

October 14, 2008

The Regular meeting of the Otsego County Board of Commissioners was held in the Multi-Purpose Room of the J. Richard Yuill Alpine Center. The meeting was called to order at 9:30 a.m. by Vice-Chairman Liss. Invocation by Chairman Bates, followed by the Pledge of Allegiance led by Commissioner Backenstose.

Roll call:

Present: Backenstose, Bates, Liss, Olsen, Johnson, Hyde, Bentz.

Excused: Glasser, Beachnau.

The Regular meeting minutes of September 23, 2008 with attachments were approved as presented.

The agenda was amended to add under new business item B) FY 2008 Drug Court Grant Budget amendment; item C) Airport Land Lease.

Consent Agenda:

Motion to approve FY 2008 Delinquent Tax/Legal Defense Budget Amendment as presented.

Motion approved via unanimous consent. (see attached)

Motion to approve FY 2008 Admin/Software Funds Budget Amendment as presented. Motion approved via unanimous consent. (see attached)

Motion to approve FY 2008 Contingency/Airport Budget Amendment as presented. Motion approved via unanimous consent. (see attached)

Motion to approve Graphic Sciences' bid of \$32,396 and to approve the associated Delinquent Tax/Tax foreclosure Budget Amendment as presented. Motion approved via unanimous consent. (see attached)

Motion to enter into a leasing agreement with Dunn's Business Solutions for a 48 month lease for 7 copiers as presented. Motion approved via unanimous consent.

Motion to approve FY 2008 Equipment Budget Amendment for vehicle purchases as presented. Motion approved via unanimous consent. (see attached)

Motion to approve FY 2008 Contingency/Elections Budget Amendment as presented. Motion approved via unanimous consent. (see attached)

Motion to approve Municipal Land Use Services Agreement (Charlton Township) as presented. Motion approved via unanimous consent. (see attached)

Motion to approve FY 2008 Parks Budget Amendment as presented. Motion approved via unanimous consent. (see attached)

Administrator's Report:

John Burt reported the cannon was moved downtown; Alpine woodwork; Roof truss repair; Courthouse improvement meeting; Justice and public safety meeting; County infrastructure meeting; Swearing in ceremony November 6, 2008 at 11:30 am.

The Brownfield public hearing was held.

Jeff Ratcliffe addressed the Board.

Motion by Commissioner Backenstose, to adopt Resolution OCR-08-25 Brownfield Plan Approval as presented.

Roll Call Vote:

Ayes: Backenstose, Bates, Liss, Olsen, Johnson, Hyde, Bentz.

Nays: None.

Excused: Beachnau, Glasser.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Hyde, to adopt Resolution OCR-08-26 Brownfield Application Approval as presented.

Roll Call Vote:

Ayes: Backenstose, Bates, Liss, Olsen, Johnson, Hyde, Bentz.

Nays: None.

Excused: Beachnau, Glasser.

Motion carried/Resolution adopted. (see attached)

Cynthia Pushman from DHS updated the Board.

Department Head Reports:

Trisha Adam, Human Resources Director, gave her report to the Board.

Committee Reports:

Motion by Commissioner Backenstose, to accept Maximum Security's bid, along with associated Budget Amendment, of \$21,156 for installation of security camera systems at the Alpine Center and Otsego County Building, with payment to be split equally between the Capital Projects Fund (fund 499) and the Public Improvement Fund (fund 245). The Public Improvement Fund portion is to be repaid from the Courthouse Restoration Fund (fund 497), and the transaction will be set up as a due to/due from situation. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Olsen, to approve Mark Robinson & Associates as the low bidder, along with associated Budget Amendment, for the Park Consultant bid (Bid 2008-16) in the amount of \$7,525.00 to be paid from the Capital Projects Fund (fund 499) with 50% to be reimbursed to the County by the Gaylord Downtown Development Authority. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Bates, to approve creating a part-time Kennel Assistant Position at Animal Control for 24 hours per week at the beginning rate of \$9.39 per hour. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bentz, to make various position changes, along with the associated budget amendment, to the Land Use Services Department including: 1) elimination of the Plan Reviewer position; 2) Elimination of the Plumbing and Mechanical Inspector's position-the individual will be retiring at the end of the year and will not be replaced; 3) Rewrite of the Clerk II position description to share duties between Zoning and the Building Department; 4) Elimination of Administrative Assistant's position from the Building Department-the position would no longer be a split position with Planning and Zoning. It would return to a part-time Zoning Enforcement officer (20 hours per week); 5) Adjust professional services to \$40,000. The changes would be effective immediately after required notices by policy or contract are given with the exception of the Plumbing and Mechanical Inspector position that would be eliminated as of January 1, 2009. Ayes: Unanimous. Motion carried. (see attached)

Bob Harkness addressed the Board regarding the ORV Ordinance.

New Business:

Motion by Commissioner Bates, to approve Warrant B2008-40 in the amount of \$67,856.35 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bentz, to approve Warrant B2008-41 in the amount of \$188,466.57 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Johnson, to approve Warrant B2008-42 in the amount of \$502,314.20 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Olsen, to approve the General Fund/Drug Court Grant Budget amendment in the amount of \$12,819.00 as presented. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Hyde, to approve the Airport Land Lease as presented. Ayes: Unanimous. Motion carried. (see attached)

Board Remarks:

Commissioner Backenstose: Attended Bagley Township meeting.

Commissioner Olsen: Conservation District open house.  
Charlton Township Meeting.

Commissioner Hyde: Attended Bagley Township meeting.

Commissioner Bentz: Road improvements on Mt. Jack Road.

Commissioner Johnson: Parks and Recreation meeting.

Commissioner Liss: Dover Township Meeting.

Meeting adjourned at 10:36 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, County Clerk



**OTSEGO COUNTY  
BUDGET AMENDMENT**

**FUND/DEPARTMENT:** Delinquent Tax / Lgl Defense 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**   Transfer of funds for legal fees

Account Number	Decrease	Increase
516.050 - 400.001 - From Fund	\$	\$ 75,000
-                      - Balance	\$	\$
260.050 - 699.030 - Transfer In	\$	\$ 75,000
260.050 - 400.001 - From Fund	\$	\$ 65,921
<b>Total</b> <i>Balance</i>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
516.253 - 999.000 - Transfer Out	\$ 75,000	\$
-                      -	\$	\$
260.130 - 801.025 - Professional Svcs.	\$ 140,921	\$
-                      -	\$	\$
-                      -	\$	\$
-                      -	\$	\$
<b>Total</b>	\$	\$

Rachel Frisch  
Department Head Signature

9-23-08  
Date

<b>Finance Department</b>
Entered:
By:

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

\_\_\_\_\_  
Date

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

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

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

*cash transfer*



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Admin / Software Funds

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 To transfer software training funds to Admin Budget.

Account Number	Decrease	Increase
- -	\$	\$
645.030 - 676.000 - Reimb-svcs.	\$	\$ 715
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$ 715

**EXPENDITURE**

Account Number	Increase	Decrease
402.901 - 970.450 - Property-software	\$	\$ 715
" - 999.990 - Transfer out	\$ 715	\$
645.201 - 703010 - Dept. headwgs	\$ 300	\$
" - 704200 - FICA	\$ 115	\$
" - 704300 - Retirement	\$ 300	\$
- -	\$	\$
<b>Total</b>	\$ 1,430	\$ 1,430

Rachel Frisch  
Department Head Signature

9-23-08  
Date

<b>Finance Department</b>
Entered:
By:

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

\_\_\_\_\_  
Date

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

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

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

*cash transfer*



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Airport/General Funds

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 Transfer funds to Airport for truck repairs/maintenance.

Account Number	Decrease	Increase
281-050-699-030 - Transfer In	\$	\$ 3,000
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
101-941-999-000- Contingency	\$	\$ 3,000
101-966-999-000- Airport Approp.	\$ 3,000	\$
- -	\$	\$
281-537-920400 - Repairs+maint	\$ 3,000	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$ 6,000	\$ 6,000

Rachel Frisch  
Department Head Signature

9-23-08  
Date

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

\_\_\_\_\_  
Date

<b>Finance Department</b>	
Entered:	
By:	

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

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

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

*Cash transfer*



**OTSEGO COUNTY  
BUDGET AMENDMENT**

**FUND/DEPARTMENT:** Delinq. Tax / Tax Foreclosure

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** Purchase of scanning/microfilm service for tax docs.

Account Number	Decrease	Increase
516.050 - 400.001 - From Fund Bal	\$	\$ 16,198
617.050 - 466.001 " "	\$	\$ 16,198
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$ 32,396

**EXPENDITURE**

Account Number	Increase	Decrease
516.253 - 801.020 - Professional Svcs.	\$ 16,198	\$
617.253 - 801.020 - " "	\$ 16,198	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$ 32,396	\$

Diana M. Afford  
Department Head Signature

10-6-08  
Date

<b>Finance Department</b>
Entered:
By:

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

\_\_\_\_\_  
Date

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

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

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



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Equipment 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 Purchase of Sheriff Vehicle + Admin Vehicle

Account Number	Decrease	Increase
266-000-400.001 - From Fund Bal	\$	\$ 45,283
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
266.901 - 970.420 Property-Vehicles	\$ 31,000	\$ Sheriff
" - " - "	\$ 14,283	\$ Admin.
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

Rachel Frisch  
Department Head Signature

10-7-08  
Date

<b>Finance Department</b>	
Entered:	
By:	

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

\_\_\_\_\_  
Date

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

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

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



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Elections

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 Elections software purchase

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

**EXPENDITURE**

Account Number	Increase	Decrease
101.941 - 999.000 - Contingency	\$	\$ 2,695
101.262 - 726.000 - Supplies	\$ 2,695	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

Rachel Frisch  
Department Head Signature

10-7-08  
Date

<b>Finance Department</b>	
Entered:	
By:	

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

\_\_\_\_\_  
Date

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

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

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

**CONTRACT FOR MUNICIPAL LAND USE SERVICES ADMINISTRATION  
(LAND USE PLANNING, ZONING, ZONING ADMINISTRATION AND  
BUILDING CODE COMPLIANCE)**

WHEREAS, Otsego County (the County) and Charlton Township (the Township) agree that it is in the interest of the Citizens of the County and the Township and the overall development of the County and the Township to centralize administration of Land Use Services, and

WHEREAS, the County and the Township agree that Land Use Services includes Land Use Planning, Zoning and Zoning Administration and Enforcement and Building Code administration inspections and enforcement, and

WHEREAS, the County and the Township agree that because the County's offices are centrally located and because the County can provide professional and administrative personnel, and office space to the Township so that the land use within the Township can be developed uniformly with joint cooperation and with one location for citizens to go for more efficient service with one set of rules.

**Agreements**

The County and the Township hereby enter in to this Contract for services. This contract shall be in effect for a period of two (2) years beginning April 1, 2009 and continuing in effect until March 31, 2011.

The County and the Township hereby agree that beginning April 1, 2009 that meetings and negotiations shall begin regarding renewal of the contract to insure that time is provided for the Township to adopt their own ordinances and regulations in the event that this contract is not renewed.

The County and the Township hereby agree that if agreements on a new contract are not reached by September 30, 2010, that the Township may still review and negotiate this contract during the remaining six months of the contract however, the Township shall also take all steps necessary pursuant to State Statute to insure that the Township will be able to assume the services being provided by the County at the expiration of this contract.

**Responsibilities of the County**

1. The County shall provide full and complete professional Land Use Planning, to include adoption of a County wide Master Land Use Plan and Future Land Use Map that has been adopted pursuant to the Statutes of the State of Michigan, which Plan shall be the basis for a Zoning Ordinance that the County shall adopt pursuant to the Statutes of the State of Michigan.
2. The County shall provide professional planning personnel on staff to assist Township officials from all Townships within Otsego County, officials from the

- City of Gaylord, the Village of Vanderbilt, citizens, land owners and developers with Land Use Planning questions and procedures and municipal cooperation.
3. The County shall maintain digital maps for zoning and land use planning purposes.
  4. The County shall appoint and operate a County Planning Commission for the purposes of administering the County Plan and the County Zoning Ordinance
  5. The County shall appoint and operate a County Zoning Board of Appeals for the purposes of interpreting and ruling on requests involving administration of the Zoning Ordinance.
  6. The County shall insure that the Township is informed and advised of any proposed land use changes or proposed ordinance text changes or special land use requests or other similar requests presented to the Planning Commission and any requests presented to the Zoning Board of Appeals involving land within the Township.
  7. The County shall provide professional personnel on staff to administer and enforce the zoning ordinance regulations and all other land use regulations.
  8. The County shall provide professional and administrative staff to administer, inspect and enforce the Michigan State Construction Code and all other codes and regulations related to residential and commercial construction
  9. The County shall provide an annual report to the Township at the last Township Association meeting each year. The report shall include but is not limited to a financial report showing the expenses of the Planning & Zoning Department, the fee schedule for permits issued, the number and type of permits issued and the revenue received; a financial report showing the expenses of the Building Department, the fee schedule for permits issued, the number and type of permits issued and the revenue received.

The County and the Township agree that State Statutes require that the Building Department be operated and funded solely by the fees collected for construction permits.

The County and the Township agree that any funds received in excess of the expenses needed for operation of the building department will be maintained within a Building Department fund balance account as required by State Statute.

The County and the Township agree that in the event that this contract is not renewed and the Township takes the necessary steps pursuant to State Statute to operate their own Building Departments, that any Building Department Fund Balance held by the County will be refunded to the Township on a percentage basis determined by the number of parcels in the Township.

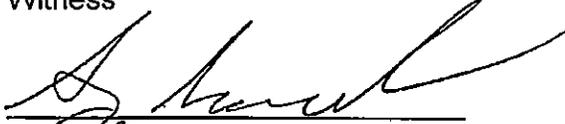
The County and the Township agree that in the event that this contract is not renewed and the Township takes the necessary steps pursuant to State Statute to operate their own Building Departments that the Township will at their own expense take custody and control of all Building Department files and records that apply to the Township.

Responsibilities of the Township

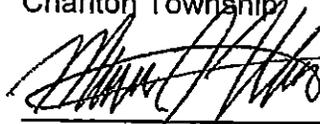
1. Charlton Township has been designated as a "Small" Township within Otsego County based on Planning and Zoning activity. As one of the five "Small" Townships within Otsego County, Charlton Township agrees to provide a total of \$1,760 per year to assist in covering the costs of operation and staffing of the Planning & Zoning Department
2. The Township will pay the annual contribution amount as noted above by May 1<sup>st</sup> of each year of this contract.

Otsego County and  
Entered into this 8<sup>th</sup> day of September 2008 between Otsego County  
and Charlton Township

Witness

  
\_\_\_\_\_  
  
\_\_\_\_\_

Charlton Township

  
\_\_\_\_\_  
Matt Nowak, Supervisor

  
\_\_\_\_\_  
Ivan M. Maschke, Township Clerk

Witness

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
John Burt, County Administrator

\_\_\_\_\_  
Suzy DeFeyter, County Clerk

Township Contribution based on Planning & Zoning activity

Township	Large or Small
Charlton	Small
Chester	Small
Corwith (minus Vanderbilt)	Small
Dover	Small
Elmira	Small
Bagley	Large
Hayes	Large
Livingston	Large
Otsego Lake	Large

4 Large = total contribution of \$15,200 or \$3,800 each

5 Small = total contribution of \$8,800 or \$1760 each



## OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: Parks

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 To add MERS benefit to eligible employee

Account Number	Decrease	Increase
208.050 - 400.001 - From fund	\$	\$ 6,427
-                      -                      Bal.	\$	\$
-	\$	\$
-	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
208.752 - 704300 - Retirement	\$ 6,427	\$
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

\_\_\_\_\_  
 Department Head Signature Date

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

<b>Finance Department</b>
Entered:
By:

Board Approval Date (if necessary) Budget Adjustment # Posting Number

**RESOLUTION NO. OCR 08-25**  
**Brownfield Redevelopment Authority**  
**Elmer's Gaylord Redevelopment Project**  
**10/14/08**

- WHEREAS,** The Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated property through tax increment financing of eligible environmental activities; and
- WHEREAS,** The Otsego County Board of Commissioners established the Otsego County Brownfield Redevelopment Authority in February 2005 and appointed its members in July 2005; and
- WHEREAS,** The Otsego County Brownfield Redevelopment Authority has reviewed and approved the brownfield plan for the Elmer's Gaylord Redevelopment Project at their October 9, 2008 meeting and recommends approval by the Otsego County Board of Commissioners; and
- WHEREAS,** The City of Gaylord City Council concurred with the brownfield plan at their October 13, 2008 meeting; and
- WHEREAS,** The Otsego County Board of Commissioners has determined that the brownfield plan constitutes a public purpose of job creation, increased private investment and economic development and increased property tax value; and
- WHEREAS,** A public hearing on the brownfield plan has been noticed and held on October 14, 2008 and notice to taxing jurisdictions has been provided in compliance with the requirements of Act 381; therefore, be it
- RESOLVED,** that the Otsego County Board of Commissioners hereby approves the brownfield plan for the Elmer's Gaylord Redevelopment.

**RESOLUTION NO. OCR 08-26**  
Brownfield Redevelopment Authority  
Elmer's Gaylord Redevelopment Project  
10/14/08

- WHEREAS,** The Michigan Department of Environmental Quality (MDEQ) provides grants and loans to communities through its Brownfield Redevelopment Grant and Loan program to encourage reuse of brownfield properties by funding demolition and environmental response activities;
- WHEREAS,** The redevelopment of the former Gaylord landfill is a partnership between the State of Michigan, the Otsego County Brownfield Redevelopment Authority (OCBRA), Otsego County, the City of Gaylord, and Elmer's Crane and Dozer and environmental activities are required as part of the redevelopment; and
- WHEREAS,** The project effectively meets the program criteria of need for financial assistance, local financial commitment, site reuse, and economic development and job creation; and
- WHEREAS,** The proposed development is consistent with local development plans, zoning ordinances, and the City of Gaylord Master Plan and will be under land use review; and
- WHEREAS,** The site for which grant and loan funds are being requested are designated as a "Facility" under Part 201, 1994 Act 451 and neither the applicant, Otsego County Brownfield Redevelopment Authority nor the developer, Elmer's Crane and Dozer, are liable parties; and
- WHEREAS,** The application requests a Brownfield Loan in the amount of \$492,550 for environmental response activities and the proposed project will be undertaken if a grant and loan are awarded; and
- WHEREAS,** The MDEQ requires that Otsego County commit its full faith and credit to the repayment of the loan, based on the terms and conditions of the loan agreement; therefore, be it
- RESOLVED,** that the Otsego County Board of Commissioners supports the submittal of an application to the Michigan Department of Environmental Quality by the Otsego County Brownfield Redevelopment Authority for a Brownfield Redevelopment Loan for environmental response activities for Elmer's Gaylord Redevelopment Project and that the County Board commits its full faith and credit to the repayment of the Brownfield Redevelopment Loan, based on the terms and conditions of the loan agreement; and be it further
- RESOLVED,** if the application is approved, the Otsego County Brownfield Redevelopment Authority's acceptance of these funds is contingent upon the following conditions:
- 1) The City of Gaylord, Otsego County, and the Otsego County Brownfield Authority shall enter into an interlocal public agency agreement or other similar legal structure that sets forth the duties, powers, and responsibilities each party has in furthering the Elmer's Redevelopment Project;
  - 2) The prior authorization of the Otsego County Board of Commissioners shall be required to the Brownfield Authority's acceptance of any loan; and be it further
- RESOLVED,** that if the preceding conditions are met, Otsego County will pledge its full faith and credit to ensure repayment of these funds.



**OTSEGO COUNTY ADMINISTRATION  
 BID REGISTER LOG/PRELIMINARY TABULATION SHEET**

**BID NUMBER:** 2008-15

**DATE/TIME BIDS DUE:** Monday, September 29, 2008

**TITLE:** Security Camera System Bids

**DATE/TIME OF BID OPENING:** 9/29/08 at 1:00 pm

**ADVERTISED:** Herald Times 09/06/08

**BID DEPOSIT REQUIRED:** N/A

**ADDENDUM/DATES:** N/A

**BIDS/PROPOSAL RECEIVED**

	<b>COMPANY NAME</b>	<b>DATE/TIME BID/PROPOSAL RECEIVED</b>	<b>PRELIMINARY TOTAL BID</b>	<b>PRELIMINARY RANK</b>
1.	Everfocus Electronics/Maximum Security	9/29/08 @ 11:46 am	C: \$8,444.52 A: \$12,710.66 Total: 21,155.18 (5%: \$20,097.42)	1
2.	Data Consultants	9/25/08 12:22 pm	\$26,329.05 (Both Bldgs)	2
3.	Windemuller	9/29/08 @ 9:52 am	\$34,075.00 (Both Bldgs)	3
4.				
5.				
6.				
7.				
8.				

C: County Building A: Alpine Center



**OTSEGO COUNTY  
BUDGET AMENDMENT**

**FUND/DEPARTMENT:** Capital Projects / Public Improvement

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** Purchase of Security Cameras

Account Number	Decrease	Increase
499 050 - 400.001 - From Fund Bal.	\$	\$ 10,578
245050 - 400.001 - " "	\$	\$ 10,578
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$ 21,156

**EXPENDITURE**

Account Number	Increase	Decrease
499-901 - 970.300 - Property Impvs.	\$ 10,578	\$
245-901 - 970.300 - " "	\$ 10,578	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$ 21,156	\$

Rachel Frisch  
Department Head Signature

10-7-08  
Date

<b>Finance Department</b>	
Entered:	
By:	

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

\_\_\_\_\_  
Date

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

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

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



**OTSEGO COUNTY ADMINISTRATION  
 BID REGISTER LOG/PRELIMINARY TABULATION SHEET**

**BID NUMBER:** 2008-16

**DATE/TIME BIDS DUE:** M Friday, October 3, 2008 at Noon

**TITLE:** Park Consultant Bid

**DATE/TIME OF BID OPENING:** N/A

**ADVERTISED:** N/A

**BID DEPOSIT REQUIRED:** N/A

**ADDENDUM/DATES:** N/A

**BIDS/PROPOSAL RECEIVED**

	<b>COMPANY NAME</b>	<b>DATE/TIME BID/PROPOSAL RECEIVED</b>	<b>PRELIMINARY TOTAL BID</b>	<b>PRELIMINARY RANK</b>
1.	Mark Robinson & Associates	10/3/08 at 9:00 am	\$7,525.00	1
2.	R. Clark & Associates	10/2/08	\$9,975.00	2
3.				
4.				
5.				
6.				
7.				
8.				

C: County Building A: Alpine Center



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Capital Projects

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**

Account Number	Decrease	Increase
499-050-400.001- <sup>From</sup> Fund Bal.	\$	\$ 7,525
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
499-901-970.300-Property Empys.	\$ 7,525	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

Rachel Frisch  
Department Head Signature

10-7-08  
Date

<b>Finance Department</b>	
Entered:	
By:	

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

\_\_\_\_\_  
Date

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

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

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



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Planning/Zoning

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 To reflect staffing changes for Land Use Services

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

**EXPENDITURE**

Account Number	Increase	Decrease
101.721 - 703030 - hourly wages	\$ 2,560-	\$
" - 704200 - payroll taxes	\$ 196-	\$
" - 704110 - healthcare	\$ 105-	\$
" - 704300 - retirement	\$ 335-	\$
101.941 - 999990 - Contingency	\$	\$ 3,196
-	\$	\$
<b>Total</b>	\$ 3,196	\$ 3,196

Rachel Frisch  
Department Head Signature

10-13-08  
Date

<b>Finance Department</b>
Entered:
By:

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

\_\_\_\_\_  
Date

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

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

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

POST DATE: 10/13/2008  
ENTRY DATE: 10/13/2008

OTSEGO COUNTY  
BUDGET AMENDMENT  
\*\* NOT POSTED TO GL \*\*  
JE: 00000872

ENTERED BY: JLOSHAW  
JOURNAL: BA

*General Fund  
Drug Court Grant*

DESCRIPTION: BUDGET ADJUSTMENT - DRUG COURT

LINE #	DESCRIPTION	DR	CR	PROJECT
101-133-940.010	OUTSIDE CONTRACTED SERVICES			DRUG
101-133-703.060	PART-TIME/TEMPORARY		7,694.00	DRUG
101-133-703.030	REGULAR - HOURLY		5,125.00	DRUG
101-133-703.070	OVERTIME	7,140.00		DRUG
101-133-704.110	HOSPITALIZATION	180.00		DRUG
101-133-704.140	LIFE AND DISABILITY	3,415.00		DRUG
101-133-704.200	SOCIAL SEC CONTRIBUTIONS	165.00		DRUG
101-133-704.300	RETIREMENT CONTRIBUTIONS	80.00		DRUG
101-133-704.500	UNEMPLOYMENT COMPENSATION	1,235.00		DRUG
101-133-704.600	WORKERS COMPENSATION	400.00		DRUG
		204.00		DRUG

JOURNAL TOTAL: 12,819.00 12,819.00

APPROVED BY: *Rachel Strick*

*BoA Approval Date: \_\_\_\_\_*

GAYLORD REGIONAL AIRPORT LAND LEASE  
NON-COMMERCIAL

This Agreement is made and entered into this 13th day of October 2008, between the County of Otsego, a Michigan Municipal Corporation, Lessor, acting through the Otsego County Airport Committee, and William J. Muzyl Revocable Living Trust U/A/D September 6, 1995, William J. Muzyl, Trustee, Lessee.

LENGTH & RENEWAL

The parties mutually agree that the term of this lease shall be for ten (10) years. Lessee is hereby granted a renewal option for ten additional years. Lessee must deliver written notice to Lessor of its election to exercise such option at least 60 days prior to the expiration of the original term.

DESCRIPTION & SIZE OF PROPERTY

The leased property is located at the Gaylord Regional Airport, Bagley Township, Otsego County, Michigan and is more fully described as follows:

an 80' x 80' parcel 30' north of airport hangar lot #21

and has the following lot size dimensions based on building size plus a minimum of five (5) feet of set back on all sides of the structure which shall be the basis for calculating rent: 90' x 90' = 8,100 sq. ft.

RENT

The annual rental amount of the property for this lease shall be based upon lot size using the following formula:

8,100 square foot of lot multiplied by 20.6 cents payable annually, in full, on the thirteenth (13) day of each October.

ANNUAL ESCALATOR CLAUSE

The annual rent provided for in this lease may be increased on the thirteenth day of October 2018, and on each anniversary date thereafter. The increased rental effective on said anniversary shall be determined by multiplying the then current annual rent by a fraction; the numerator of which is the CPI for the calendar month of January immediately preceding any adjustment date, and the denominator of which is the CPI for the previous month of January. However, in no case will the rent be lower than the previous year.

The index to be used in this formula is the Consumer Price Index for all urban customers, all items, all cities issued by the U.S. Department of Labor, Bureau of Labor Statistics.

## COMPLIANCE WITH THE F.A.A. REGULATIONS, M.A.C. RULES AND GAYLORD REGIONAL AIRPORT BOARD POLICIES AND PROCEDURES

Lessee shall maintain its building, premises and operations in accordance with, and shall obey, all rules and regulations of the Michigan Aeronautics Commission, all F.A.A. regulations, and all local rules of the Gaylord Regional Airport currently in effect and as may be amended from time to time. This includes the payment of all fees established by the Lessor, pursuant to said rules and regulations as required for any commercial operation Lessee is licensed to perform. Lessee shall obtain and keep in effect all licenses from the proper authorities for the carrying on of said business.

### USE RESTRICTIONS

During the term of this lease, the Lessee shall be entitled to the use of the leased premises for the following purposes, any other use of the leased premises must be approved in advance, in writing, by Manager of the Gaylord Regional Airport:

- (a) The use of, and a right to ingress and egress from, the leased premises.
- (b) The right to provide for the construction, maintenance or improvement of an aircraft storage hangar.  
Any construction for non-aviation purposes is prohibited unless written approval is given by the Gaylord Regional Airport Committee.  
Any commercial activity is prohibited without written approval by the Gaylord Regional Airport Committee.
- (c) The privilege of connection to any utilities available during the term of the lease. All utility connection and service costs shall be paid by the Lessee. Lessor is not responsible for making any utilities available to the leased premises.
- (d) During the continuance of this lease, or any extension thereof, lessee agrees, at their expense, to keep the said premises and buildings now constructed or subsequently erected, in good repair and of neat and attractive appearance. Color of exterior finishes must be approved by the Airport Manager.
- (e) It is further agreed that the enjoyment and use, in common with others upon the Gaylord Regional Airport, of all entrances, exits, approaches and approaches for light and air now existing in favor of the airport premises shall not be interfered with or interrupted by any act of either the Lessor or the Lessee during the term of this lease.

### COMPLIANCE WITH ENVIRONMENTAL REGULATIONS

Lessee agrees to comply with all local, state and federal environmental regulations concerning the use of the leased property.

### RIGHT TO IMPROVE AIRPORT

The Lessor reserves the right to further develop or improve the airport as it sees fit, regardless of the desires or views of the Lessee, and without interference or hindrance.

### NONPAYMENT OR DEFAULT

In the event of non-payment of the rent required, or if Lessee violates any other provision of this lease, then it shall be lawful for Lessor, after 30 days written notice to Lessee, to enter and repossess the premises and evict the Lessee.

### SUBLEASING

Lessee shall not assign this lease or sublet the premises, without written consent of the Lessor, the Gaylord Regional Airport Committee.

### LESSEE'S DUTY TO DEFEND AND INDEMNIFY

The Lessee, as a part of the consideration hereof, hereby undertakes and agrees to indemnify the Lessor against all loss, injury or damage to person or property of the Lessor, arising out of the action, or lack of action of the Lessee. This shall relate to loss caused by fire, theft or otherwise, which loss is attributable to the action, or lack of action of the Lessee. Further, the Lessee agrees to name the Lessor as an additional insured on the insurance policy for the leased premises.

The Lessee undertakes and agrees that in case any claim, as it related to the leased property, is brought against the Lessor, which claim is related to any action, or lack of action, of the Lessee, for any loss, injury or damage, the Lessee will, upon notice from the Lessor, defend the claim as such claim relates to any action, amounting to fault on behalf of the Lessee.

### PROPERTY OF LESSEE

It is further understood and agreed that the lands above described consist of unimproved real estate and any buildings placed or constructed upon the premises by the Lessee remain Lessee's personal property. At the expiration of the term of this lease or any renewal term hereof, the Lessee may remove any improvements or buildings, provided that the Lessee restores the premises to their present condition, free from any debris or materials remaining from the removal of the structures. All plans for any demolition, in compliance with this paragraph, shall be approved by the Airport Committee in writing. The Lessee hereby grants to the Lessor the option of purchasing any of the buildings or other improvements belonging to the Lessee in the event the same are not removed from the premises, and the lease is not renewed upon terms and conditions to be mutually agreed upon. The value of the buildings or other improvements belonging to the Lessee will be determined by one (1) independent appraiser, mutually selected by the parties. The expense of the independent appraiser will be shared between the parties. However, in no event shall the Lessor be required to purchase the building or improvements.

### CHANGING OF THE LEASE

No changes, additions, or subtractions of this agreement shall take effect unless mutually agreed upon in writing.

WRITTEN NOTICES

All notices required under this lease shall be in writing:

TO TENANT/LESSEE: William J. Muzyl Revocable Living Trust U/A/D 9/6/1995  
William J. Muzyl, Trustee  
PO Box 673  
Gaylord, MI 49734  
(989) 732-8100

TO LESSOR: Gaylord Regional Airport  
Attn: County Administration  
225 West Main Street  
Gaylord, MI 49735  
(989) 732-6484 ext. 331

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE CAUSED THIS INSTRUMENT TO BE EXECUTED.

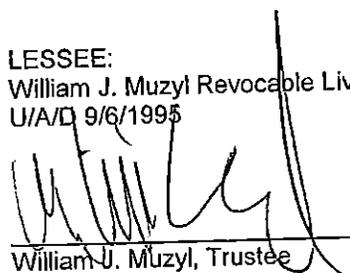
SIGNED, SEALED AND DELIVERED

IN PRESENCE OF:

LESSOR:  
OTSEGO COUNTY  
A Municipal Corporation

\_\_\_\_\_  
John Burt, County Administrator

LESSEE:  
William J. Muzyl Revocable Living Trust  
U/A/D 9/6/1995

  
\_\_\_\_\_  
William J. Muzyl, Trustee