection Account

6. There is hereby established as part of the Fund an account (hereby designated the "2010 Collection Account") into which account the County Treasurer shall place delinquent taxes against which the County has borrowed, and interest thereon, collected on and after March 1, 2010, all County property tax administration fees on such delinquent taxes, after expenses of issuance of the notes have been paid, any premium as determined pursuant to

Section 5 hereof, and any amounts received by the County Treasurer from the County, the State of Michigan and any taxing unit within the County, because of the uncollectibility of such delinquent taxes. The foregoing are hereby established as funds pledged to note repayment. The County Treasurer shall designate the delinquent taxes against which the County shall borrow for each series of notes.

Note Reserve Fund

7. There is hereby authorized to be established by the County Treasurer a note reserve fund for the notes (the "2010 Note Reserve Fund") if the County Treasurer deems it to be reasonably required as a reserve and advisable in selling the notes at public or private sale. The County Treasurer is authorized to deposit in the 2010 Note Reserve Fund from proceeds of the sale of the notes, unpledged moneys in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, an amount not exceeding ten percent (10%) of the face amount of the notes.

Security for Payment of Notes

8. All of the moneys in the 2010 Collection Account and the 2010 Note Reserve Fund, if established, and all interest earned thereon, relating to a series of notes are hereby pledged equally and ratably as to such series to the payment of the principal of and interest on the notes and shall be used solely for that purpose until such principal and interest have been paid in full. When moneys in the 2010 Note Reserve Fund, if established, are sufficient to pay the outstanding principal of the notes and the interest accrued thereon, such moneys may be used to retire the notes. If more than one series of notes is issued, the County Treasurer by order shall establish the priority of the funds pledged for payment of each such series. In such case the County Treasurer may establish sub-accounts in the various funds and accounts established pursuant to the terms of this resolution as may be necessary or appropriate.

Additional Security

9. Each series of notes, in addition, shall be a general obligation of the County, secured by its full faith and credit, which shall include the County's limited tax obligation, within applicable constitutional and statutory limits, and its general funds. The County budget shall provide that if the pledged delinquent taxes and any other pledged amounts are not collected in sufficient amounts to meet the payments of principal and interest due on each series of notes, the County, before paying any other budgeted amounts, will promptly advance from its general funds sufficient moneys to pay that principal and interest. The County shall not have the power to impose taxes for payment of the notes in excess of constitutional or statutory limitations. If moneys in the 2010 Collection Account and the 2010 Note Reserve Fund, if established, are not sufficient to pay the principal of and interest on the notes, when due, the County shall pay the same in accordance with this section, and may thereafter reimburse itself from the delinquent taxes collected.

Release of Pledge of 2010 Collection Account

10. Upon the investment of moneys in the 2010 Collection Account in direct non-callable obligations of the United States of America in amounts and with maturities that are sufficient to pay in full the principal of and interest on the notes when due, any moneys in the 2010 Collection Account thereafter remaining may be released from such pledge created pursuant to Section 8 hereof and may be used to pay any or all delinquent real property taxes that are due the County and any school district, intermediate school district, community college district, city, township, special assessment district, the State of Michigan or any other political unit to which delinquent tax payments are due for any year or for any other purpose permitted by law.

Sale of Notes

11. The County Treasurer is hereby authorized to offer the notes at public or private

sale as determined by order of the County Treasurer and to do all things necessary to effectuate the sale, delivery, transfer and exchange of the notes in accordance with the provisions of this resolution. Notes of one series may be offered for sale and sold separately from notes of another series. If the notes are to be sold publicly, sealed proposals for the purchase of the notes shall be received by the County Treasurer for such public sale to be held at such time as shall be determined by the County Treasurer and notice thereof shall be published in accordance with law, once in *The Bond Buyer* or the *Detroit Legal News*, both of which are hereby designated as being a publication printed in the English language and circulated in this State that carries as a part of its regular service, notices of sale of municipal bonds. Such notice shall be in the form prescribed by the County Treasurer.

The County Treasurer is hereby authorized to cause the preparation of an official statement for the notes for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the notes, the County will provide copies of a final official statement (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the successful bidder or bidders to enable such successful bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

Continuing Disclosure

12. The County Treasurer is hereby authorized to execute and deliver in the name and on behalf of the County (i) a certificate of the County to comply with the requirements for a continuing disclosure undertaking of the County pursuant to subsection (b)(5) or (d)(2) of the Rule, as applicable, and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. The remedies for any failure of the County to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

Execution and Delivery of Notes

13. The County Treasurer is hereby authorized and directed to execute the notes for the County by manual or facsimile signature and the County Treasurer shall cause the County seal or a facsimile thereof to be impressed or imprinted on the notes. Unless the County Treasurer shall specify otherwise in writing, fully registered notes shall be authenticated by the manual signature of the note registrar and paying agent. After the notes have been executed and authenticated, if applicable, for delivery to the original purchaser thereof, the County Treasurer shall deliver the notes to the purchaser or purchasers thereof upon receipt of the purchase price. Additional notes bearing the manual or facsimile signature of the County Treasurer and upon which the seal of the County or a facsimile thereof is impressed or imprinted may be delivered to the note registrar and paying agent for authentication, if applicable, and delivery in connection with the exchange or transfer of fully registered notes. The note registrar and paying agent shall indicate on each note that it authenticates the date of its authentication. The notes shall be delivered with the approving legal opinion of Dickinson Wright PLLC, attorneys of Detroit, Michigan.

Exchange and Transfer of Fully Registered Notes

14. Any fully registered note, upon surrender thereof to the note registrar and paying agent with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for notes of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note.

Each note shall be transferable only upon the books of the County, which shall be kept for that purpose by the note registrar and paying agent, upon surrender of such note together with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any note, the note registrar and paying agent on behalf of the County shall cancel the surrendered note and shall authenticate, if applicable, and deliver to the transferee a new note or notes of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note. If, at the time the note registrar and paying agent authenticates, if applicable, and delivers a new note pursuant to this section, payment of interest on the notes is in default, the note registrar and paying agent shall endorse upon the new note the following: "Payment of interest on this note is in default. The last date to which interest has been paid is [place date]."

The County and the note registrar and paying agent may deem and treat the person in whose name any note shall be registered upon the books of the County as the absolute owner of such note, whether such note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such note and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 3 hereof shall be valid and effectual to satisfy and discharge the liability upon such note to the extent of the sum or sums so paid, and neither the County nor the note registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the note registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

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

The note registrar and paying agent shall not be required to transfer or exchange notes or portions of notes that have been selected for redemption.

Book Entry System

15. At the option of the County Treasurer and notwithstanding any provisions of this resolution to the contrary, the County Treasurer is hereby authorized to enter into an agreement with a custodian or trustee for the purpose of establishing a "book entry" system for registration of notes to be fully registered. Pursuant to the provisions of such agreement, the notes may be registered in the name of the custodian or trustee for the benefit of other persons or entities. Such agreement shall provide for the keeping of accurate records and prompt transfer of funds by the custodian or trustee on behalf of such persons or entities. The agreement may provide for the issuance by the custodian or trustee of certificates evidencing beneficial ownership of the notes by such persons or entities. For the purpose of payment of the principal of and interest on the notes, the County may deem payment of such principal and interest, whether overdue or not, to the custodian or trustee as payment to the absolute owner of such note. Pursuant to provisions of such agreement, the book entry system for the notes may be used for registration of all or a portion of the notes and such system may be discontinued at any time by the County. The note registrar and paying agent for the notes may act as custodian or trustee for such purposes.

Issuance Expenses

16. Expenses incurred in connection with the issuance of the notes, including without limitation any premiums for any insurance obtained for the notes, note rating agency fees, travel and printing expenses, fees for agreements for lines of credit, letters of credit, commitments to

purchase the notes, remarketing agreements, reimbursement agreements, purchase or sales agreements or commitments, or agreements to provide security to assure timely payment of the notes, fees for the setting of interest rates on the notes and bond counsel, financial advisor, paying agent and registrar fees, all of which are hereby authorized, shall be paid by the County Treasurer from County property tax administration fees on the delinquent taxes, from any other moneys in the Fund not pledged to the repayment of notes and general funds of the County that are hereby authorized to be expended for that purpose.

Replacement of Notes

17. Upon receipt by the County Treasurer of satisfactory evidence that any outstanding note has been mutilated, destroyed, lost or stolen, and of security or indemnity complying with applicable law and satisfactory to the County Treasurer, the County Treasurer may execute or authorize the imprinting of the County Treasurer's facsimile signature thereon and thereupon, and if applicable, a note registrar or paying agent shall authenticate and the County shall deliver a new note of like tenor as the note mutilated, destroyed, lost or stolen. Such new note shall be issued and delivered in exchange and substitution for, and upon surrender and cancellation of, the mutilated note or in lieu of and in substitution for the note so destroyed, lost or stolen in compliance with applicable law. For the replacement of authenticated notes, the note registrar and paying agent shall, for each new note authenticated and delivered as provided above, require the payment of expenses, including counsel fees, which may be incurred by the note registrar and paying agent and the County in the premises. Any note issued under the provisions of this Section in lieu of any note alleged to be destroyed, lost or stolen shall be on an equal basis with the note in substitution for which such note was issued.

Chargebacks

18. For any principal payment date of the notes on or after January 1, 2013, the delinquent taxes on property foreclosed and sold pursuant to the provisions of Act 206 and against which the County has borrowed shall, if necessary to ensure full and timely payment of principal of and interest on the notes when due, be charged back to the taxing jurisdictions in such manner as determined by the County Treasurer. The proceeds of such chargebacks shall be deposited in the 2010 Collection Account as security for payment of the notes as described in Section 8 hereof. The provisions of this section shall not limit the authority of the County Treasurer under the laws of the State of Michigan to charge back delinquent taxes under other circumstances or at other times.

Purchase of Notes by County

19. All or any portion of the notes may be purchased or otherwise acquired by the County if the County Treasurer by order deems such purchase or acquisition to be in the best interest of the County. In such case, the County Treasurer is authorized to take such actions to effectuate the purchase or acquisition, including without limitation entering into an agreement to purchase or repurchase the notes. The purchase or other acquisition of notes by or on behalf of the County does not cancel, extinguish or otherwise affect the notes and the notes shall be treated as outstanding notes for all purposes of this resolution until paid in full.

Issuance of Refunding Notes

20. The County shall refund all or part of the notes authorized hereunder and/or notes previously issued by the County to continue the Fund for prior tax years if and as authorized by order of the County Treasurer through the issuance of refunding notes (the "Refunding Notes") in an amount to be determined by order of the County Treasurer. Proceeds of the Refunding Notes may be used to redeem such notes and to pay issuance expenses of the Refunding Notes as authorized and described in Section 16 hereof. The County Treasurer shall have all the authority with respect to the Refunding Notes as is granted to the County Treasurer with respect to the notes by the other Sections hereof, including the authority to select a note registrar and paying

Commissioner Krafft offered the following resolution and moved its adoption. The motion was seconded by Commissioner Wurtzel.

WHEREAS, the Board of Commissioners of this County has heretofore adopted a resolution establishing the Saginaw County Delinquent Tax Revolving Fund, pursuant to Section 87b of Act No. 206, Public Acts of Michigan, 1893, as amended ("Act 206"); and

WHEREAS, this Fund has been designated as the 100% Tax Payment Fund (the "Fund") by the County Treasurer; and

WHEREAS, pursuant to Act 206, upon creation of the Fund the County Treasurer is to act as agent for the County to administer the Fund; and

WHEREAS, the Board of Commissioners of the County has adopted a Resolution to Borrow Against Anticipated Delinquent 2009 Real Property Taxes to continue the Fund for 2010.

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

1. Pursuant to Section 87c of Act 206, the County Treasurer's office shall receive for administrative expenses in connection with the Fund and the issuance of General Obligation Limited Tax Notes, Series 2010 by the County such sums as are provided by law.

2. As agent for the County, the County Treasurer shall act pursuant to Act 206 and as further provided in the Resolution to Borrow Against Anticipated Delinquent 2009 Real Property Taxes heretofore adopted by the County Board of Commissioners.

After discussion, the vote was:

Yeas – *Bregitte K. Braddock, Ann M. Doyle, Eddie F. Foxx, James M. Graham, Cheryl M. Hadsall, Michael J. Hanley, Dennis H. Krafft, Judith A. Lincoln, John A. McColgan, Jr., Timothy M. Novak, Michael P. O'Hare, Carl E. Ruth, Ronald L. Sholtz, Robert M. Woods, Jr., Patrick A. Wurtzel*

Nays – *None*

Abstain – *None*

A sufficient majority having voted therefore, the Resolution of Agency Pursuant to Section 87c of Act 206 was adopted.

STATE OF MICHIGAN)
)ss
COUNTY OF SAGINAW)

I, the undersigned, the duly qualified and acting Clerk of the Board of Commissioners of the County of Saginaw, the 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 16th day of February, 2010, insofar as the same relate to the Resolution of Agency Pursuant to Section 87c of Act 206, 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, Public Acts of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 16th day of February, 2010.

Clerk, County of Saginaw

SEAL

**RESOLUTION "D"
FEBRUARY 16, 2010
BOARD OF COMMISSIONERS
COUNTY OF SAGINAW**

**RE: RESOLUTION GRANTING THE CITY OF SAGINAW PERMISSION TO
EXTEND RENAISSANCE ZONE TIME DURATION FOR HAUSBECK PICKLE**

At a regular meeting of the Board of Commissioners of the County of Saginaw, State of Michigan, held in the City of Saginaw on the 16th day of February, 2010 at 5:00 P.M.

PRESENT---*Bregitte K. Braddock, Ann M. Doyle, Eddie F. Foxx, James M. Graham, Cheryl M. Hadsall, Michael J. Hanley, Dennis H. Krafft, Judith A. Lincoln, John A. McColgan, Jr., Timothy M. Novak, Michael P. O'Hare, Carl E. Ruth, Ronald L. Sholtz, Robert M. Woods, Jr., Patrick A. Wurtzel*

ABSENT---*None*

Commissioner Ruth offered the following resolution and moved its adoption. The motion was seconded by Commissioner Foxx.

WHEREAS, SubZone #4 Lufkin Rule/Hess Ave./Fairgrounds Complex is currently designated as a Renaissance Zone pursuant to Public Act 376 of 1996; and

WHEREAS, this Renaissance Zone subzone is slated to expire in 2014; and

WHEREAS, the Michigan Renaissance Zone Act, 1996 PA 376, has been amended by 2006 PA 440 and 2008 PA 116 to permit extending the duration of time for one or more portions of a Renaissance Zone; and

WHEREAS, Hausbeck Pickle Company, a Michigan-based company, intends to make future capital investments on approximately 12.67 acres of land in Subzone #4; the Lufkin Rule/Hess Ave./Fairgrounds Complex; and

WHEREAS, Hausbeck Pickle Company has requested that the Renaissance Zone on its proposed property/location be extended in duration by an additional 10 years, so that the new expiration date would be 2020; and

WHEREAS, the extension of the Renaissance Zone duration on Hausbeck Pickle's property is necessary to increase economic development, and expand business and employment opportunities in the City and County of Saginaw and the surrounding communities for years to come; and

WHEREAS, the City of Saginaw, is the "qualified local governmental unit" that originally applied for the City of Saginaw Renaissance Zone designation; and

WHEREAS, the County of Saginaw concurs with the request that the City of Saginaw apply for a 10 year time extension for 12.67 acres of property that Hausbeck Pickle Company currently owns in SubZone #4 Lufkin Rule/Hess Ave./Fairgrounds Complex with the following parcel number and legal description:

Parcel Number: 12 1156 00000

Legal Description

PARCEL 2

PART OF FACTORY LOTS 3, 4, 5, 6, 7 AND 15 AND ALL OF LOTS 8, 9, 10, 11, 12, 13, 14, AND VACATED STREET, ORDINANCE No.B-37, SAGINAW IMPROVEMENT COMPANY'S ADDITION "E", CITY OF SAGINAW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 2 OF PLATS ON PAGE 18, SAGINAW COUNTY RECORDS, BEING FURTHER DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF LOT 1; THENCE N. 90°00'00" E., 659.76 FEET, ALONG THE SOUTHERLY LINE OF HESS AVENUE TO THE POINT OF BEGINNING; THENCE CONTINUING N. 90°00'00" E., 860.82 FEET, ALONG SAID SOUTHERLY LINE TO THE WEST LINE OF GLENWOOD AVENUE; THENCE S. 00°07'16" E., 548.24 FEET ALONG SAID LINE TO

Commissioner Ruth offered the following resolution and moved its adoption. The motion was seconded by Commissioner Lincoln.

WHEREAS, Northeast Saginaw Subzone 1 is currently designated as a Renaissance Zone pursuant to Public Act 376 of 1996; and

WHEREAS, this Renaissance Zone subzone is slated to expire in 2014; and

WHEREAS, the Michigan Renaissance Zone Act, 1996 PA 376, has been amended by 2006 PA 440 and 2008 PA 116 to permit extending the duration of time for one or more portions of a Renaissance Zone; and

WHEREAS, GlobalWatt intends to invest \$117 million in Subzone 1 Northeast Saginaw and create 250 jobs; and

WHEREAS, GlobalWatt has requested that the Renaissance Zone on its proposed property/location be extended in duration by an additional 15 years, so that the new expiration date would be 2025; and

WHEREAS, the extension of the Renaissance Zone duration on GlobalWatt’s property is necessary to increase economic development, and expand business and employment opportunities in the City and County of Saginaw and the surrounding communities for years to come; and

WHEREAS, the City of Saginaw, is the “qualified local governmental unit” that originally applied for the City of Saginaw Renaissance Zone designation; and

WHEREAS, the County of Saginaw concurs with the request that the City of Saginaw apply for a 15 year time extension for 6.42 acres of property that GlobalWatt currently leases and is currently owned by Bombay Group LLC in Northeast Saginaw Subzone 1 with the following parcel number and legal description:

Parcel Numbers:

21 0875D50200 and 5.496 acres

21 1310 00000 and 0.925 acres

Legal Description

LOT 502 EDDY URBAN RENEWAL REPLAT NO. 3 INCLUDING S 1/2 OF ADJ VACATED NEEDHAM ST

AND

LOT 3 EXC N 53 FT, LOT 4, W 1/2 OF LOT 5, BLK 12, FULLERS SUBDIVISION INCLUDING VACATED CLAYTOR CT LOT 3 EXC N 53 FT, LOT 4, W 1/2 OF LOT 5, BLK 12, FULLERS SUBDIVISION INCLUDING VACATED CLAYTOR CT EXCEPT: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 00 DEGREES 03 MINUTES 07 SECONDS EAST, 165.50 FEET ALONG THE WEST LINE OF SAID LOT 4; THENCE SOUTH 89 DEGREES 59 MINUTES 09 SECONDS EAST, 346.76 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOTS 4 AND 5; THENCE SOUTH 00 DEGREES 11 MINUTES 51 SECONDS WEST 166.50 FEET ALONG THE WEST RIGHT OF WAY LINE OF VETERANS MEMORIAL PARKWAY; THENCE NORTH 89 DEGREES 59 MINUTES 09 SECONDS WEST, 346.33 FEET ALONG THE SOUTH LINE OF SAID LOTS 4 AND 5 TO THE POINT OF BEGINNING

NOW, THEREFORE, BE IT RESOLVED, that the land described by the above legal description shall be granted a Renaissance Zone time extension with various state, local and county taxes being waived on the property for a period of 15 years beginning January 1, 2011 through December 31, 2025.

SAGINAW COUNTY BOARD OF COMMISSIONERS

Michael P. O’Hare, Chair

COMMISSIONERS' AUDIENCES

(None)

By Commissioner Hadsall: That the Board adjourn. Carried.

Thereupon, the Board adjourned at 5:30 p.m.

MICHAEL P. O'HARE, CHAIR

SUSAN KALTENBACH, CLERK