

December 14, 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 Chairman Ken Glasser. Invocation by Commissioner Clark Bates, followed by the Pledge of Allegiance led by Commissioner Mike Hyde.

Roll Call:

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

The Regular minutes of November 23, 2010 with attachments were approved via unanimous consent.

Consent Agenda:

Motion to grant authority to the County Administrator to amend all budgets up to \$5,000 per line item, with subsequent approval by the Otsego County Board of Commissioners at their January board meeting. Ayes: Unanimous. Motion carried.

Motion to set the following rates for the Medical Examiner's office:

Deputy Medical Examiner on-call: \$65.00/month

Chief Deputy Medical Examiner Administrative: \$65.00/month

Autopsy: \$65.00/hour

Training Time: \$25.00/hour

Ayes: Unanimous. Motion carried.

Motion to approve the reappointment of Michael McNamara as Otsego County's Medical Examiner to a 4 year term ending December 31, 2014. Ayes: Unanimous. Motion carried.

Motion to adopt OCR 10-49 Mortgage Discharge of Paul E. Modrzynski and Donna Modrzynski.

Roll Call Vote:

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

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion to approve the reappointment of Bradley J. Butcher to the Construction Board of Appeals with the term to expire December 31, 2013. Ayes: Unanimous. Motion carried.

Motion to approve the reappointment of Anthony P. Esson to the Construction Board of Appeals with the term to expire December 31, 2013. Ayes: Unanimous. Motion carried.

Motion to approve the reappointment of Richard L. Beachnau to the Otsego County Commission on Aging with the term to expire December 31, 2013. Ayes: Unanimous. Motion carried.

Motion to approve the reappointment of Rudi Edel to the Otsego County Commission on Aging with the term to expire December 31, 2013. Ayes: Unanimous. Motion carried.

Motion to approve the reappointment of Donald W. Peterson to the Otsego County Veterans Affairs with the term to expire December 31, 2013. Ayes: Unanimous. Motion carried.

Motion to approve the Hangar donation agreement. Ayes: Unanimous. Motion carried. (see attached)

Administrator's Report:

John Burt reported the generator has been moved into the County Building; Completed energy study on the Alpine Center; Fee schedule; Parks and Recreation budget request and reappointments.

Department Head Report:

Rachel Frisch updated the Board on the Finance Department.

Chairman Ken Glasser received correspondence from NEMCOG regarding a grant for the pavilion.

New Business:

Motion by Commissioner Robert Harkness, to approve the November 30, 2010 Warrant in the amount of \$95,847.64 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Mike Hyde, to approve the December 7, 2010 Warrant in the amount of \$66,851.61 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Paul Liss, to approve the December 14, 2010 Warrant in the amount of \$245,185.07 as presented. Ayes: Unanimous. Motion carried.

Meeting was turned over to Vice-Chairman Paul Liss.

Motion to adopt Resolution OCR 10-46 honoring Commissioner Ken Glasser.

Roll Call Vote:

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

Nays: None.

Motion carried/Resolution adopted. (see attached)

Meeting was turned back over to Chairman Ken Glasser.

Motion to adopt Resolution OCR 10-47 honoring Commissioner Mike Hyde.

Roll Call Vote:

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

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion to adopt Resolution OCR 10-48 honoring Commissioner Robert Harkness.

Roll Call Vote:

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

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Doug Johnson, to update the Otsego County Fee Schedule by removing all references to the recycling program. Ayes: Unanimous. Motion carried.

Motion by Commissioner Doug Johnson, to reappoint Tom Johnson and Darrell Fleming to the Parks and Recreation Commission for 3-year terms ending 12/31/2013. Ayes: Unanimous.

Motion carried.

Motion by Commissioner Doug Johnson to approve the Parks and Recreation FY 2010 Budget Amendment as approved. Ayes: Unanimous. Motion carried. (see attached)

Public Comment:

Sheriff James McBride wished everyone a Happy Holiday. Wished Bob Harkness, Mike Hyde and Ken Glasser the best and presented a plaque.

Board Remarks:

Commissioner Robert Harkness: Thanked everyone for their support.
Health Department.

Commissioner Mike Hyde: Thanked everyone for their support.
Wished everyone a Merry Christmas.

Commissioner Bruce Brown: Wished everyone a Merry Christmas.

Commissioner Paul Beachnau: Snowmobile trail.
Wished Mike Hyde, Bob Harkness and Ken Glasser the best of
Luck.

Commissioner Paul Liss: Casino in Vanderbilt.
Thanked Mike Hyde, Bob Harkness, Ken Glasser.

Commissioner Doug Johnson: Criminal Justice Coordinating Committee.
Parks and Recreation.
Thanked Mike Hyde, Bob Harkness, Ken Glasser.

Commissioner Clark Bates: Thanked Mike Hyde, Ken Glasser, Bob Harkness.
Wished everyone a Merry Christmas.

Chairman Ken Glasser: Appreciated everyone's support.
Wished everyone a Merry Christmas.

Meeting adjourned at 10:37 a.m. at the call of the Chair.

Kenneth R. Glasser, Chairman

Susan I. DeFeyter, Otsego County Clerk

RESOLUTION NO. OCR 10-49
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
December 14, 2010

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 1636 Gere's South Street, Gaylord, Michigan 49735 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 1151, Pages 789-802, in the name Paul E. Modrzynski and Donna Modrzynski, Husband and Wife, and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Paul E. Modrzynski and Donna Modrzynski, Husband and Wife and, be it further

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, be authorized to sign said document.

DONATION AGREEMENT

This Donation Agreement (this "Agreement"), effective on the date when signed by the last Party ("Effective Date"), is between **Roger S. White**, an individual ("Donor"), and **COUNTY OF OTSEGO**, a Michigan municipal corporation ("Otsego") as the Donee, each of which may be referred to in the singular as "Party" or in the plural as "Parties."

WHEREAS, Otsego is a political subdivision of the State of Michigan;

WHEREAS, Donor is the owner of an approximately 2,400 sqft Aircraft Hangar located at 1025 Beechcraft Boulevard, Gaylord, MI 49735, at the Gaylord Regional Airport on property owned by Otsego herein referred to as the "Donated Asset";

WHEREAS, the Parties intend that Donor shall transfer the Donated Asset to Otsego; that such transfer shall be deductible by Donor as a charitable contribution for income tax purposes; and that Otsego shall accept the Donated Asset;

WHEREAS, Otsego executed the "Donee Acknowledgement" section of Form 8283, Noncash Charitable Contribution, relating to the Donated Asset; and,

WHEREAS, Otsego intends to use the Donated Asset exclusively for public purposes and does not intend to transfer the Donated Asset to any other party.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. By this Agreement, Donor shall transfer and convey to Otsego, on the Effective Date, the Donated Asset.
2. Otsego will reasonably cooperate with Donor to document Donor's charitable contribution of the Donated Asset as may be required for federal and state income and property tax purposes.
3. The Donated Asset shall be transferred to Otsego "As Is – Where Is" on the Effective Date with all faults, latent and patent, and Donor makes no warranties, express or implied, as to the Donated Asset, including but not limited to, warranties of merchantability or fitness for a particular purpose or for their intended use. Donor shall have absolutely no obligation to maintain, repair or replace the Donated Asset. Further, any and all obligations that Donor may have had under a lease agreement with Otsego for the Donated Asset is hereby extinguished. Otsego by accepting the Donated Asset agrees to indemnify and hold harmless Donor from all claims of liability related to Otsego's future use of the Donated Asset from and after the date hereof and waives any claims that it may have against Donor with respect to all damages, including consequential, incidental or special damages, however caused, based on any theory of liability.
4. Title and risk of loss to the Donated Asset shall pass to Otsego on the Effective Date.

5. In the event that Otsego transfers the Donated Asset to any other party including any successor or assignee within three years of the Effective Date, Otsego shall timely file Form 8282, Donee Information Return, or then similar filing, with the Internal Revenue Service, and shall immediately provide a copy of such executed Form 8282 to Donor.
6. In no event shall Donor be liable for incidental, consequential, special, or indirect damages whether arising out of breach of warranty, breach of contract, negligence, and strict tort liability or otherwise in connection with this Agreement.
7. Otsego shall not bring any action against Donor based on any claim by any person for damages arising from Otsego's possession or use of the Donated Asset.
8. Otsego shall indemnify and hold Donor harmless against any loss, claim or damage which results in any way from Otsego's possession or use of the Donated Asset.
9. Each Party giving or making any notice shall address the Notice to the appropriate person at the receiving Party at the address listed below:

To Donor: Roger S. White
P.O. Box 933
Gaylord, MI 49734-0933
Telephone Number: 989-732-7594

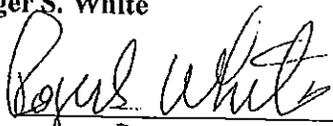
To Donee: Otsego County
City / County Building
225 West Main Street
Gaylord, MI 49735
Attn: County Administrator
Business Number: 989-731-7520
Fax Number: 989-731-7529

10. This Agreement shall be governed by the laws of the State of Michigan (excluding any laws that direct the application of another jurisdiction's law).

[SIGNATURES APPEAR ON THE NEXT PAGE]

Entered into this _____ day of _____, _____ between Roger S. White and Otsego County.

Roger S. White

By: 

Print Name: ROGER S. WHITE

Its: OWNER

Date: _____

Otsego County
a Michigan municipal corporation

By: _____

Print Name: _____

Its: _____

Date: _____

OCR 10-46
Recognition of Kenneth R. Glasser
Otsego County Board of Commissioners
December 14, 2010

WHEREAS, Kenneth Glasser is a lifelong resident of Otsego County, faithfully serving as a County Commissioner since January 2001; and

WHEREAS, Ken graduated from Gaylord High School in 1976, and received a BA in Business from Central Michigan University (Go Chips!) in 1980; and

WHEREAS, Ken is a third generation owner of a family business, which began in Gaylord in 1935. He has worked over 30 years in insurance and financial services; and

WHEREAS, Ken has devoted many years serving on various boards and committees in Otsego County including the Budget & Finance Committee, Otsego County Planning Commission, Northeast Michigan Consortium, Northeast Michigan Service Agency, Infrastructure Committee, the ORV Committee, I-75 Crossings Task Force, Jail Committee, the Transportation and Airport Committee, and the Local Emergency Planning Committee; and

WHEREAS, Ken has also served as liaison to the Commission on Aging, EMS, Road Commission, M-TEC Advisory, Soil Conservation, AuSable River Zoning, Community Corrections, Huron Pines, NEMCOG, Pigeon River Advisory-Zoning, and the Veteran Affairs board; and

WHEREAS, Ken was instrumental in guiding the County to its current position of financial stability through his outstanding leadership as the Chairman of the Board of Commissioners; and

WHEREAS, Ken will be missed by his fellow Commissioners, County officials, and County staff; now, therefore, be it

RESOLVED, that Kenneth R. Glasser is remembered by fellow Otsego County colleagues and the public for the giving of his time and talents to make Otsego County a better place to live and work; and be it further

RESOLVED, that the Otsego County Board of Commissioners commend and honor Ken for his outstanding service to our community, and wish him the best in his future endeavors.

OCR 10-47
Recognition of John M. (Mike) Hyde
Otsego County Board of Commissioners
December 14, 2010

WHEREAS, John M. (Mike) Hyde has faithfully served as an Otsego County Commissioner since January 2003; and

WHEREAS, Mike served on many committees while being a Commissioner which include the Transportation & Airport, Personnel, 9-1-1, Justice & Public Safety, Jail Committee, and the Criminal Justice Coordinating Committee, as well as liaison to the Commission on Aging, EMS, Road Commission, M-TEC Advisory, Soil Conservation, AuSable River Zoning, Community Corrections, Huron Pines, NEMCOG, Pigeon River Advisory-Zoning, and the Veteran Affairs board; and

WHEREAS, Mike previously served the public, having retired from the Otsego County Road Commission; and

WHEREAS, Mike tirelessly gave of his time by hosting numerous unofficial meetings at the local Big Boy; and

WHEREAS, Mike was essential in forging a plan to replace the Animal Shelter; and

WHEREAS, Mike's heart and drive will be missed by his fellow Commissioners, County officials, and County staff, now, therefore, be it

RESOLVED, that John M. (Mike) Hyde be remembered by fellow Otsego County colleagues and the public for the giving of his time and talents to make Otsego County a better place to live and work; and be it further

RESOLVED, that the Otsego County Board of Commissioners commend and honor Mike for his outstanding service to our community, and wish him the best in his future endeavors.

OCR 10-48
Recognition of Robert H. Harkness
Otsego County Board of Commissioners
December 14, 2010

WHEREAS, Robert Harkness has faithfully served as an Otsego County Commissioner since January 2009; and

WHEREAS, Bob served on many committees while being a Commissioner which include the Transportation & Airport, Personnel, Groen Nature Preserve Visioning Committees, as well as liaison to the Commission on Aging, Parks & Recreation, District Health, Construction Board of Appeals, NEMCOG, NMSAS, Township Officers Association, and the Veteran Affairs board; and

WHEREAS, Bob served as Chester Township Supervisor for over 4 years before beginning his term as Commissioner representing District IV; and

WHEREAS, Bob has also worked as a volunteer mediator for the Gaylord Community Mediation office as well as Northern Community Mediation; and

WHEREAS, in 2007 Bob was awarded the "Volunteer Mediator of the Year" award by Northern Community Mediation; and

WHEREAS, Bob is also a licensed attorney, though the Board has tried not to hold that against him; and

WHEREAS, Bob will be missed by his fellow Commissioners, County officials, and County staff; now, therefore, be it

RESOLVED, that Robert H. Harkness be remembered by fellow Otsego County colleagues and the public for the giving of his time and talents to make Otsego County a better place to live and work; and be it further

RESOLVED, that the Otsego County Board of Commissioners commend and honor Bob for his outstanding service to our community, and wish him the best in his future endeavors.



OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: Parks & Rec

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.

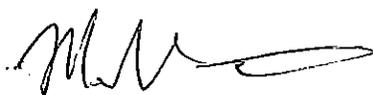
Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

REVENUE To adjust payroll & other line items for year-end.

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

EXPENDITURE

Account Number	Increase	Decrease
208-751-763.070 - Overtime	\$ 175	\$
" - 704.300 - Retirement	\$ 1,400	\$
" - 704.400 - Training	\$	\$ 500
" - 704.500 - Unemployment	\$ 1,235	\$
" - 704.600 - Workers Comp	\$ 2,040	\$
" - 726.025 - Supplies-Janitoria	\$	\$ 1,000
Total	\$	\$


 Department Head Signature _____ Date 12-13-10

Administrator's Signature _____ Date _____

Finance Department	
Entered:	
By:	

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



**OTSEGO COUNTY
BUDGET AMENDMENT**

Page 2 of 5

FUND/DEPARTMENT: _____

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.

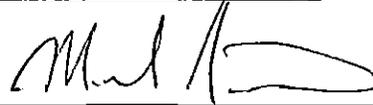
Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

REVENUE

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

EXPENDITURE

Account Number	Increase	Decrease
<i>208.751 - 726.035 - Supplies medical</i>	\$	\$ 500
<i>" - 726.040 - Supplies-recreational</i>	\$	\$ 300
<i>" - 726.050 - Rep.+maint.</i>	\$	\$ 700
<i>" - 930.300 - Advertising</i>	\$	\$ 400
<i>" - 930.450 - Shipping+mailing</i>	\$ 100	\$
<i>" - 930.610 - Natural Gas</i>	\$	\$ 1,000
Total " <i>801.020 Professional</i>	\$ 100	\$



 Department Head Signature

12-13-10

 Date

Finance Department	
Entered:	
By:	

 Administrator's Signature

 Date

 Board Approval Date (if necessary)

 Budget Adjustment #

 Posting Number



**OTSEGO COUNTY
BUDGET AMENDMENT**

FUND/DEPARTMENT: _____

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
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
208-751 - 940.010 - Outside Contracted	\$ 50	\$
" - " - Fireworks ^{Srvc.}	\$	\$ 700
208-752 - 703.030 - Hourly Wages	\$ 7,000	\$
" - 703.060 - Part-time "	\$ 2,000	\$
" - 703.070 Overtime	\$ 100	\$
" - 704.110 - Health insur.	\$ 1,330	\$
Total	\$	\$

M. J. A.

Department Head Signature

12-13-10

Date

Finance Department	
Entered:	
By:	

Administrator's Signature

Date

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number



**OTSEGO COUNTY
BUDGET AMENDMENT**

FUND/DEPARTMENT: _____

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
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
208-752 - 704-400 - Training	\$	\$ 330
" - 704-200 - Payroll taxes	\$ 1,500	\$
" - 704-300 - Retirement	\$ 5,000	\$
" - 726-025 - Supplies-janitorial	\$	\$ 500
" - 726-035 - Supplies-medical	\$	\$ 500
" - 726-040 - Supplies-recreational	\$	\$ 4,000
Total	\$	\$



 Department Head Signature

12-13-10

 Date

Finance Department	
Entered:	
By:	

 Administrator's Signature

 Date

 Board Approval Date (if necessary)

 Budget Adjustment #

 Posting Number



OTSEGO COUNTY
BUDGET AMENDMENT

ADDITIONS

FUND/DEPARTMENT: Parks & Rec

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
Fund Balance	\$ 5,000.00	\$
-	\$	\$
-	\$	\$
-	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
208752 - 703.030 - Regular Hourly	\$ 5,000.00	\$
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
Total	\$	\$

M. [Signature]

12-13-10

Department Head Signature

Date

Finance Department	
Entered:	
By:	

Administrator's Signature

Date

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number



OTSEGO COUNTY
BUDGET AMENDMENT

ADDITIONALS

FUND/DEPARTMENT: Parks / RCL

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
208752 - 920.200 - water/sewage	\$ 1,000.00	\$
208752 - 920.320 - snowplow	\$ 1,000.00	\$
- -	\$	\$
- -	\$	\$
Total	\$ 2,000.00	\$

EXPENDITURE

Account Number	Increase	Decrease
208752 - 703.060 - Part time/Temp	\$ 2,000.00	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$ 2,000.00	\$

Department Head Signature

12-13-10

Date

Finance Department	
Entered:	
By:	

Administrator's Signature

Date

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number



OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: Parks & Rec

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
208752 - 430.620 - ELECTRICITY	\$ 500.00	\$
208752 - 926.035 - MEDICAL	\$ 500.00	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
208752 - 703.070 - QUARTER	\$ 1,000.00	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

Department Head Signature

12-13-10

Date

Finance Department	
Entered:	
By:	

Administrator's Signature

Date

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number