BOARD OF COMMISSIONERS’
TENTATIVE AGENDA
October 5, 2016
BOARD ROOM

11:00 a.m.  Call to Order
           Roll Call
           Communications
           Brief Public Comment (3 minute limit)
           Employee Comment
           Approval of Agenda
           Approval of Board minutes for September 20, 2016

NEW BUSINESS

COMMITTEE REPORTS
Consent Agenda
Non-Consent Agenda

Board Comments
Extended Public Comment (6 minute limit)

PUBLIC COMMENT
The Board welcomes public comment. We appreciate your attendance and look forward to hearing any concerns you may have. We request that the following rules of procedure be followed:
At the beginning and at the end of each board meeting, there is time to receive public comment from the audience.
If you wish to address the Board, we ask that you stand, give your name and present your concern.
If you wish to speak while the Board is addressing a specific issue, you are asked to make arrangements ahead of time with the Board Chairperson. No comments or questions will be taken at any other time.
If you should require special assistance in order to attend the board meeting, please notify the County Clerk at (231) 832-3261 or the Board of Commissioner’s
The Osceola County Board of Commissioners meeting was called to order at 11:06 a.m. by Chairman Larry Emig at the Courthouse.

Roll call: Commissioners Halladay, Emig, Tiedt, Elkins, Nehmer, Gregory and Wayne were present.

Commissioner Elkins led everyone in prayer.

Chairman Emig led everyone in the Pledge of Allegiance to the United States of America.

Communications: None.

Brief Public Comment: None.

Employee Comment: Sue updated Board members on the C.O.A. Marion project update.

**MOTION #1: Approve Board Agenda**
Motion by Commissioner Nehmer, supported by Commissioner Tiedt, to approve the agenda as presented. Motion carried with a voice vote.

**MOTION #2: Approve Board Minutes of September 6, 2016**
Motion by Commissioner Gregory, seconded by Commissioner Nehmer, to approve the regular Board minutes of September 6, 2016 as presented. Motion carried with a voice vote.

**Certificate of Appreciation/Peggy Hoard**
Osceola County Commissioners recognized Peggy Hoard from Middle Branch Township, presenting her with a Certificate of Appreciation recognizing her for her many efforts to improve life in our County.

**Community Mental Health/Update**
John Obermesik, Executive Director for Community Mental Health for Central Michigan(CMHCM) addressed the Board and provided their annual report. He spoke about the six (6) county CMHCM authority, how it is governed and some of the services provided. He also noted their focus is on quality and safety. Catherine Beagle, Program Director for CMHCM in Mecosta & Osceola Counties, spoke a little about the jail diversion program and their working relationship with the Sheriff’s Department. She also spoke about how the Wraparound Services Program works. Discussion was held.

**MOTION #3: Approval of Consent Agenda**
Motion by Commissioner Nehmer, seconded by Commissioner Elkins, to accept the following Committee recommendations of September 20, 2016.
MOTION #3A: Accounts Payable
Approve the accounts payable invoices for claims for the County in the amount of $35,209.53 and recommend the several amounts scheduled therein be allowed, also that the Clerk of this Board be allowed to draw orders on the County Treasurer for the same.

MOTION #3B: Child Care Fund Budget
Approve the Probate & Family Court Child Care Fund Budget for the State and authorize the Chairman to sign.

MOTION #3C: Purchase of Additional SCRAM's and GPS Tethers
Approve the purchase of 5 SCRAM tethers and two (2) additional GPS tethers for a total of $6,450 with payment from the 230 Fund.

MOTION #3D: Crime Victim Rights/Prosecuting Attorney
Accept the Prosecutor'S Crime Victim Rights Grant with the State and authorize the Chairman to sign.

MOTION #3E: 2017 EMPG Work Agreement
Approve the 2017 EMPG Work Agreement and authorize the chairman to sign.

MOTION #3F: Microfilming/County Treasurer
Approve the contract with Graphic Sciences to do the microfilming in the County Treasurer's office in the amount of $13,719.94, with payment from the department's funds and authorize the Chairman to sign.

MOTION #3G: C.O.A. Meals Program Services
Approve adding services on Wednesdays for the Commission on Aging Meals Program.

MOTION #3H: Older Americans Act Contract 2017-2019
Approve the Area Agency on Aging of Western Michigan FY 2017-2019 Older Americans Act contract for Commission on Aging services and authorize the Chairman to sign.

MOTION #3I: C.O.A. Event
Approve the Commission on Aging hosting an event with Keeping the Memory Alive LLC.

MOTION #3J: Veterans' Services Intern/Work Study
Approve participating in the Department of Veterans Work Study program, waive the 15 week limitation in the Recruitment, Selection and Appointment of Interns and Student Service/Placement Workers policy and approve the Veterans' Services Intern/Work Study job description.

MOTION #3K: 2016 Audit
Approve Anderson Tackman to do the 2016 Audit at the same contract amount as the 2015 audit and authorize the letter of engagement.
MOTION #3L: Orient-Fork Drain
Approve a loan from the General fund to the 802 Revolving Drain Fund for work on the Orient-Fork Intercounty Drain in the amount of $6,400 with repayment to the General Funds as the revenue is received from the Orient Township and Special Assessment District.

RESOLUTION 2016-0012
RESOLUTION APPROVING SALE OF
CENTRAL MICHIGAN DISTRICT HEALTH DEPARTMENT PROJECT

WHEREAS, the County is one of the constituent counties of the Central Michigan District Health Department (the "Health Department"), a "district health department" formed by the counties of Arenac, Clare, Gladwin, Isabella, Osceola and Roscommon under Section 2415 of Act 368, P.A. 1978, as amended, for the purposes of providing essential public health services to residents of those counties; and

WHEREAS, on January 20, 2005, NHF Sub Central, a Michigan nonprofit corporation (the "Issuer"), issued its tax-exempt Limited Obligation Revenue Note (Central Michigan District Health Department Project) in the principal amount of $775,000 (the "2005 Note") to finance the construction of an approximately 6,300 square foot building, to be leased in its entirety to the Health Department to satisfy the urgent need of the Health Department and the County for a building to house medical and office facilities for the provision of health care and human services to residents of the County (the "Project"); and

WHEREAS, the 2005 Note was issued "on behalf of" the County, within the meaning of Section 103 of the Internal Revenue Code of 1986, as amended, pursuant to a Resolution approved by the Board of County Commissioners of the County on September 23, 2004, which specifically provided that the County would have no financial responsibility whatsoever for payments due under the 2005 Note, which were primarily payable from and secured by lease payments made by the Health Department to the Issuer; and

WHEREAS, land specifically described in Exhibit A hereto (the "Site"), was identified as a desirable site for the construction of the Project, and was acquired by the Issuer for purposes of development of the Project, with provision for the right of the County to receive title to the Site and the Project (the "Premises") upon retirement of the 2005 Note, free and clear of any leases, liens or encumbrances, without payment by the County of any consideration; and

WHEREAS, the 2005 Note has a principal balance of approximately $432,000, with a final maturity on or about December 1, 2025; and

WHEREAS, the Project has continued to be leased in its entirety by the Issuer to the Health Department pursuant to a Lease dated January 12, 2005 (the "Lease"); and
WHEREAS, it is proposed that the Issuer refinance the 2005 Note in order to (1) facilitate an approximately 10-year extension of the Lease; (2) reduce the monthly rental amount currently payable by the Health Department under the Lease; and, (3) provide funding for approximately $5,000 of upgrades to the Project (collectively, the "Project Refinancing and Upgrades"); and

WHEREAS, it is not economically desirable for the Issuer to finance the Project Refinancing and Upgrades "on behalf of" the County in the same manner as the 2005 Note, as under tax-exempt bond financing rules such a financing would be limited to the existing final maturity date of the 2005 Note (on or about December 1, 2025), which would not serve to reduce the Health Department's monthly rental payment; and

WHEREAS, in order to effectuate the Project Refinancing and Upgrades, the Issuer has offered to acquire the Premises with a portion of the Proceeds of an approximately 20-year conventional taxable loan (the "Issuer Loan") to be entered into by the Issuer, for an amount sufficient to retire the entire debt represented by the 2005 Note and to pay the applicable prepayment penalty and expenses associated with the retirement of the 2005 Note and conveyance of the Premises to the Issuer, and to apply the balance of the proceeds of the Issuer Loan to the construction of the Project upgrades and costs associated with entering into the Issuer Loan; and

WHEREAS, the Issuer proposes to continue to lease the entire Premises to the Health Department for the term of the Issuer Loan at rental rates sufficient to repay the Loan; and

WHEREAS, since the inception of the Project, no County funds have been used to make any debt service payments on the 2005 Note, nor to make any improvements or additions to the Project; and

WHEREAS, upon retirement of the 2005 Note with the proceeds of the Issuer Loan, it is proposed that the County accept title to the Premises without payment of any consideration, and that the County simultaneously convey title to the Premises to the Issuer under a quit claim deed, following which the County will have no further interest in or responsibility with respect to the Premises, provided that the Project will revert to the County (1) in the event the Project is not being used on a regular basis for the functions of the Health Department (or any successor entity providing substantially the same services) or by related health and human services functions of governmental or Section 501(c)(3) tax-exempt organizations, (2) in the event the Health Department is dissolved, (3) upon payment by the Issuer of the full indebtedness represented by the Issuer Loan, or (4) in the event the County shall have prepaid the principal of and interest on the Issuer Loan accrued to the date of prepayment, and the County shall have paid all necessary and proper fees and expenses incident to such prepayment (the "County Reverter"); and

WHEREAS, the conveyance of the Premises to the Issuer as described above is in the public interest, will alleviate financial stress on the Health Department, and will preserve the economic viability of the Project and its availability to provide critical public health and human services to residents of the County.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY THAT:
1. Upon the retirement by the Issuer of all debt represented by the 2005 Note, the County shall accept title to the Premises, free and clear of any leases, liens or encumbrances, and immediately thereupon the Chairman of the Board and the County Clerk are authorized and directed to execute and deliver a quit claim deed to the Issuer conveying all right, title and interest of the County in the Premises, subject to the County Reverter, together with such other instruments and documents as may be necessary to effectuate the conveyance of the Premises to the Issuer.

2. The Chairman of the Board and the County Clerk are further authorized and directed to execute and deliver a Subordination Agreement, subordinating the reversionary rights of the County to the liens and claims of the financial institution providing the financing of the Issuer Loan until the indebtedness represented by such Issuer Loan is paid in full.

3. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

4. This Resolution shall become effective immediately upon its passage.

**MOTION #3M: Budget Amendments, Cash Transfer & August Journal Register**

Approve the following budget amendments, cash transfers and the August Journal Register from the County Treasurer as submitted:

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<th>Description</th>
<th>Line Item</th>
<th>Decrease</th>
<th>Increase</th>
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<td>Transfer Out</td>
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<td>Equip. &amp; Furn./Sheriff</td>
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<td>Transfer In</td>
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<td>Unreserved Fund Balance</td>
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<td>Orient-Fork Drain</td>
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</table>

Cash transfer of $2,209 from the 265 Fund to the 245 Fund.
Cash transfer of $4,400 from the 101 Fund to the 802 Fund.

Motion to approve the consent agenda recommendations from the Committee of the Whole meeting of September 20, 2016, carried with seven (7) yes votes.
MOTION #4: Sheriff's Department RAP and USDA Grants
Moved by Commissioner Tiedt, seconded by Commissioner Gregory, to accept the MMRMA RAP grants and USDA grant for the purchase of in-car and body cameras for the Sheriff's Department and authorize the Chairman to sign. Motion carried with six (6) yes votes, and one (1) no vote. Voting yes: Commissioners Halladay, Gregory, Nehmer, Tiedt, Elkins and Emig. Voting no: Commissioner Wayne.

Liaison reports given.

Extended Public Comments: None.

Moved by Commissioner Wayne, supported by Commissioner Nehmer, to adjourn at 12:50 p.m. Motion carried.

__________________________________________  ______________________________
Karen J. Bluhm, County Clerk  Larry Emig, Chairman