

March 12, 2013

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 Chairman Lee Olsen. Invocation by Vice-Chairman Ken Borton, followed by the Pledge of Allegiance led by Sheila Simpson.

Roll call:

Present: Clark Bates, Paul Liss, Lee Olsen, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Excused: Erma Backenstose.

Absent: Paul Beachnau.

Motion by Vice-Chairman Ken Borton, to approve the regular minutes of February 26, 2013 with attachments. Ayes: Unanimous. Motion carried.

Commissioner Paul Beachnau arrived at 9:35 a.m.

Consent Agenda:

Motion to approve the Conservation District Agreement. Ayes: Unanimous. Motion carried. (see attached)

Motion to approve the FY 2012 Medical Examiner budget amendment. Ayes: Unanimous. Motion carried. (see attached)

Administrator's Report:

John Burt reported on recycling; Criminal Justice Committee opening.

Special Presentation:

The Board recognized 20 years of service to Cathy Baragrey, Joyce Butcher and Sara Schmidt.

Shelia Simpson updated the Board on the Alpine Regional Tennis Association.

Motion by Vice-Chairman Ken Borton, to adopt OCR-13-05 Recognition of Shelia Simpson.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Excused: Erma Backenstose.

Motion carried/Resolution adopted. (see attached)

The Sturgeon River and Poquette Road Stream Crossing project was presented to the Board.

The Pigeon River Acquisition Support request was presented to the Board.

Motion by Commissioner Paul Beachnau, to adopt Resolution OCR-13-03 in support of the DNRs acquisition of the Bryce property within the Pigeon River Forest boundaries.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Lee Olsen, Doug Johnson, Bruce Brown.

Nays: Paul Liss, Richard Sumerix, Ken Borton.

Excused: Erma Backenstose.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Paul Beachnau, to adopt Resolution OCR-13-04 in support of the DNRs acquisition of the Skiba property within the Pigeon River Forest boundaries.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Lee Olsen, Doug Johnson, Bruce Brown.

Nays: Paul Liss, Richard Sumerix, Ken Borton.

Excused: Erma Backenstose.

Motion carried/Resolution adopted. (see attached)

Department Head Report:

Matt Nowicki reported on the Sheriff's Department.

Mike Rola reported on the Prosecutor's office.

Committee Reports:

Motion by Commissioner Clark Bates, to approve the agreement for the repair of a portion of Livingston Boulevard in the Alpine Center along with the associated budget amendment.

Ayes: Unanimous. Motion carried. (see attached)

Roberta Tholl reported on the Road Commission.

New Business:

Motion by Commissioner Paul Liss, to approve the March 5, 2013 Warrant in the amount of \$352,051.92 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Richard Sumerix, to approve the March 12, 2013 Warrant in the amount \$298,850.37 as presented. Ayes: Unanimous. Motion carried.

Public Comment:

Ken Glasser addressed the Board.

Board Remarks:

Commissioner Paul Liss: Recycling.
Taxes.
Chamber building.

Commissioner Paul Beachnau: Recycling Committee meeting.
City Council meeting.

Commissioner Clark Bates: City Council meeting.

Commissioner Doug Johnson: Parks and recreation meeting.

Motion by Commissioner Doug Johnson, to appoint Bonny Miller to the Parks and Recreation Commissioner to fill the term vacated by Chad Dutcher, with the term expiring December 31, 2013. Ayes: Unanimous. Motion carried.

Vice-Chairman Ken Borton: NACO Conference.
MAC Conference.

Chairman Lee Olsen: Finance Committee meeting in April.

Meeting adjourned at 11:44 a.m.

Lee F. Olsen, Chairman

Susan I. DeFeyer, Otsego County Clerk

This Agreement entered into this day of March 12, 2013, between the County of Otsego, a Michigan municipal corporation located at 225 West Main Street, Gaylord, Michigan 49735, hereinafter called the "County" and the Otsego Conservation District, a non-profit corporation located at 800 Livingston Blvd, Suite 4-A, Gaylord, Michigan 49735, hereinafter called the "District."

Witnesseth:

1. **Term.** The County agrees to contract with the District for the term beginning March 12 2013 to and including March 11, 2014 to perform efforts on behalf of Otsego County and its Recycling Program.
2. **Performance.** The District agrees to provide and perform all services as outlined in the Description of Services, in a competent and professional manner.
3. **Description of Services.** The District shall provide the following services:
 - a. Preparation and placement of advertising for Otsego County's Recycling Drop-off program as detailed in the budget contained in Attachment A.
 - b. Preparation of recycling educational material as detailed in the budget contained in Attachment A.
 - c. Provide information assistance and education on the Recycling Program.
 - d. Coordination and training of recycling volunteers.
 - e. Monitoring of each recycling drop-off location to check on cleanliness around the recycling bins as well as the status of how much material capacity remains in each bin. Such monitoring to be performed at least twice weekly.
4. **Fee.** The County agrees to pay the District a total fee of \$16,069.78 for its services under this Agreement. A payment of \$5,000 is payable upon commencement of the Agreement, with the remaining payments to be paid as incurred and invoiced.
5. **Termination and Suspension.** If the District defaults or neglects to carry out its duties in accordance with the Agreement and fails within a seven (7) day period after receipt of written notice from the County correction of such default or neglect with diligence and promptness, the County may, without prejudice to other remedies, correct such deficiencies and/or order the District to stop all work under the Agreement. If the District fails to correct non-compliance, or performs in a manner that is not in accordance with the requirements of the Agreement, the County, by written notice may order the District to stop all work under this Contract, or any portion thereof, until the cause for such order has been eliminated.

Either party may terminate this Agreement for any or no reason upon sixty (60) day written notice.

In the event of suspension or termination under Section 6, then in such case, as appropriate, the District shall pay to the County any funds not yet expended and any expenses made necessary by such default, neglect, or failure, if such payment, then or thereafter due the District is not

sufficient to cover such amounts, the District shall pay the difference to the County.

7. **Amendment.** The Agreement may only be amended, modified or supplemented by written instruments signed by both parties.

This Agreement is entered into as of the day and year first written above and is executed to at least two (2) original copies of which one is to be delivered to the District and one to the County.

COUNTY:

John Burt
Otsego County Administrator

Date: _____

DISTRICT:

Jack Middleton, Chairman
Otsego Conservation District

Date: _____



OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: General Fund/Medical Examiner

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 Additional 2012 medical examiner expenses.

Account Number	Decrease	Increase
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
101-648-726.000 Supplies	\$250	\$
101-648-930.460 Transporting	\$1,600	\$
101-648-930.920 Autopsies	\$1,200	\$
101-941-999.010 Contingency	\$	\$3,050
-	\$	\$
-	\$	\$
Total	\$3,050	\$3,050

Rachel Friesal

Department Head Signature

3/7/13

Date

Finance Department
Entered:
By:

Administrator's Signature

Date

3/12/13

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number

OCR 13-05
Recognition of 2013 St. Patrick's Day Parade Marshal, Sheila Mary Quinn Simpson

Otsego County Board of Commissioners
March 12, 2013

WHEREAS, Sheila Simpson is a longtime resident of Otsego County; and

WHEREAS, Sheila and her husband, Charlie have raised three amazing children and are the proud grandparents of four grandchildren; and

WHEREAS, Sheila graduated from Michigan State University with a BA and MA in Speech and Language Pathology; and

WHEREAS, she is currently the Advising and Marketing Coordinator at the University Center-Gaylord; and

WHEREAS, Sheila is an accomplished author of Apology – The Importance and Power of Saying "I'm Sorry"; she owns Friends on Purpose an Inspirational card company; her career background includes consultant/speaker on topics related to well-being, public school speech therapist, many years in Hospice administration, and roles in higher education at Davenport University and Lake Superior State University; and

WHEREAS, Sheila has spent several years involved in our community as President-elect of the Otsego Memorial Hospital Foundation; Chairperson-Guardian Gals, Inc.; Board member-Alpine Regional Tennis Association; Member-American Association of University Women; Steering committee member/module leader for Leadership Otsego County; Founder/coordinator of the annual Fall "Art-full Gathering"; 2004 recipient of the International Athena Award for community service and leadership; and

WHEREAS, Mike Relling from radio station Eagle 101.5 has named Sheila Mary Quinn Simpson as the Parade Marshal for the 2013 St. Patrick's Day celebration; and

WHEREAS, the County of Otsego recognizes that one of its greatest assets is the strength, diversity and commitment of its community members; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Sheila Mary Quinn Simpson has made to our community.

OCR 13-03
Support for DNR MNRTF Projects – Bryce Estate

Otsego County Board of Commissioners
March 12, 2013

WHEREAS, Otsego County supports the Department of Natural Resources' (DNR) submission of an application titled, "Bryce Estate" to the Michigan Natural Resources Trust Fund for acquisition of 80 acre Inholding at Pigeon River Country State Forest; and,

WHEREAS, the location of the proposed project is within the jurisdiction of Otsego County, Charlton Township and,

WHEREAS, with this resolution of support it is acknowledged that Otsego County *is* not committing to any obligations; financial or otherwise; now therefore, be it

RESOLVED that Otsego County hereby supports submission of a Michigan Natural Resources Trust Fund Application for Bryce Estate acquisition, by the DNR.

OCR 13-04
Support for DNR MNRTF Projects – Skiba Tract

Otsego County Board of Commissioners
March 12, 2013

WHEREAS, Otsego County supports the Department of Natural Resources' (DNR) submission of an application titled, "Skiba Tract" to the Michigan Natural Resources Trust Fund for acquisition of 161 acre inholding at Pigeon River Country State Forest; and,

WHEREAS, the location of the proposed project is within the jurisdiction of Otsego County, Corwith Township and,

WHEREAS, with this resolution of support it is acknowledged that Otsego County is not committing to any obligations; financial or otherwise; now therefore, be it

RESOLVED that Otsego County hereby supports submission of a Michigan Natural Resources Trust Fund Application for Skiba acquisition, by the DNR.

OTSEGO COUNTY ROAD COMMISSION

Project #: _____
Contract With: Otsego County
Road Name: Livingston Blvd.

OTSEGO COUNTY AGREEMENT FOR IMPROVEMENTS ON LOCAL ROADS

February 2013

This agreement, made and entered into this _____ day of _____ 2013, by and between Otsego County and the Board of the Otsego County Road Commissioners.

WHEREAS: Otsego County desires that certain work be performed on Local Roads and proper authority is provided in Act 51 of P.A. of 1951, as amended,

IT IS NOW THEREFORE AGREED: That the Otsego County Road Commission will proceed with the following work:

<u>Location & Type Of Work To Be Done</u>	<u>Est. Project Cost</u>	<u>Otsego County Contribution</u>
<u>Livingston Blvd.:</u> (Starting approximately 250' east of the roundabout and ending approximately 1,100 feet northeast at the intersection of Stadium Blvd.) Provide traffic control signage, mill and remove the existing pavement to an approximate depth of two (2") inches, perform overband crack sealing as needed, place a single course of superpave hot mix asphalt at a rate of 250 lbs/syd (2-1/4"), provide pavement markings, perform grading/drainage improvements south of the University Center drive approach, and seed & mulch.	\$55,000	\$5,000

BE IT FURTHER AGREED: That the Otsego County Road Commission will proceed with such work that is agreed upon between both parties; namely, Otsego County and the Road Commission. Completion of the above work is at the discretion of the Otsego County Road Commission.

BE IT FURTHER AGREED: That Otsego County will reimburse the Otsego County Road Commission for one hundred percent (100%) of the Otsego County Contribution for the reconstruction to all season status of Livingston Blvd. as stated above. Otsego County will be invoiced as the work is being completed.

IN WITNESS WHEREOF: The parties hereto have hereunto set their hands and seals, the day and year above written.

Witness

Administrator

Witness

Assistant

BOARD OF OTSEGO COUNTY ROAD COMMISSIONERS:

Witness

Chairman

Witness

Vice Chairman

Witness

Member



**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 Contribution toward Livingston Blvd road repairs

Account Number	Decrease	Increase
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
101-101-940.000 Outside Contracted Services	\$5,000	\$
101-941-999.010 Contingency	\$	\$5,000
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
Total	\$5,000	\$5,000

Department Head Signature

Date

Administrator's Signature

Date

Finance Department	
Entered:	
By:	

3/12/13
Board Approval Date (if necessary)

Budget Adjustment #

Posting Number