

June 22, 2010

The Regular meeting of the Otsego County Board of Commissioners was held in the County Building at 225 West Main Street, Room 100. The meeting was called to order at 9:30 a.m. by Vice-Chairman Paul Liss. Invocation by Commissioner Clark Bates, followed by the Pledge of Allegiance led by Airport Director Matt Barresi.

Roll call:

Present: Clark Bates, Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Excused: Paul Beachnau, Ken Glasser.

The regular minutes of June 8, 2010 with attachments were approved as corrected. The minutes were corrected to read Motion by Commissioner Robert Harkness to refer what, if any, zoning changes are advisable in Otsego County regarding the Michigan Medical Marijuana Act to the Otsego County Planning Commission and that the Planning Commission consider a six month moratorium on marijuana dispensers. Ayes: Unanimous. Motion carried.

The agenda was amended to move from new business item b) OCR-10-26 Recognition of Judy Seelinger after consent agenda.

Consent Agenda:

Motion to reappoint, LaVerne Harden to the Otsego County Housing Committee, term to expire May 1, 2013. Ayes: Unanimous. Motion carried.

Motion to reappoint, LaVerne Harden to the Otsego County Building Authority, term to expire June 30, 2013. Ayes: Unanimous. Motion carried.

Motion by Commissioner Doug Johnson, to adopt Resolution OCR-10-26 honoring Judy Seelinger.

Roll Call Vote:

Ayes: Clark Bates, Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Nays: None.

Excused: Paul Beachnau, Ken Glasser.

Motion carried/Resolution adopted. (see attached)

Administrators report:

John Burt reported on the air show; Thanked Matt Barresi for his outstanding service.

Commissioner Mike Hyde, Robert Harkness and Doug Johnson thanked Matt Barresi for his hard work on the air show.

Commissioner Paul Beachnau arrived at 9:45 a.m.

Special Presentations:

Judge Janet Allen reported on the court collections program.

Department Head Report:

Sheriff James McBride reported on the Sheriff's department.

Mike Thompson reported on the Emergency Management/9-1-1. Department.

Committee Reports:

Motion by Commissioner Paul Beachnau, to approve \$3,000 from the Contingency Fund for the Gateway to Gaylord Project along with the associated budget amendment. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Beachnau, to approve the DHS Training Center lease Addendum #10213 and authorize the County Administrator to sign on behalf of the County. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Beachnau, to approve to Phase II Environmental Assessment for 540 S. Illinois Avenue at a cost of \$15,530 with \$10,000 to be paid out of the Building and Grounds Fund (637-265) and \$5,530 to be paid out of the Contingency Fund (101-941). Ayes: Unanimous. Motion carried.

Elizabeth Haus reported on the Village of Vanderbilt.

The May 2010 financial reports were reviewed.

New Business:

Motion by Commissioner Robert Harkness, to approve the June 15, 2010 Warrant in the amount of \$257,968.99 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Mike Hyde, to approve the June 22, 2010 Warrant in the amount of \$217,963.92 as presented. Ayes: Unanimous. Motion carried.

Public Comment:

Tim Boyko candidate for the 105<sup>th</sup> District addressed the Board.

Board Remarks:

Commissioner Erma Backenstose: Attended a meeting at the University Center.  
Thunder over waters celebration.

Commissioner Robert Harkness: June 24<sup>th</sup> a meeting sponsored by NEMCOG.  
Thanked Kyle Legel.  
Complaint for spillage from gas & oil.

Dedication for the Johannesburg Veterans Memorial to be held on July 4, 2010 at 9:00 a.m.

Commissioner Mike Hyde: Animal Control building location.

Commissioner Paul Beachnau: Chamber sponsoring a candidate forum at the Gornick Auditorium on June 29, 2010 at 6:00 p.m.

Commissioner Clark Bates: City Council meeting.

Commissioner Doug Johnson: Parks and Recreation meeting.

Meeting adjourned at 10:51 a.m. at the call of the Vice-Chair.

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Paul L. Liss, Vice-Chairman

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Susan I. DeFeyter, Otsego County Clerk

**OCR 10-26**  
**Commendation in Honor of Judy Seelinger**  
Otsego County Board of Commissioners  
June 22, 2010

**WHEREAS**, Judy Seelinger began employment with the Otsego County Register of Deeds office on April 15, 1985, and

**WHEREAS**, the Otsego County Board of Commissioners appreciates the dedication and service that Judy has provided as Chief Deputy Register of Deeds for the past 25 years; and

**WHEREAS**, she has served on the Little Village Board for 10 years; she has been a member of the American Business Women's Association for over 20 years; has volunteered at a variety of events as a member of the Elks Club for the past 26 years; as well as devoting over 12 years as a member of the Vanderbilt Lioness Club; now therefore, be it

**RESOLVED**, that Judy Seelinger is remembered for the giving of her time and many talents to make Otsego County a better place to live, work and enjoy, and be it further

**RESOLVED**, that the Otsego County Board of Commissioners commend and honor Judy for her outstanding service to our community, and wish her good health, happiness, and enjoyment in her retirement by spending time with family and friends and the occasional game of golf.



**OTSEGO COUNTY  
BUDGET AMENDMENT**

**FUND/DEPARTMENT:** General Fund

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:  General     Special Revenue     Debt Service     Capital Project     Business-Type (Enterprise or Internal Svc)

**REVENUE** landscaping @ the Exit 282 exchange - Gateway Project

Account Number	Decrease	Increase
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
<u>101-972-999.000 - Community Projct</u>	\$ <u>3,000</u>	\$
<u>101-941-999.000 - Contingency</u>	\$	\$ <u>3,000</u>
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
<b>Total</b>	\$ <u>3,000</u>	\$ <u>3,000</u>

Rachel Frisck  
Department Head Signature

6/16/10  
Date

Entered:
By:

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Approval Date (if necessary)

\_\_\_\_\_  
Budget Adjustment #

\_\_\_\_\_  
Posting Number



**ADDENDUM TO LEASE**

between

**COUNTY OF OTSEGO  
A Body Corporate**

and the

**STATE OF MICHIGAN**

**ADDENDUM # 1**, to Lease No. 10213, by and between County of Otsego, as Lessor, whose address is 225 West Main Street, Gaylord, Michigan 49735, and the State of Michigan by the Department of Management and Budget and subsequently renamed Department of Technology, Management & Budget for the Department of Human Services, as Lessee, for property located at 800 Livingston Boulevard, Gaylord, Michigan.

The purpose of this Addendum is to add three renewal options (2.6, 2.7, 2.8, 5.5a, b, c). The renewal option in Article II, paragraph 2.6 shall automatically be exercised upon approval of this Addendum.

**Article II, Paragraphs 2.6, 2.7, and 2.8 of this Lease, are deleted in their entirety with the following text being inserted in lieu thereof:**

2.6 - This Lease may, at the option of the Lessee, be extended for a ten-year term beginning at 12:01 a.m. on August 1, 2011, and ending at 11:59 p.m. on July 31, 2021, provided notice be given in writing to the Lessor thirty (30) days before this Lease or extension expires.

2.7 - This Lease may, at the option of the Lessee, be extended for a five-year term beginning at 12:01 a.m. on August 1, 2021, and ending at 11:59 p.m. on July 31, 2026, provided notice be given in writing to the Lessor thirty (30) days before this Lease or extension expires.

2.8 - This Lease may, at the option of the Lessee, be extended for a five-year term beginning at 12:01 a.m. on August 1, 2026, and ending at 11:59 p.m. on July 31, 2031, provided notice be given in writing to the Lessor thirty (30) days before this Lease or extension expires.

**The following Article V, Paragraphs 5.5a, b, and c, shall be added to this Lease:**

5.5a - In the event the Lessee exercises the renewal option pursuant to Article II, paragraph 2.6, the Lessee shall pay to the Lessor as rent consideration for the Leased premises from 12:01 a.m. August 1, 2011, through 11:59 p.m. July 31, 2021, at the rate of Sixty Two

Thousand Four and 00/100 dollars (\$62,004.00) per year, payable in installments of Five Thousand One Hundred Sixty Seven and 00/100 dollars (\$5,167.00) per month.

5.5b - In the event the Lessee exercises the renewal option pursuant to Article II, paragraph 2.7, the Lessee shall pay to the Lessor as rent consideration for the Leased premises from 12:01 a.m. August 1, 2021, through 11:59 p.m. July 31, 2026, at the rate of Sixty Eight Thousand Four and 00/100 dollars (\$68,004.00) per year, payable in installments of Five Thousand Six Hundred Sixty Seven and 00/100 dollars (\$5,667.00) per month.

5.5c - In the event the Lessee exercises the renewal option pursuant to Article II, paragraph 2.8, the Lessee shall pay to the Lessor as rent consideration for the Leased premises from 12:01 a.m. August 1, 2026, through 11:59 p.m. July 31, 2031, at the rate of Sixty Eight Thousand Four and 00/100 dollars (\$68,004.00) per year, payable in installments of Five Thousand Six Hundred Sixty Seven and 00/100 dollars (\$5,667.00) per month.

This Lease Addendum shall not be binding or effective on either party until approved (and notarized as necessary) by the Lessor, Lessee, Department of Attorney General, Department of Technology, Management & Budget, Building Committee of the State Administrative Board, and the State Administrative Board. If this Lease or any subsequent amendments to it fall within the requirements of 1984 PA 431, as amended, MCL 18.1101 *et seq.* (Management and Budget Act), this Lease and any subsequent amendments to it shall also require approval of the Joint Capital Outlay Subcommittee of the Legislature. The effective date of this Lease Addendum is the date that the last State Governmental approval is obtained as set forth on the signature page.

The Lease terms, as modified by Addendum, apply to any renewal options, if exercised.

Pursuant to Article XII, Paragraph 12.1 of the Lease, you are hereby notified that the mailing address for all legal notices for the State of Michigan, as Lessee, has been changed to:

**Lessor**

County of Otsego  
Attn: John Burt, County Administrator  
225 West Main Street  
Gaylord, MI 49735  
E-mail: [jburt@otsegocountymi.gov](mailto:jburt@otsegocountymi.gov)  
Telephone: 989.731.7527  
Fax: 989.731.7529

**Lessee**

Terri L. Fitzpatrick, Director  
Real Estate Division  
Michigan Department of Technology, Management  
& Budget  
530 West Allegan Street  
Lansing MI 48933

**CC to Department of Human Services**

Brian Hengesbach, Director  
Department of Human Services  
Bureau of Administrative Services  
Facilities Management Division  
Grand Tower, Suite 1210  
Lansing, MI 48909

Except as herein provided, all other provisions of the original Lease apply to this Addendum.

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessor: County of Otsego

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

Print Name:  
Title: Its County Administrator

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

Print Name:  
Title: Its Clerk

State of Michigan, County of \_\_\_\_\_.

The forgoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
2010, by \_\_\_\_\_  
Type or print name(s) of person(s) signing this document

the \_\_\_\_\_ for the \_\_\_\_\_,  
of \_\_\_\_\_, Michigan Municipal Corporation.

\_\_\_\_\_, Notary Public in the County of \_\_\_\_\_.

Acting in the County of \_\_\_\_\_, State of Michigan.

My commission expires \_\_\_\_\_.

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessee: Department of Human Services

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Print Name:  
Title:

State of Michigan, County of \_\_\_\_\_

The forgoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_,

2010, by \_\_\_\_\_,  
Type or print name(s) of person(s) signing this document

the \_\_\_\_\_, for the Michigan Department of Human Services.

\_\_\_\_\_, Notary Public in the County of \_\_\_\_\_.

Acting in the County of \_\_\_\_\_, State of Michigan.

My commission expires \_\_\_\_\_.

This Lease Addendum has been approved as to legal form by the Michigan Attorney General \_\_\_\_\_

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessee: Department of Technology, Management & Budget

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

Terri L. Fitzpatrick  
Director, Real Estate Division  
Department of Technology, Management & Budget

State of Michigan, County of Ingham

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2010, by Terri L. Fitzpatrick, Director of the Real Estate Division of the Michigan Department of Technology, Management & Budget.

\_\_\_\_\_, Notary Public in the County of \_\_\_\_\_.

Acting in the County of \_\_\_\_\_, State of Michigan.

My commission expires \_\_\_\_\_.

This Lease was approved by the Michigan State Administrative Board on

Form Updated: 5-17-2010

Item #