

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



**FEBRUARY SESSION 2016**

**F**irst Day of the February Session of the Board of Commissioners of Saginaw County, Michigan, held Tuesday, February 16, 2016. The Board met pursuant to adjournment at 5:00 p.m. with the Honorable Michael J. Hanley in the Chair. Deputy Clerk Suzy Koeplinger took roll, quorum present as follows:

**PRESENT:** *Cheryl M. Hadsall, Michael J. Hanley, Katheryn A. Kelly, Kirk W. Kilpatrick, Dennis H. Krafft, Susan A. McInerney, Carl E. Ruth, James G. Theisen, Robert M. Woods, Jr., Patrick A. Wurtzel* - **10**

**ABSENT:** *Charles M. Stack* - **1**

**TOTAL: - 11**

Commissioner Theisen opened the meeting with a prayer, followed by the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES**

Kelly moved, supported by Woods, to approve the compiled January 2016 Minutes of the Board of Commissioners. Motion carried.

**AUDIENCES**

None

**LAUDATORY RESOLUTIONS**

None

**CLERK'S CALL OF SESSION**

February 5, 2016

TO: SAGINAW COUNTY BOARD OF COMMISSIONERS

RE: Notice of February 16, 2016 Board Session

Honorable Commissioners:

The Saginaw County Board of Commissioners will convene for its First Day's Session on Tuesday, February 16, 2016 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.

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**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**         **CONTROLLER** submitting the January 2016 Robért Report.  
--         Executive
- 2-16-2**         **CONTROLLER** submitting the 2015 4<sup>TH</sup> quarter Finance and Program reports for the Historical Society of Saginaw County as well as the four (4) out-county museums.  
--         County Services
- 2-16-3**         **FRIEND OF THE COURT** requesting waiver of the hiring freeze and approval to fill the position of Cashier.  
--         Appropriations / Labor Relations **(2-16-4.5)**
- 2-16-4**         **TREASURER** submitting for approval two Resolutions authorizing the borrowing for the county purchase of 2015 delinquent taxes.  
--         Appropriations / Budget Audit **(2-16-4.2/Res. A/Res. B)**
- 2-16-5**         **PARKS & RECREATION COMMISSION** requesting approval of a job description for the addition of a Seasonal Program Coordinator position in the department.  
--         County Services / Labor Relations
- 2-16-6**         **COMMISSION ON AGING** requesting deletion of a Facility Services Worker (PCN 238223/238306) and replacement with the addition of a Delivery Driver position and waiver of the hiring freeze to fill the position.  
--         Human Services **(2-16-4.3)**
- 2-16-7**         **MOBILE MEDICAL RESPONSE** submitting its tri-annual report on response times and other related information.  
--         Courts & Public Safety
- 2-16-8**         **CIVIL COUNSEL** submitting a proposed Saginaw County Emergency Services Communication Ordinance for consideration and approval pending a Public Hearing to be held during the April 19, 2016 Board Session.  
--         Courts & Public Safety **(2-16-2.1)**
- 2-16-9**         **DEPARTMENT OF ENVIRONMENTAL QUALITY** sending its response for a Site-Specific Review (SSR) of property in Breckenridge, MI that requested a large quantity withdrawal and its findings that it is not likely to cause an adverse resource impact (ARI).  
--         County Services
- 2-16-10**        **CONTROLLER** requesting amendment of County Policy #242, titled "Cash Advances," to accommodate a request by Brian Wendling, Public Works Commissioner, to purchase a large tree chipper in the approximate amount of \$375,000.  
--         County Services **(2-16-3.1)**
- 2-16-11**        **CONTROLLER** submitting the FY 2017 Budget Calendar for approval.  
--         Appropriations / Budget Audit **(2-16-4.1)**
- 2-16-12**        **CIVIL COUNSEL** submitting a proposed Resolution opposing a Supreme Court amendment of MCR 2.403 which governs the case evaluation process and its intention to reduce the number of days to respond to case evaluation from 28 days to 14 days.  
--         Executive **(2-16-6.2/Res. C)**

- 2-16-13**      **CONTROLLER** submitting the Saginaw County Retiree Healthcare Task Force Final Report dated January 20, 2016.  
 --      Appropriations / Labor Relations
- 2-16-14**      **CIVIL COUNSEL** submitting an update and report regarding Board Office staffing.  
 --      Executive (**2-16-6.1**)

## INITIATORY MOTIONS

None

## APPROPRIATIONS COMMITTEE

Chairman Hanley announced the Board would recess for the Appropriations Committee meeting. Krafft moved, seconded by Theisen, to recess. Motion carried and the Board recessed; time being 5:02 p.m. The Board reconvened; time being 5:30 p.m.

### V.      **APPROPRIATIONS MINUTES (2-16-2016)**

**Present:**      *M. Hanley-Chair, C. Hadsall, K. Kelly, K. Kilpatrick, D. Krafft, S. McInerney, C. Ruth, J. Theisen, R. Woods, Jr., P. Wurtzel*

**Absent:**      *C. Stack*

**Others:**      *Board Staff, Controller, Counsel*

- I.      Call to Order---**Hanley at 5:02 p.m.**
- II.      Welcome
- III.      Audiences---**None**
- IV.      Agenda – COMMITTEE REFERRALS
  1.      **Human Services Committee – R. Woods, Chair; K. Kelly, Vice-Chair**  
None
  2.      **Courts and Public Safety Committee – C. Hadsall, Chair; S. McInerney, Vice-Chair**  
None
  3.      **County Services Committee – C. Ruth, Chair; C. Stack, Vice-Chair**  
3.1)      Controller, re: Amendment of County Policy #242, titled “Cash Advances”  
---**Ruth moved, seconded by Theisen, to approve. Extensive discussion was held between commissioners, Brian Wendling and the Controller regarding the purpose of this amendment as it pertains to the purchase of a large tree chipper for use on drain maintenance projects. After discussion, the motion carried.**
  4.      **APPROPRIATIONS – M. Hanley, Chair**  
**Budget Audit Subcommittee – D. Krafft, Chair; C. Ruth, Vice-Chair**  
4.1)      Controller, re: Approval of FY 2017 Budget Calendar  
---**Krafft moved, seconded by Ruth, to approve. Motion carried.**

- 4.2) Treasurer, re: Approval of Resolutions for Agency and County Purchase of 2015 delinquent taxes

**---Krafft moved, seconded by McInerney, to approve. Motion carried.**

**Labor Relations Subcommittee – S. McInerney, Chair; C. Stack, Vice-Chair**

- 4.3) Commission on Aging, re: Deletion of Facility Services Worker, addition of Delivery Driver and waiver of the hiring freeze to hire a Delivery Driver

- 4.4) Controller, re: Approval of factored change in pay grade of Animal Control Director from H-11 to M-12

- 4.5) Friend of the Court, re: Waiver of hiring freeze to hire Cashier

**---McInerney moved, seconded by Hadsall, to approve 4.3 through 4.5 leaving room for exceptions. There were no exceptions and the motion carried.**

- 4.6) Approval of Collective Bargaining Agreement with Command Officers Association of Michigan (COAM)

**---McInerney moved, seconded by Theisen, to refer 4.6 back to the Labor Relations Subcommittee at its March meeting. Motion carried. (Civil Counsel provided Commissioners with a memo advising the COAM did not meet to discuss ratification of the proposed Collective Bargaining Agreement.)**

**Legislative Subcommittee – C. Stack, Chair; K. Kelly, Vice-Chair**

None

**Intergovernmental Cooperation Committee – J. Theisen, Chair; K. Kilpatrick, Vice-Chair**

None

**5. Executive Committee – M. Hanley, Chair**

- 6.1) Approval of recommendation of Board Office staffing

**---Ruth moved, seconded by Hadsall, to approve. Discussion was held regarding staffing of the Board Office. Krafft moved, seconded by Theisen, to amend the motion by eliminating the addition of the part-time position. A roll-call vote was taken on the amendment as follows: Yes – Wurtzel, Kilpatrick, Theisen, Kelly and Krafft - 5; No – McInerney, Hadsall, Woods, Ruth and Hanley - 5; Absent - Stack – 1; Total - 11. Motion failed due to tie vote. Further discussion was held regarding the board approving all requests from other departments to fill vacant positions and the appointment of current Staff Assistant, Cindy Louchart, to the position of Assistant Board Coordinator. Debate ended when Commissioner Ruth exercised Commissioner Privilege. (This matter will appear under Unfinished Business at the March 22, 2016 Board Session)**

- 6.2) Approval of Resolution opposing amendment of MCR 2.403

**---Krafft moved, seconded by Hadsall, to approve. Motion carried.**

**V. Miscellaneous---None**

VI. Adjournment---*Woods moved, seconded by Ruth, to adjourn. Motion carried; time being 5:30 p.m.*

Respectfully submitted,  
Suzy Koeplinger, Committee Clerk  
Michael J. Hanley, Committee Chair

*By Commissioner Theisen, seconded by Commissioner Kelly, 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.*

**REPORTS OF APPROPRIATIONS  
AND REGULAR COMMITTEES**

**FROM: COMMITTEE ON COURTS & PUBLIC SAFETY – 2.1**

**FEBRUARY 16, 2016**

Your committee considered Communication No. 2-16-8 from André Borrello, Civil Counsel, submitting a proposed Saginaw County Emergency Services Communication Ordinance for consideration and approval pending publication and a Public Hearing to be held during the April 19, 2016 Board Session. **(Ordinance attached)**

We met with Mr. Borrello who discussed that this Ordinance is necessary to protect the health, safety and well-being of the citizens of Saginaw County. Prevention of false alarms is necessary to ensure that emergency services are efficiently delivered to the scene of a true emergency and are not wasted. Prevention of unauthorized ambulance service is necessary to the service volume of ambulance runs essential to support the free provision to the County of emergency medical service Secondary Public Safety Answering Point (PSAP) call answering and dispatch services by the County’s contractual ambulance provider. Compelling all communication services to pay the emergency telephone operational charge is necessary to ensure that critical funding for the County’s 911 System is provided.

We recommend adoption of the Emergency Services Communication Ordinance (“911 Ordinance”) as submitted under the regular course of business as Resolution C. We further recommend the proper County officials be authorized and directed to publish the Ordinance in a newspaper of general circulation in the County. The Ordinance will be effective after publication and the Public Hearing held concurrent with adoption of the 911 Plan on April 19, 2016.

Respectfully submitted,

**COMMITTEE ON COURTS & PUBLIC SAFETY**

Cheryl M. Hadsall, Chair  
Kirk W. Kilpatrick  
Michael J. Hanley

Susan A. McInerney, Vice-Chair  
Patrick A. Wurtzel

*By Commissioners McInerney/Kilpatrick: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.*

(Ordinance begins on next page)



**SAGINAW COUNTY  
ORDINANCE #120**

**EMERGENCY SERVICES COMMUNICATION ORDINANCE  
TO PROTECT THE HEALTH, SAFETY AND WELL-BEING OF THE  
CITIZENS OF SAGINAW COUNTY**

*Adopted: April 19, 2016*

*Effective: April 24, 2016*

**Article 1--AUTHORITY**

Michigan counties have been delegated the right to adopt ordinances enforcing policy decisions made by their county boards of commissioners on topics over which they have jurisdiction. See MCL §46.11 et seq. In addition, Public Act 32 of 1986, being MCL §484.1101 *et seq.*, as amended, ("911 Act") authorizes Saginaw County ("County") to enact an E-911 Service Plan ("Plan") that establishes a Service District ("Service District") in which enhanced 911 ("E 911") is provided. The 911 Act's Section 303 requires that a Plan contain at least the following sections: technical, operational, management and fiscal provisions and considerations that require third party compliance. The Saginaw County Plan also authorizes the Saginaw County Board of Commissioners ("Board") to enact an ordinance to compel third parties to comply with the Plan's technical, operational, management and fiscal provisions and to enforce them.

**Article 2--PURPOSE**

The purpose of this Emergency Services Communication Ordinance ("Ordinance") is to fulfill the above-described responsibilities of the Board under the 911 Act.

The Board finds that the enactment of this Ordinance is necessary to protect the health, safety and well-being of the citizens of Saginaw County. Specifically, the Board makes the following findings of fact supporting this Ordinance:

- 2.1 Prevention of false alarms, SWATting, hacking, signal jamming, and dispatch call jumping is necessary to ensure that emergency services are efficiently delivered to the scene of a true emergency and are not wasted.
- 2.2 Prevention of unauthorized ambulance service is necessary to the service volume of ambulance runs essential to support the free provision to the County of emergency medical service Secondary Public Safety Answering Point (PSAP) call answering and dispatch services by the County's contractual ambulance provider.
- 2.3 Compelling all communication services to pay the emergency telephone operational charge is necessary to ensure that critical funding for the County's 911 System is provided.

- 2.4 Compelling all communication services to direct 911 calls from within the County to the chosen internet services provider will be necessary to facilitate the delivery of NextGEN 911 services.

### Article 3--DEFINITIONS

In addition to the adoption of the terms and abbreviations included in the 911 Act and the Plan, which are incorporated herein by reference, the following terms shall have the meanings described in this Section, unless the context specifically indicates a different meaning:

- 3.1 **911 Authority.** The Saginaw County 911 Authority, which operates the 911 Center and is a legal entity separate from the County, created by the County and local units of government within the County under Michigan's Urban Cooperation Act, Public Act 7 of 1967, as amended, being MCL §124.501 *et seq.*
- 3.2 **911 Director.** The Director of the Saginaw County 911 Authority.
- 3.3 **911 Call.** A communication using a landline, cellular, digital or VOIP communications device that requests emergency police, fire or emergency medical services through the 911 Center.
- 3.4 **911 Center.** The consolidated dispatch center or centers providing primary or secondary PSAP services to the County.
- 3.5 **911 System.** The technical and operational system created for the delivery of 911 Calls within the County through the Plan.
- 3.6 **Ambulance Service.** An emergency or nonemergency medical transport services licensed under Public Act 179 of 1990, being MCL §333.20901 *et. seq.*
- 3.7 **Automatic Call.** An automated telephone, cellular, VOIP or digital 911 communication to the 911 Center without manual direction by an individual.
- 3.8 **Board.** The Saginaw County Board of Commissioners.
- 3.9 **County.** Saginaw County.
- 3.10 **NextGEN.** The delivery of 911 calls from landline, cellular, digital and VOIP communication services to the 911 Center through internet, fiber optic or other digital lines.
- 3.11 **Ordinance.** Emergency Services Communication Ordinance of Saginaw County.
- 3.12 **Person.** Any individual, local unit of government, company, corporation, partnership, limited liability company or other legal entity acting within the County.
- 3.13 **Plan.** The Saginaw County Emergency Telephone Service District Final Plan and its updates or amendments prepared under the requirements of the 911 Act.

- 3.14 **PSAP.** Defined in the 911 Act as a communications facility operated or answered on a 24-hour basis assigned responsibility by a public agency or county to receive 9-1-1 calls and to dispatch public safety response services, as appropriate, by the direct dispatch method, relay method, or transfer method.
- 3.15 **Primary PSAP.** The first point of reception by a public safety agency of a 9-1-1 call and serves the jurisdictions in which it is located and other participating jurisdictions, if any.
- 3.16 **Secondary PSAP.** The second point of reception of a 9-1-1 call, which receives the call by the relay or transfer method and dispatches the emergency service provider.
- 3.17 **Sheriff.** Includes the elected Sheriff of Saginaw County and any of his or her authorized and sworn deputies.
- 3.18 **SWATTING.** The act of tricking an emergency service (via such means as hoaxing an emergency services dispatcher) into dispatching an emergency services provider based on the false report of an ongoing critical incident

#### **Article 4--ADMINISTRATION AND ENFORCEMENT**

- 4.1 **Administration.** The Board and 911 Director in accordance with the 911 Act and the Plan shall administer the provisions of this Ordinance.

The Board and/or 911 Director may seek, through the offices of the County Sheriff and Prosecutor, criminal action against any alleged violator of this Ordinance, and/or through the County's civil counsel, a civil injunctive or damage action.

The 911 Director shall have the primary responsibility for the administration and enforcement of this Ordinance; and may recommend to the Board, for its approval, rules and guidelines to assist the Board, 911 Director and/or Sheriff in administering and enforcing this Ordinance.

4.2 **Duties of the Board:**

4.2.1 Oversee the 911 Director's enforcement of the Ordinance.

4.2.2 Approve agreements consistent with the Plan.

4.2.3 Employ attorneys or other enforcement officers to assist the 911 Director in the enforcement of the Plan and Ordinance.

4.3 **Duties of the 911 Director relative to the Ordinance:**

4.3.1 Provide recommendations to the Board.

4.3.2 Complete the activities necessary to implement, administer and enforce the Plan and this Ordinance including but not limited to:

- a - Annually evaluate the progress in accomplishing the technical, operational, management and fiscal considerations in the Plan;
- b - Develop a data base that accurately reflects emergency service calls and dispatch statistics under the Plan;
- c - Work with local units of government and emergency service providers to enhance the emergency services provided under the Plan and throughout the County, including but not limited to the emergency services communication infrastructure;
- d - Develop and recommend for Board approval County policies for procurement of additional 911 infrastructure equipment and facilities;
- e - Develop and implement public information efforts aimed at individuals, industries, institutions, commercial establishments and other units of government regarding the 911 System within the County;
- f - Request the assistance of the Saginaw County Prosecutor, Civil Counsel and/or Saginaw County Sheriff's Department to work with the 911 Director on Ordinance enforcement activities.
- g - Request the Sheriff to issue appearance tickets or appearance summons to alleged violators of this Ordinance.

#### 4.5 ENFORCEMENT

The 911 Director, under the direction of the Board, shall enforce the provisions of the Plan and this Ordinance and may request assistance from the Saginaw County Sheriff's Department, Saginaw County Prosecutor and/or Saginaw Civil Counsel.

- 4.5.1 **Investigation.** Within ten days of receipt of a signed, written complaint by the 911 Director alleging a violation of this Ordinance, the Sheriff shall begin an investigation.
- 4.5.2 **Appearance Ticket:** If the Sheriff determines that there is probable cause that this Ordinance has been violated, the Sheriff is authorized to issue and serve an Appearance Ticket upon a person allegedly violating the Plan or this Ordinance.
- 4.5.3 **Civil and Criminal Penalties:** Any Person violating any of the provisions of this Ordinance for the first time shall be guilty of a civil infraction, subject to a maximum of a \$100 civil fine and to an injunctive order regarding inspection and maintenance. A failure to cure the violation within thirty (30) days after being found liable for a civil infraction shall expose the person to a second infraction of the Ordinance. Any Person charged with violating any of the provisions of this Ordinance for a second time or more, regardless of whether the

infraction is due to a failure to cure or is a separate incident, may also be charged with a misdemeanor and, if found guilty, may be subject to a fine of not more than \$500.00 or imprisonment in the county jail for a period not to exceed ninety (90) days, or both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate violation of this Ordinance.

In addition to the imposition of the foregoing fines, penalties and other legal and equitable remedies, the court may enjoin the actions that are producing continued violations of this Ordinance.

- 4.5.4 **Audit and Attestation.** The 911 Director is authorized and empowered by this Ordinance to demand that any communication service provider doing business within Saginaw County sign an affidavit under oath attesting that they have reviewed company records and all customers with addresses in the County have been billed the County's emergency telephone service operational charge and all such revenues, except for legally authorized retentions, have been remitted to the County and/or 911 Authority over a certain period identified by the 911 Director but not more than a year. Any such communication service provider must allow the 911 Director or an authorized agent access to its records to verify this attestation.

#### Article 5--911 SYSTEM RESTRICTIONS

- 5.1 No Person shall install or operate an alarm system that enables or places an Automatic Call.
- 5.2 No Person shall intentionally place a 911 Call that falsely reports the need for emergency police, fire or medical services.
- 5.3 No Person shall engage in SWATTING within the County or to a 911 Center.
- 5.4 No Person shall jam, interfere, or otherwise block or impede the ability of a Person to make a 911 Call.
- 5.5 No Person shall request, operate or provide ambulance service within the County that has not been approved by the Board through contract or resolution.
- 5.6 No Person shall operate a communication service within the County without charging and remitting the emergency telephone operational charge approved by the Board to the County or the 911 Authority at the Board's discretion.
- 5.7 No Person shall operate a communication service within the County without directing all 911 calls from within the County to the internet services provider chosen by the 911 Authority to facilitate the delivery of NextGEN 911 services.
- 5.8 Any Person who violates one of the above prohibitions shall be subject to the civil and criminal provisions of Art. 4.5.3.

**Article 6--SEVERABILITY CLAUSE**

The Ordinance and the various articles, sections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, clause or work is adjudged unconstitutional or invalid for any reason, by any Court of competent jurisdiction, such invalidity shall not affect the remaining portions or applications of this Ordinance which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the Court to be inoperable.

**ORDINANCE ADOPTED: April 19, 2016**

**ORDINANCE EFFECTIVE: April 19, 2016**

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Michael J. Hanley, Chairperson,  
Saginaw County Board of Commissioners

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Susan Kaltenbach, Saginaw County Clerk

**FROM: COMMITTEE ON COUNTY SERVICES – 3.1**

**FEBRUARY 16, 2016**

Your committee considered Communication No. 2-16-10 from Robert Belleman, Controller, requesting amendment of County Policy #242, titled “Cash Advances,” to accommodate a request by Brian Wendling, Public Works Commissioner, to purchase a large tree chipper in the approximate amount of \$375,000.

We met with Mr. Belleman who explained to the committee that Section 6.2 of said policy states, “The Board of Commissioners shall approve department’s requests for Long Term cash advance(s) to any fund, from the General Fund, for annual operations” in which Section 6.2.1 states the Drain Commission is allotted \$400,000. Mr. Belleman is proposing Section 6.2 be amended to read as follows: “The Board of Commissioners shall approve department’s requests for Long Term cash advance(s) to any fund, from the General Fund, for annual operations **and acquisition of equipment with long term payback.**”

Brian Wendling, Public Works Commissioner, desires to utilize the current Long Term cash advance of \$400,000 to the Drain Commission for the acquisition of a large tree chipper. The cost to purchase the large tree chipper is approximately \$375,000. Mr. Wendling intends to use the large tree chipper on drain maintenance projects and charge those drains for its use. The money generated from the charges would be used to repay the Long Term cash advance. Mr. Wendling intends to own the chipper for 18 to 24 months. The acquisition of a new chipper every 18 to 24 months and the sale of the existing chipper should cover the cost of the new chipper and avoid significant maintenance costs.

We recommend approval of the amendment of County Policy #242, titled “Cash Advances,” to accommodate department requests for acquisition of equipment with long term payback.

Respectfully submitted,

**COMMITTEE ON COUNTY SERVICES**

Carl E. Ruth, Chair  
Cheryl M. Hadsall  
Dennis H. Krafft

Charles M. Stack, Vice-Chair  
Michael J. Hanley

Respectfully submitted,

**COMMITTEE ON APPROPRIATIONS**

Michael J. Hanley, Chair

***By Commissioners Ruth/Theisen: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

(Policy begins on next page)

Category: 200  
Number: 242

Subject: CASH ADVANCES

1. PURPOSE: The purpose of this policy is to (1) prevent funds which often have temporary cash shortfalls caused by delays in collecting accounts receivable or funds which have higher than normal expenditures from having negative cash balances on a temporary (“Short Term”) basis and (2) to establish a process for authorizing continual (“Long Term”) cash advances from the General Fund to any funds/programs requiring capital for annual operations.
2. AUTHORITY: Saginaw County Board of Commissioners.
3. APPLICATION: This policy applies to the County Treasurer and the Departments, Agencies and Elected Officials who manage funds that run the risk of having a temporary negative balance or require annual operating capital.
4. RESPONSIBILITY: The County Treasurer is responsible for administering this policy.
5. DEFINITION(S): NONE
6. POLICY:
  - 6.1.1 The Board of Commissioners hereby approves authorizing the County Treasurer to advance up to \$4,000,000 on a Short Term basis from the General Fund to the various funds to maintain a positive cash flow balance and to be repaid when said funds receive excess cash.
  - 6.1.2 That any interest earned on cash advances in the various funds be credited to the General Fund.
  - 6.2 The Board of Commissioners shall approve department’s requests for Long Term cash advance(s) to any fund, from the General Fund, for annual operations **and acquisition of equipment with long term payback.**
    - 6.2.1 The Board of Commissioners hereby affirms Long Term cash advances to the following funds:
 

Drain Commission	\$400,000
Jail Inmate Services	\$ 20,000
Mail Room	\$ 25,000
7. ADMINISTRATIVE PROCEDURES: The County Treasurer in conjunction with the Controller/CAO shall be responsible for developing, updating and implementing any associated administrative procedures not already stated in 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. 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:

Approved as to Legal Content:

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Saginaw County Controller/CAO

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Saginaw County Civil Counsel

ADOPTED: November 23, 1999

AMENDED: April 16, 2013

**FROM: COMMITTEE ON APPROPRIATIONS -- 4.1**

**FEBRUARY 16, 2016**

Your Budget/Audit Subcommittee considered Communication No. 2-16-11 from Robert Belleman, Controller/CAO, submitting the proposed Saginaw County Budget Calendar for adoption of the Fiscal Year 2017 Operating Budget and Capital Improvement Plan for all funds.

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. After review by the committee, a Committee of the Whole session was scheduled for June 27, 2016 and added to the proposed calendar.

We recommend the *attached* Saginaw County Budget Calendar for adoption of the Fiscal Year 2017 Operating Budget and Capital Improvement Plan for all funds be approved; further, that the proper County Officials be directed to implement same.

Respectfully submitted,

**COMMITTEE ON APPROPRIATIONS**

Michael J. Hanley, Chair

***By Commissioners Krafft/Ruth: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

(Budget Calendar begins on next page)

**COUNTY OF SAGINAW  
2017 BUDGET CALENDAR  
OPERATING BUDGET FOR FISCAL YEAR 2017**

<b><u>Target Date</u></b>	<b><u>Action to be taken</u></b>
<b>April 22, 2016</b>	Controller's Office distributes information to all departments that outlines the budget process and provides instructions for their electronic entry of the data that is necessary for completion of their respective Operating Budgets for 2017 and Capital Improvement Plans.
<b>May 6, 2016</b>	Departments signify completion of the necessary electronic data entry for their respective Operating Budgets for 2017 and Capital Improvement Plans by signing off.
<b>June 3, 2016</b>	Controller's Office submits the first draft of a recommended Operating Budget for review by the Human Services, County Services, Courts & Public Safety Committees as well as the Budget/Audit Subcommittee.
<b>Committee Meetings June-August, 2016</b>	<b>Human Services, County Services, and Courts &amp; Public Safety Committees as well as the Budget/Audit Subcommittee meet to consider Operating Budget matters. In addition, the Budget/Audit Subcommittee also considers Capital Improvement Plan matters.</b>
<b>June 27, 2016</b>	Committee of the Whole <i>(As approved by Budget Audit 2-4-16)</i>
<b>August 16, 2016</b>	A recommended Operating Budget and Capital Improvement Plan is sent from the Budget/Audit Subcommittee to the full Board and is laid on the table at the Board session of August 16, 2016 and a Public Hearing is held.
<b>September 20, 2016</b>	An Operating Budget and a Capital Improvement Plan are adopted at the Board session of September 20, 2016.

**FROM: COMMITTEE ON APPROPRIATIONS -- 4.2**

**FEBRUARY 16, 2016**

Your Budget/Audit Subcommittee considered Communication No. 2-16-4 from Timothy M. Novak, County Treasurer, forwarding for approval the Resolution authorizing the borrowing for the County purchase of the 2015 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 27 years. With the 2015 budgeted contribution of \$1,500,000 the Delinquent Tax Revolving Fund will have contributed \$50,808,857 to the General Fund since 1980.

The estimated borrowing amount is as follows:

County Spread (Real only) and Special Assessments	
<b>TOTAL</b>	<b>\$ 177,321,235</b>
90.5% Collections	\$ 160,475,718
<u>9.5% Delinquent</u>	<u>16,845,517</u>
Collections through May 2014	<u>(\$ 1,000,000)</u>
	\$ 15,845,517
<b>Estimated County Purchase</b>	<b>\$ 15,500,000</b>

We recommend the County purchase the 2015 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**  
Michael J. Hanley, Chair

***By Commissioners Krafft/McInerney: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

**FROM: COMMITTEE ON APPROPRIATIONS -- 4.3**

**FEBRUARY 16, 2016**

Your Labor Relations Subcommittee considered Communication No. 2-16-6 from Karen Courneya, Commission on Aging Director, requesting deletion of a Facility Services Worker (PCN #238223/#238306), replacement with the addition of a Delivery Driver position, and waiver of the hiring freeze to fill the Delivery Driver position.

We met with Ms. Courneya who stated that the current vacant position of Facility Services Worker was added last year in 2015. Due to the urgency of filling the position, and working out the kinks in the delivery process, she knew that the position would have to be re-evaluated in 2016. Based on her evaluation of the current job responsibilities, she is asking to delete one (1) Facility Services Worker position and add one (1) Delivery Driver Position. Your Human Services Committee approved the deletion and addition of these positions at its meeting on February 1, 2016.

We recommend deletion of a Facility Services Worker, addition of a Delivery Driver and waiver of the hiring freeze and authorize posting the position of Delivery Driver to the public.

Respectfully submitted,  
**COMMITTEE ON APPROPRIATIONS**  
Michael J. Hanley, Chair

***By Commissioners McInerney/Hadsall: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

**FROM: COMMITTEE ON APPROPRIATIONS -- 4.4** **FEBRUARY 16, 2016**

Your Labor Relations Subcommittee considered Communication No. 1-19-10 from Robert Belleman, Controller/CAO, requesting a revised job description for position of Animal Control Director and requesting waiver of the hiring freeze and approval to fill the position. The Board of Commissioners approved said request on January 19, 2016 and advanced the request to the Factoring Committee. The Factoring Committee met and factored a change in the pay grade from H-11 to M-12 for the position of Animal Control Director. We recommend changing the Animal Control Director pay grade from H-11 to M-12.

Respectfully submitted,  
**COMMITTEE ON APPROPRIATIONS**  
Michael J. Hanley, Chair

***By Commissioners McInerney/Hadsall: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

**FROM: COMMITTEE ON APPROPRIATIONS -- 4.5** **FEBRUARY 16, 2016**

Your Labor Relations Subcommittee considered Communication No. 2-16-3 from Susan Prine, Friend of the Court, requesting waiver of the hiring freeze and approval to fill the position of Cashier. We met with Ms. Prine, who explained the Cashier is located on the first floor of the Friend of the Court Office. Individuals stop at the cashier’s window to ask questions regarding payment of child support, but also request explanations of their child support accounts. The Cashier position is budgeted in the 2015-16 budget year. This position is vital to the operation of the Friend of the Court Office, as the Cashier is responsible for processing monies received locally at the Friend of the Court Office regarding child support and investigation fees. We recommend waiver of the hiring freeze and authorize hiring a Cashier in the Friend of the Court.

Respectfully submitted,  
**COMMITTEE ON APPROPRIATIONS**  
Michael J. Hanley, Chair

***By Commissioners McInerney/Hadsall: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

**REFERRED BACK TO LABOR RELATIONS**

~~**FROM: COMMITTEE ON APPROPRIATIONS -- 4.6** **FEBRUARY 16, 2016**~~

Collective Bargaining Agreement between the County of Saginaw and all affected Co-Employers and Command Officers Association of Michigan (COAM).

**COMMITTEE COMPENSATION – 5.1****FEBRUARY 16, 2016**

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held January 17 – January 30, 2016.

**HealthSource Advisory Board---1-18-16**

C. Stack	50.00
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**BOARD SESSION**

All Present	550.00
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**Saginaw Valley Zoological Society Board---1-20-16**

K. Kelly	50.00
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J. Theisen	50.00
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**Retiree Healthcare Task Force---1-20-16**

C. Ruth	50.00
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S. McInerney	50.00
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P. Wurtzel	50.00
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M. Hanley	50.00
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**Animal Control Advisory Committee---1-20-16**

C. Hadsall	50.00
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**Frankenmuth CVB---1-21-16**

D. Krafft	50.00
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**Commission on Aging---1-21-16**

C. Stack	50.00
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**MAC Health & Human Services/Lansing---1-25-16**

S. McInerney	50.00
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**MAC Judiciary & Public Safety/Lansing---1-25-16**

C. Stack	50.00
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**Land Bank Authority---1-26-16**

M. Hanley	50.00
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**Region VII Area Agency on Aging---1-26-16**

C. Stack	5.00
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**Medical Dispatch Advisory Committee---1-27-16**

S. McInerney	50.00
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**Saginaw Valley Zoological Society – Annual Meeting---1-27-16**

K. Kelly	50.00
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J. Theisen	50.00
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Respectfully submitted, Suzy Koeppinger, Board Coordinator (1-29-16)

**COMMITTEE COMPENSATION – 5.2****FEBRUARY 16, 2016**

I herewith submit for your approval the per diem to which members of this Board are entitled for attendance at Committee Meetings held February 1 – February 13, 2016.

**Human Services Committee---2-1-16**

R. Woods	50.00
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K. Kelly	50.00
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S. McInerney	50.00
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**Board of Commissioners****February 16, 2016**

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J. Theisen	50.00
M. Hanley	50.00
<b>Courts &amp; Public Safety Committee---2-2-16</b>	
S. McInerney	50.00
K. Kilpatrick	50.00
P. Wurtzel	50.00
M. Hanley	50.00
<b>County Services Committee---2-3-16</b>	
C. Ruth	50.00
C. Stack	50.00
D. Krafft	50.00
M. Hanley	50.00
<b>Local Emergency Planning Committee - Planning---2-4-16</b>	
J. Theisen	50.00
<b>Budget Audit Subcommittee---2-4-16</b>	
D. Krafft	50.00
C. Ruth	50.00
C. Hadsall	50.00
K. Kilpatrick	50.00
M. Hanley	50.00
<b>Factoring Committee---2-8-16</b>	
S. McInerney	50.00
C. Stack	50.00
J. Theisen	50.00
M. Hanley	50.00
<b>Labor Relations Subcommittee---2-8-16</b>	
S. McInerney	25.00
C. Stack	25.00
J. Theisen	25.00
M. Hanley	25.00
<b>Great Lakes Bay Regional CVB---2-9-16</b>	
M. Hanley	50.00
<b>Executive Committee---2-9-16</b>	
M. Hanley	25.00
R. Woods	50.00
C. Hadsall	50.00
C. Ruth	50.00
D. Krafft	50.00
<b>City/County/School Liaison Committee---2-9-16</b>	
M. Hanley	25.00
C. Ruth	25.00
C. Stack	50.00
<b>Intergovernmental Cooperation Committee---2-10-16</b>	
J. Theisen	50.00
K. Kelly	50.00
C. Stack	50.00

M. Hanley	50.00
<b>SMATS---2-11-16</b>	
C. Ruth	50.00
<b>CAC Bishop's Breakfast---2-12-16</b>	
M. Hanley	50.00
<b>MAC Environmental &amp; Regulatory Affairs/Lansing---2-12-16</b>	
C. Stack	50.00

Respectfully submitted, Suzy Koepplinger, Board Coordinator (2-11-16)

***By Commissioner Hadsall, seconded by Commissioner Theisen: That Committee Compensation Reports 5.1 and 5.2 be received, not read, and the recommendations contained therein adopted. Motion carried.***

**COMMISSIONER PRIVILEGED – UNFINISHED BUSINESS AT MARCH 22, 2016 BOARD SESSION**

**~~FROM: EXECUTIVE COMMITTEE – 6.1~~ FEBRUARY 16, 2016**

Your Executive Committee considered Communication No. **2-16-14** from André Borrello, Civil Counsel, submitting an update and report regarding Board Office staffing.

We met with Mr. Borrello and discussion was held regarding the September 2015 decision of this committee to approve a six month evaluation process to determine the efficiency and staffing of the Board Office since the June 2015 departure of the Assistant Board Coordinator. The Chairman has worked with the Board Coordinator, Controller and Personnel Office during this evaluation process.

After discussion, the committee determined that the positions of Board Coordinator, Assistant Board Coordinator and Staff Assistant are currently in the FY 2016 Budget, with the currently vacant Assistant Board Coordinator position to be filled. The committee recommended the addition of a part-time position (up to 29 hours per week) to assist the current staffing of two (2) individuals in regard to vacation and other leaves and to allow for succession planning. Further, if the current Staff Assistant fills the position of Assistant Board Coordinator, the Staff Assistant position will be immediately eliminated, reducing the staff to two (2) full-time and one (1) part-time employee. If the Staff Assistant does not fill the position of Assistant Board Coordinator and remains the Staff Assistant, the need to hire a part-time employee would not be necessary. Further, the job description of the Assistant Board Coordinator will be updated to accurately reflect current duties, responsibilities and assignments and will be submitted to the Labor Relations Subcommittee in March 2016 for approval and possible re-factoring.

We recommend the Chair, Board Coordinator and Personnel Director be authorized and directed to pursue filling the position of Assistant Board Coordinator and other matters to reflect the objectives of the Board in regard to staffing the Board Office.

Respectfully submitted,

**EXECUTIVE COMMITTEE**

Michael J. Hanley, Chair

Cheryl M. Hadsall

Dennis H. Krafft

Carl E. Ruth

Robert M. Woods, Jr.

**FROM: EXECUTIVE COMMITTEE -- 6.2**

**FEBRUARY 16, 2016**

Your Executive Committee considered Communication No. **2-16-12** from André Borrello, Civil Counsel, submitting a proposed Resolution opposing a Supreme Court amendment of MCR 2.403 which governs the case evaluation process and its intention to reduce the number of days to respond to case evaluation from 28 days to 14 days.

We met with Mr. Borrello and discussion was held regarding the proposed change to this court rule would likely result in municipalities having to call special meetings in order to meet the new deadline. We recommend approval of the Resolution as submitted under the regular order of business.

Respectfully submitted,  
**EXECUTIVE COMMITTEE**  
Michael J. Hanley, Chair  
Cheryl M. Hadsall  
Dennis H. Krafft

Carl E. Ruth  
Robert M. Woods, Jr.

***By Commissioners Krafft/Hadsall: That the Report of the Committee is received and the recommendations contained therein be adopted. Approved.***

**RESOLUTIONS**

**RESOLUTION "A"  
BOARD OF COMMISSIONERS  
COUNTY OF SAGINAW**

**RESOLUTION OF AGENCY  
PURSUANT TO SECTION 87c OF ACT 206**

At a regular meeting of the Board of Commissioners of the County of Saginaw, the State of Michigan (the "County"), held at Saginaw, Michigan, on the 16<sup>th</sup> day of February, 2016.

**PRESENT:** Cheryl M. Hadsall, Michael J. Hanley, Katheryn A. Kelly, Kirk W. Kilpatrick, Dennis H. Krafft, Susan A. McInerney, Carl E. Ruth, James G. Theisen, Robert M. Woods, Jr., Patrick A. Wurtzel – 10

**ABSENT:** Charles M. Stack - 1

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

**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 2015 Real Property Taxes to continue the Fund for 2016.

**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 delinquent tax administrative expenses in connection with the Fund and the issuance of General Obligation Limited Tax Notes, Series 2016 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 2015 Real Property Taxes heretofore adopted by the County Board of Commissioners.

After discussion, the vote was:

**Yeas: Commissioners Hadsall, Hanley, Kelly, Kilpatrick, Krafft, McInerney, Ruth, Theisen, Woods and Wurtzel - 10**

**Nays: None**

**Absent: Commissioner Stack - 1**

**TOTAL: 11**

**A sufficient majority having voted therefor, 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 16<sup>th</sup> day of February, 2016, 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 16<sup>th</sup> day of February, 2016.

Clerk, County of Saginaw

**RESOLUTION "B"**  
**BOARD OF COMMISSIONERS**  
**COUNTY OF SAGINAW**

**RESOLUTION TO BORROW AGAINST**  
**ANTICIPATED DELINQUENT 2015 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, 2016.

**PRESENT:** Cheryl M. Hadsall, Michael J. Hanley, Katheryn A. Kelly, Kirk W. Kilpatrick, Dennis H. Krafft, Susan A. McInerney, Carl E. Ruth, James G. Theisen, Robert M. Woods, Jr., Patrick A. Wurtzel – 10

**ABSENT:** Charles M. Stack - 1

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

**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, the State of Michigan and any school district, intermediate school district, community college district, city, township, special assessment district or 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 2015 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2016, will be approximately **\$16,845,517** 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)** and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2015 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2016, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2015 delinquent taxes outstanding on March 1, 2016, or the portion of the 2015 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 2016" 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. Alternatively, the County Treasurer may serve as note registrar and paying agent if so designated by written order of the County Treasurer.

Disposition of Note Proceeds

5. The proceeds of the sale of the notes shall be deposited into a separate account in the Fund 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, 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, 2016, 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 2016 Collection Account established in Section 6 hereof.

2016 Collection Account

6. There is hereby established as part of the Fund an account (hereby designated the "2016 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, 2016, or such later date as determined by the County Treasurer, 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 "2016 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 2016 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 2016 Collection Account and the 2016 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 2016 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 2016 Collection Account and the 2016 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 2016 Collection Account

10. Upon the investment of moneys in the 2016 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 2016 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, the State of Michigan and any school district, intermediate school district, community college district, city, township, special assessment district or 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*, which is 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 paragraphs (b)(3) and (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board. The County Treasurer is authorized to enter into such agreements as may be required to enable the successful bidder or bidders to comply with the Rule.

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 paragraph (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.

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.

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, 2019, 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 2016 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.

Creation of Separate Delinquent Tax Revolving Fund

20. If legislation is adopted that amends Act 206 to require the creation of a separate delinquent tax revolving fund for each year’s delinquent taxes, there is hereby created such fund for the 2015 delinquent taxes, all in accordance with Act 206 as so amended. The County Treasurer is hereby authorized to take such actions as determined by the County Treasurer to be necessary or desirable in order for the County to fulfill the requirements of Act 206 as so amended.

Issuance of Refunding Notes

21. 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 agent, to apply to the Michigan Department of Treasury for approval to issue the Refunding Notes, if necessary, to cause the preparation of an official statement and to do all other things necessary to sell, execute and deliver the Refunding Notes. The Refunding Notes shall contain the provisions, shall be payable as to principal and interest and shall be secured as set forth herein and as further ordered by the County Treasurer. The Refunding Notes may be sold as a separate issue or may be combined in a single issue with other obligations of the County issued pursuant to the provisions of Act 206 as shall be determined by the County Treasurer. The County Treasurer is authorized to prescribe the form of Refunding Note and the form of notice of sale, if any, for the sale of Refunding Notes.

Form of Notes

22. The notes shall be in the form approved by the County Treasurer, which approval shall be evidenced by the County Treasurer’s execution thereof.

After discussion, the vote was:

**Yeas: Commissioners Hadsall, Hanley, Kelly, Kilpatrick, Krafft, McInerney, Ruth, Theisen, Woods and Wurtzel - 10**

**Nays: None**

**Absent: Commissioner Stack - 1**

**TOTAL: 11**

**A sufficient majority having voted therefor, the Resolution to Borrow Against Anticipated Delinquent 2015 Real Property Taxes was adopted.**

STATE OF MICHIGAN            )  
  )ss  
COUNTY OF SAGINAW        )

I, the undersigned, the duly qualified and acting Clerk of the County of Saginaw, 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 16<sup>th</sup> day of February, 2016, insofar as the same relate to the Resolution to Borrow Against Anticipated Delinquent 2015 Real Property Taxes, 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 Michigan, 1976, as amended.

Clerk, County of Saginaw

Troy 9569-34 1575872v1

**RESOLUTION "C"**  
**BOARD OF COMMISSIONERS**  
**COUNTY OF SAGINAW**

At a regular meeting of the Board of Commissioners of the County of Saginaw, the State of Michigan (the "County"), held at Saginaw, Michigan, on the 16<sup>th</sup> day of February, 2016.

**PRESENT:** Cheryl M. Hadsall, Michael J. Hanley, Katheryn A. Kelly, Kirk W. Kilpatrick, Dennis H. Krafft, Susan A. McInerney, Carl E. Ruth, James G. Theisen, Robert M. Woods, Jr., Patrick A. Wurtzel – 10

**ABSENT:** Charles M. Stack - 1

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

**WHEREAS**, the Michigan Supreme Court is considering an amendment to Michigan Court Rule (MCR) 2.403, which would reduce the number of days for parties to a lawsuit to respond to case evaluation from twenty-eight (28) days to fourteen (14) days;

**WHEREAS**, municipalities, including the County of Saginaw, will be at a serious disadvantage if this proposal is approved because municipalities need time to meet and consider case evaluations consistent with public meeting schedules, which often are spaced more than 14 days apart; and

**WHEREAS**, municipalities, including the County of Saginaw, should be given adequate time and opportunity to consider case evaluations and the current twenty-eight (28) day timeframe provides such adequate time and opportunity.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the County of Saginaw is opposed to the proposed amendment to MCR 2.403 because reducing the number of days the County has to respond to case evaluation would jeopardize the ability of the County to give due consideration to case evaluation.
2. That this Resolution shall be submitted to the Michigan Supreme Court under the public comment process for its consideration of the proposed amendment to MCR 2.403.

*Yeas: Commissioners Hadsall, Hanley, Kelly, Kilpatrick, Krafft, McInerney, Ruth, Theisen, Woods and Wurtzel - 10*

*Nays: None*

*Absent: Commissioner Stack - 1*

*TOTAL: 11*

**A sufficient majority having voted therefor, the Resolution 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 16<sup>th</sup> day of February, 2016. 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, 2016.

Susan Kaltenbach  
Clerk, County of Saginaw

**UNFINISHED BUSINESS**

None

**PROCLAMATIONS**

None

**ELECTIONS**

None

**APPOINTMENTS**

None

**ANNOUNCEMENTS BY THE CHAIR**

None

**COMMISSIONERS' AUDIENCES**

- ◆ Commissioner Krafft invited everyone to an event he is participating in called Dancing With the Stars in Frankenmuth February 26<sup>th</sup> and 27<sup>th</sup>. Proceeds from the event will be used for improvements to Heritage Park.

- ◆ Commissioner Kelly announced that she will not run for re-election as a Commissioner and she has filed to run for the position of Register of Deeds.

**By Commissioner Theisen, seconded by Commissioner Woods: That the Board adjourn. Carried.**

Thereupon, the Board adjourned at 5:33 p.m.

**MICHAEL J. HANLEY, CHAIRMAN**

**SUSAN KALTENBACH, CLERK**